



STORMWATER POLLUTION PREVENTION PROGRAM

Submitted to the
Minnesota Pollution Control Agency
May 2006
Revised 2010

CITY OF HERMANTOWN

STORMWATER POLLUTION
PREVENTION PLAN

DEVELOPED BY:

JENNIFER GRIGGS, ENVIRONMENTAL RESOURCE SPECIALIST

LYNN LANDER, CITY ADMINISTRATOR

JOHN KLAERS, CITY PLANNING/ZONING DIRECTOR

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GENERAL
STORMWATER
PERMIT APPLICATION



General Stormwater Permit (MN R 040000) Application for Small Municipal Separate Storm Sewer Systems (MS4s)

RETURN THIS APPLICATION TO:
Minnesota Pollution Control Agency
 520 Lafayette Road North
 St. Paul, MN 55155-4194

NO FEE

Application deadline: **June 1, 2006**

PLEASE READ: As you complete this form, read the instructions carefully. Use your keyboard's "Tab" key to move through the fields of this form. Select check-boxes and enter text as indicated. Save, and print.

I. MS4 Information

A. Application Type

- New applicant (this MS4 has no previous application for MS4 coverage on file at MPCA)
- Application for re-issuance of coverage (this MS4 applied in 2003)

B. MS4 Owner General Contact (the community, municipality, agency or other party having ownership or operation control of the MS4)

City of Hermantown

Community, municipality, agency or other party having ownership or operational control of the MS4

5255 Maple Grove Rd

Mailing Address

Hermantown

MN

55811

City

State

Zip Code

St. Louis

County

41-1226024

7195876

Federal Tax ID

State Tax ID

C. General Contact (official, staff member, consultant or other) for all general correspondence about Permit compliance issues between the MPCA and your MS4

Griggs

Jennifer

Environmental
Resource
Specialist

Last Name

First Name

Title

5255 Maple Grove Rd

Mailing Address

Hermantown

MN

55811

City

State

Zip Code

(218) 729-3618

jgriggs@hermantownmn.com

Telephone (include area code)

E-mail Address

II. Certification of the Storm Water Pollution Prevention Program (SWPPP)

- A. Have you developed a Storm Water Pollution Prevention Program for your MS4?** Yes
Municipalities must demonstrate how their Storm Water Pollution Prevention Program will be implemented and enforced over the term of the five-year Permit. SWPPPs must incorporate appropriate educational components, all required BMPs and the measurable goals associated with each. Storm Water Pollution Prevention Programs must address the specific requirements contained in Part V. G. of the Permit. SWPPPs must outline how the six minimum control measures will be addressed, the contact person, department in charge, timeline and measures that will be implemented to meet the schedules required by the Permit. Attach a BMP Summary Sheet to this application for *each* BMP in your SWPPP.
- B. Does your SWPPP address all of the six Minimum Control Measures as outlined in the Permit?** Yes
The General Permit requires that you incorporate all six of the defined Minimum Control Measures in your Stormwater Pollution Prevention Program. You are required to implement mandatory BMPs which are directly associated to each of the Six Minimum Control Measures.
- C. Have you attached the included BMP Summary Sheets, one for each of the Best Management Practices required by the Permit?** Yes
There are 34 required BMPs all of which require that the provided BMP Summary Sheet be filled out completely and included with your Storm Water Pollution Prevention Program. If any of these required sheets are missing, your application will not be considered complete and will be returned to you.

III. Reporting and Recordkeeping

- A. I have read and understand Part VI *Evaluating, Recordkeeping, and Reporting of the MS4 General Permit* and certify that we intend to comply with the applicable requirements of those sections as well as the Permit as a whole.** Yes

B. Where will your SWPPP be available to the public for review?

City Hall	www.HermantownMN.com	
<i>Name of Location</i>	<i>If your SWPPP is available electronically, indicate location</i>	
5255 Maple Grove Rd		
<i>Street Address</i>		
Hermantown	MN	55811
<i>City</i>	<i>State</i>	<i>ZIP Code</i>
Jennifer Griggs	(218) 729-3618	
<i>Contact Name</i>	<i>Contact Phone Number</i>	
City Hall: 8am-4:30pm, M-F		
<i>Hours of Availability</i>		

IV. Limitations of Coverage

- A. Part II Limitations on Coverage and Appendix C** Yes
I have read and understand Part II *Coverage Under This Permit* and Appendix C *Limitations on Coverage* of the MS4 General Permit and certify that we intend to comply with the applicable requirements of those sections as well as the Permit as a whole.
- B. Outstanding Resource Value Waters (ORVWs)**
Please refer to the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)* to complete this section. An interactive map is available on the MPCA Web site that identifies Special Waters: <http://pca-gis04.pca.state.mn.us>

1. Prohibited Waters

Does the MS4 discharge into **Prohibited Waters** as defined in Minn. R. 7050.0180, subp. 3, 4, and 5? See Attachment Four of the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)* for further information.

Yes No

2. Restricted Discharge

Does the MS4 discharge into waters with a **Restricted Discharge** as defined in Minn. R. 7050.0180, subp. 6, 6a, and 6b? If yes, please list below and comply with Part IX, Appendix C, Item B. See Attachment Four of the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)* for further information.

Yes No

3. Prohibited or Restricted Waters

If you answered “yes” to either Question 1 or 2, have you included a map that outlines, at a minimum, the DNR minor sub-watersheds in your jurisdiction with ANY discharges to Prohibited or Restricted Waters? You are required by the Permit to provide this map along with your application. [IX.B.2.b]

Yes No

Identify all discharges to Outstanding Resource Value Waters (ORVWs) from your MS4:

Name of Water Body	Type (lake, stream, river)

4. If you answered “yes” to either Question 1 or 2, who is the person responsible for ensuring compliance with this Permit condition?

Name: _____ Position: _____ Phone: _____

C. Special Waters

1. Trout Waters

Does the MS4 discharge into **Trout Waters** as defined in Minn. R. 6264.0050 subp. 2 & 4? If yes, please list below and comply with Part IX, Appendix C, Item C. See Attachments Two and Three of the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)* for further information.

Yes No

2. Wetlands

Does the MS4 discharge into **Wetlands** as defined in Minn. R. 7050.0130, subp. F? See Attachment Four of the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)* for further information.

Yes No

3. Environmental Review

Does the MS4 have a process to assure coordination with appropriate Agencies and to evaluate discharges that require applicable **Environmental Review** as required by State or federal laws? See Part IX of the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)* for further information.

Yes No

Who is the person responsible for ensuring compliance with this Permit condition?

Name: Jennifer Griggs Position: Env. Resource Specialist Phone: (218) 729-3618

4. Endangered or Threatened Species

Does the MS4 have a process to assure coordination with appropriate Agencies and to evaluate discharges whose direct, indirect, interrelated, interconnected, or independent impacts may jeopardize a listed **Endangered or Threatened Species** or adversely modify a designated critical habitat? See Part IX of the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)* for further information.

Yes No

Who is the person responsible for ensuring compliance with this Permit condition?

Name: Jennifer Griggs Position: Env. Resource Specialist Phone: (218) 729-3618

5. Historic Places and Archeological Sites

Does the MS4 have a process to assure coordination with appropriate Agencies and to evaluate discharges which may adversely affect properties listed or eligible for listing in the National Register of **Historic Places** or affecting known or discovered **archeological sites**? Yes No
See Part IX of the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)* for further information.

Who is the person responsible for ensuring compliance with this Permit condition?

Name: Jennifer Griggs Position: Env. Resource Specialist Phone: (218) 729-3618

6. Drinking Water Sources

Does the MS4 have any discharges that may affect Source Water Protection as defined in part **IX.H** of the General Permit? Yes No

If “yes,” does the MS4 have BMPs incorporated into the SWPPP to protect drinking water sources that the MS4 discharge may affect? Yes No

V. Owner or Operator Certification

The person with overall, MS4 legal responsibility must sign the application. This person shall be duly authorized to sign the application and may be either a principal executive officer or ranking elected official. (see Minn. R. 7001.0060).

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete (Minn. R. 7001.0070).

I also certify under penalty of law that I have read, understood, and accepted all terms and conditions of the National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit for MS4s that authorizes storm water discharges identified in this application form.

I understand that as a Permittee, I am legally accountable under the Clean Water Act to ensure compliance with the terms and conditions of the NPDES General Storm Water Permit for MS4s.

I also understand that MPCA enforcement actions (pursuant to Minn. Stat. §115.07, 116.072, and Section 309 of the Clean Water Act) may be taken against me or the MS4 if the terms and conditions of the NPDES General Storm Water Permit for MS4s are not met.

C. General Contact (official, staff member, consultant or other) for all general correspondence about Permit compliance issues between the MPCA and your MS4

X	<i>Jenifer Griggs</i>	<i>April 19, 2006</i>
<i>Authorized Signature</i>		<i>Date</i>
<i>Griggs</i>	<i>Jennifer</i>	<i>Environmental Resource Specialist</i>
<i>Last Name</i>	<i>First Name</i>	<i>Title</i>
<i>5255 Maple Grove Rd</i>		
<i>Mailing Address</i>		
<i>Hermantown</i>	<i>MN</i>	<i>55811</i>
<i>City</i>	<i>State</i>	<i>ZIP Code</i>
<i>(218) 729-3618</i>	<i>jgriggs@hermantownmn.com</i>	
<i>Telephone (include area code)</i>	<i>E-mail Address</i>	

GENERAL PERMIT



Minnesota Pollution Control Agency

**GENERAL PERMIT
AUTHORIZATION TO DISCHARGE STORM WATER
ASSOCIATED WITH MUNICIPAL SEPARATE STORM SEWER SYSTEMS
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM/STATE DISPOSAL SYSTEM PERMIT PROGRAM**

EFFECTIVE DATE: June 1, 2006 EXPIRATION DATE: May 31, 2011

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et seq.; hereinafter, the "Act"), 40 CFR 122, 123, and 124, as amended, et seq.; Minnesota Statutes Chapters 115 and 116, as amended, and Minnesota Rules Chapter 7001.

This permit establishes conditions for discharging **Storm Water** and specific other related discharges to **Waters of the State**. This permit is required for discharges that are from **Small Municipal Separate Storm Sewer Systems**, as defined in this permit.

Upon approval by the **Commissioner** applicants who submit a completed application in accordance with the requirements of this permit, are authorized to discharge **Storm Water** from **Small Municipal Separate Storm Sewer Systems**, under the terms and conditions of this permit.

Signature: _____

A handwritten signature in black ink, appearing to read "Sheryl A. Corrigan", written over a horizontal line.

Sheryl A. Corrigan
Commissioner
Minnesota Pollution Control Agency

Issuance Date: 3/3/06

If **You** have questions on this permit, including the specific permit requirements, permit reporting or permit compliance status, please contact the appropriate Minnesota Pollution Control Agency offices.

Storm Water Management Unit
Storm Water Section
Municipal Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Phone (651) 296-6300, or
Toll free in MN 800-657-3864
Fax (651) 297-2343

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PART I. PERMIT GOALS

The primary goal of this permit is to restore and maintain the chemical, physical, and biological integrity of **Waters of the State** through management and treatment of urban **Storm Water** runoff. This is accomplished by management of **Municipal Separate Storm Sewer Systems** through a **Storm Water Pollution Prevention Program**. The purpose is to maintain water quality standards where there is compliance, and help bring waters that do not meet water quality standards into compliance. It should be noted that when there is a discharge to waters where there are limitations on coverage (Part II.B), there may be more stringent requirements that must be addressed. **You** may also voluntarily adopt more stringent measures to meet local goals.

PART II. COVERAGE UNDER THIS PERMIT

A. Eligibility

This permit, including appendices, authorizes discharges of **Storm Water** from **Small Municipal Separate Storm Sewer Systems** as defined in 40 CFR § 122.26(b)(16).

B. Limitations on Coverage

1. This permit does not authorize discharges other than **Storm Water**. **Non-Storm Water** discharges may include: combined sewer overflow, noncontact cooling water, sewage, wash water, scrubber water, spills, oil, hazardous substances, fill, commercial equipment/vehicle cleaning and maintenance wastewaters. A separate National Pollutant Discharge Elimination System (NPDES) permit may be required for these discharges.
2. This permit does not authorize the discharge of **Storm Water** when a separate NPDES permit is required for these activities. For example, while **Storm Water** from industrial activity or construction activity may be discharged from a **MS4** with authorized **Storm Water** discharges, this permit does not replace or satisfy any other permits required for those discharges.
3. This permit does not authorize the discharge of **Storm Water** from any other entity located in the drainage area or outside the drainage area. Only your system and the portions of the storm sewer system that are under your operational control are authorized by your permit.
4. This permit does not authorize the following **discharges** as described in Appendix C unless the requirements of Part IX (Appendix C) are met:
 - a. Discharges to waters with Prohibited Discharges as defined in Minn. R. 7050.0180, subp. 3, 4, and 5.

- b. Discharges to waters with Restricted Discharge as defined in Minn. R. 7050.0180, subp. 6, 6a, and 6b.
 - c. Discharges to Trout Waters as defined in Minn. R. 6264.0050, subp. 2 and 4.
 - d. Discharges to **Wetlands** as defined in Minn. R. 7050.0130, subp. F (see also Minn. R. 7050.0186).
 - e. Discharges requiring Environmental Review required by Minn. Stat. ch. 116D and 42 U.S.C. §§ 4321 – 4370 f.
 - f. Discharges Affecting Threatened or Endangered Species or Their Habitat.
 - g. Discharges Affecting Historic or Archeological Sites.
 - h. Discharges Affecting Source Water Protection Areas.
5. This permit does not allow **discharges** if the requirements of Part X (Appendix D) and schedule of Part XI (Appendix E) are applicable, unless the **MS4** is in compliance with those appendices.

C. **Obtaining Authorization**

In order for **Storm Water** discharges from **Small Municipal Separate Storm Sewer Systems** to be authorized to discharge under this **General Permit**:

1. Submit an application with the **Storm Water Pollution Prevention Program** **You** intend to implement under this permit, in accordance with the requirements of Part III, using a form provided by the **Commissioner** (or a facsimile thereof).
2. Where the ownership or significant operational control of the **MS4** changes, after the submittal of an application under Part III, a new application must be submitted in accordance with Part III.
3. The **Commissioner** will review the application and **Storm Water Pollution Prevention Program** for completeness and compliance with this permit. The **Commissioner** shall determine whether to approve coverage or to deny coverage to dischargers who submit a complete application. In accordance with the procedures of this permit and requirements of Minn. R. ch. 7001, the **Commissioner** shall provide public notice with the opportunity for hearing on the determination. Upon approval by the **Commissioner**, dischargers are authorized to discharge **Storm Water** from **Small Municipal Separate Storm Sewer Systems** under the terms and conditions of this permit.

4. The **Commissioner** may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the application or other information, in accordance with Minn. R. ch. 7000 and 7001.

PART III. APPLICATION REQUIREMENTS (Notice of Intent)

A. Deadlines for Application

If **You** are an **Owner** or **Operator** of a **Small Municipal Separate Storm Sewer System** regulated under 40 CFR § 122.32(a)(1), **You** must apply to obtain coverage under this permit within 90 days after the permit issuance date on page 1 of this permit. If **You** fail to make the application deadline, **You** are out of compliance and must submit an application. The **Owner** or **Operator** of an **MS4** that is not designated for coverage by federal rules, but has been designated under Minn. R. ch. 7090, must apply by the date specified in the **Commissioner's** designation documents.

B. Signature

The Application shall be signed in accordance with application forms provided by the **Commissioner** and shall include the following information:

1. The street address, county, and the **Owner** or **Person** with operational control of the **MS4** for which the notification is submitted; and
2. The name, address, and telephone number of the individual responsible for overall permit compliance.

C. Application Attachment: Storm Water Pollution Prevention Program

The proposed **Storm Water Pollution Prevention Program** for implementing the permit shall be attached to the application on forms provided by the **Commissioner** (or reasonable facsimiles), including:

1. The **Best Management Practices** or **BMPs** that **You** will implement for each of the **Storm Water** minimum control measures at Part V.G of this permit;
2. The measurable goals for each of the **BMPs**, including, as appropriate, the months and years in which **You** will undertake required actions, including interim milestones and the frequency of the action, in narrative or numeric form, as appropriate;
3. Estimated timeline(s) (months, years) in which **You** will implement each **BMP**; and

4. Individual(s) responsible for implementing and/or coordinating each component of the **Storm Water Pollution Prevention Program**. This should be the individual **You** want the **Agency** to contact for the particular component; it may be the overall coordinator or other individual.

D. Where to Submit

Applications signed in accordance with Part III.B of this permit, **Storm Water Pollution Prevention Programs** submitted under Part III.C, annual reports under Part VI.D, and submittals under Appendices C, D, and E, are to be submitted to the **Commissioner** at the following address:

Storm Water Management Unit
Storm Water Section
Municipal Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

Phone (651) 296-6300, or
Toll free in MN 800-657-3864
Fax (651) 297-2343

E. Record Retention

The applicant shall retain copies of the permit application, the **Storm Water Pollution Prevention Program**, all data and information used by the applicant to complete the application, and any information developed as a requirement of this permit or as requested by the **Commissioner**, for a period of at least three (3) years beyond the date of permit expiration. This period is automatically extended during the course of an unresolved enforcement action regarding the **MS4** or as requested by the **Commissioner**.

PART IV. RIGHTS AND RESPONSIBILITIES

- A.** The **Commissioner** may modify this permit or issue other permits, in accordance with Minn. R. ch. 7001, to include more stringent effluent limitations or permit requirements that modify or are in addition to the minimum control measures in Part V.G of this permit, or both. These modifications may be based on the **Commissioner's** determination that such modifications are needed to protect water quality.
- B.** Additional **MS4s** may be designated for coverage under this permit in accordance with Minn. R. ch. 7090. The **Owner** or **Operator** of an **MS4** that is designated for coverage must comply with the permit requirements by the dates specified in the **Commissioner's** designation documents.

- C. **You** may request individual permits based on Minn. R. ch. 7000, 7001, and other applicable rules.
- D. Section 303(d) listings and **Total Maximum Daily Load (TMDL)**

If your **MS4** discharges to a **Water of the State** that appears on the current **USEPA** approved list of impaired waters under Section 303(d) of the Clean Water Act (33 U.S.C. § 303 (d)), **You** must review whether changes may be warranted in your **Storm Water Pollution Prevention Program** to **Reduce** the impact of your discharge. If a **USEPA**-approved **TMDL(s)** has been developed, **You** must review the adequacy of your **Storm Water Pollution Prevention Program** to meet the **TMDL's** Waste Load Allocation set for **Storm Water** sources. If the **Storm Water Pollution Prevention Program** is not meeting the applicable requirements, schedules and objectives of the **TMDL**, **You** must modify your **Storm Water Pollution Prevention Program**, as appropriate, within 18 months after the **TMDL** Waste Load Allocation is approved.

PART V. STORM WATER POLLUTION PREVENTION PROGRAM

- A. **You** must develop, implement, and enforce a **Storm Water Pollution Prevention Program** designed to **Reduce** the discharge of pollutants from your **Small MS4**, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. Upon approval by the **Commissioner**, the **Storm Water Pollution Prevention Program** shall be implemented as specified in the permit or in the **Commissioner's** approval letter.
- B. Your **Storm Water Pollution Prevention Program** must be designed and managed to **Reduce** the discharge of pollutants from your storm sewer system to the **Maximum Extent Practicable (MEP)**. **You** must manage your municipal storm sewer system in compliance with the Clean Water Act and with the terms and conditions of this permit. **You** must manage, operate, and maintain the storm sewer system and areas **You** control that discharge to the storm sewer system in a manner to **Reduce** the discharge of pollutants to the **MEP**. The **Storm Water Pollution Prevention Program** will consist of a combination of **Best Management Practices**, including education, maintenance, control techniques, system design and engineering methods, and such other provisions as **You** determined to be appropriate, as long as the **BMPs** meet the requirements of this permit.
- C. **You** shall submit an annual report on the implementation of the **Storm Water Pollution Prevention Program** by June 30 of each year, or on another later date if established for your **MS4** by the **Commissioner**. The report shall cover the entire previous calendar year, in accordance with the reporting requirements of Part VI.D.
- D. Your **Storm Water Pollution Prevention Program** must include **BMPs** that control or **Reduce** pollutants, as appropriate for your community. In the development of **BMPs** for your **Storm Water Pollution Prevention Program**,

You must consider the sources of pollutants, the potentially polluting activities being conducted in the watershed, and the sensitivity of the receiving waters. For **MS4s** that have discharges to waters listed in Part II.B.4, see Part IX (Appendix C) for additional requirements. For **MS4s** listed in Part XI (Appendix E), see Part X (Appendix D) for additional requirements.

- E.** For each minimum control measure, there shall be a description of the **BMPs** for this measure, responsible department in charge, an implementation schedule, including any request by **You** for consideration by the Commissioner of an extension or exemption from any deadlines and timelines set forth in this permit, and measurable goals that will be used to determine the success or benefits of the **BMPs**.
- F.** The **Storm Water Pollution Prevention Program** shall become an enforceable part of this permit upon approval by the **Commissioner**. Modifications to the **Storm Water Pollution Prevention Program** that are required or allowed by this permit (see Part V.H) shall also become enforceable provisions.
- G.** The six minimum control measures to be included in your **Storm Water Pollution Prevention Program** are listed below. **You** must define appropriate **BMPs** for these minimum control measures and measurable goals for each **BMP**. The **Storm Water Pollution Prevention Program** must include all **BMPs** required below, must include annual schedules or procedures for implementation, and, where appropriate, must be implemented or established in ordinance, plan or policy by June 30, 2010, unless other timelines have been specifically established in this permit Part V.G.1-6, or by the **Commissioner** under Part IV.B, or under other rules and authorities.
 - 1. Public education and outreach on **Storm Water** impacts. **You** must select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:
 - a. **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.
 - b. **You** must specifically implement an education program that individually addresses each minimum control measure (Part V.G.1-6):
 - 1) Public education and outreach;
 - 2) Public participation;
 - 3) Illicit discharge detection and elimination;
 - 4) Construction site **Storm Water** runoff control;

- 5) Post-construction **Storm Water** management in **New Development and Redevelopment**; and
 - 6) Pollution prevention/good housekeeping for municipal operations.
- c. For each control measure, your education program must identify:
- 1) The audience or audiences involved;
 - 2) Educational goals for each audience in terms of increased awareness, increased understanding, acquired skills, and/or desired changes in behavior;
 - 3) Activities used to reach educational goals for each audience;
 - 4) Activity implementation plans, including responsible department in charge, entities responsible for given activities, and schedules; and
 - 5) Available performance measures that can be used to determine success in reaching educational goals.
- d. **You** must describe how your education program is coordinated with and makes effective use of other **Storm Water** education programs being conducted in your area by other entities as appropriate for your **MS4**, including, but not limited to: community groups, nonprofit organizations, lake conservation districts, soil and water conservation districts, watershed districts, watershed management organizations, school districts, University of Minnesota Extension, and county, regional, state, and federal government.
- e. **You** must hold at least one public meeting per year addressing the **Storm Water Pollution Prevention Program**. **You** must hold the public meeting prior to submittal to the **Commissioner** of the annual report required in Part VI.D.
- 1) Location. The public informational meeting must be held in the general vicinity of the **MS4** that is the subject of the permit. Otherwise, the public informational meeting must be held in a place that is generally convenient to **Persons** expected to attend the meeting.
 - 2) Notice. **You** must issue a notice of the public informational meeting at least 30 days prior to the meeting. The notice must contain a reference to the **Storm Water Pollution Prevention Program**, the date, time, and location of the public informational meeting; a concise description of the manner in which the public informational meeting will be conducted; and shall indicate the location where a copy of the **Storm Water Pollution Prevention Program** is available for public review.
 - 3) Distribution of notice. **You** must publish the notice in a **Newspaper** of general circulation in the general vicinity of the

MS4, and shall make available a copy of the notice to the **Agency**, the appropriate city and county officials, and all other **Persons** who have requested that they be informed of public meetings for the **Storm Water Pollution Prevention Program**.

- 4) Joint meetings. **You** may consolidate two or more matters, issues, or related groups of issues, or hold joint **MS4** public meetings with other permittees to meet the requirements of this part. These public meetings may be part of a larger public meeting, such as a city council meeting, provided that adequate public notice and opportunity to participate is provided.
2. Public participation/involvement. **You** must select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:
 - a. **You** must comply with applicable public notice requirements of Part V.G.1.e.2 when implementing the provisions of the **Storm Water Pollution Prevention Program**.
 - b. **You** must solicit public input and opinion on the adequacy of the **Storm Water Pollution Prevention Program**, including input from the public meeting, described in Part V.G.1.e, each year prior to submittal of the annual report to the **Commissioner**, which is described in Part VI.D.
 - 1) **You** must afford interested **Persons** a reasonable opportunity to make oral statements concerning the **Storm Water Pollution Prevention Program**.
 - 2) **You** must consider timely, relevant written materials that interested **Persons** submit concerning the **Storm Water Pollution Prevention Program**.
 - 3) **You** may establish procedures and processes for each speaker's presentation, require speakers with similar views to select a spokesperson, specify the timing and format of written materials, or make similar rules to help ensure an opportunity for full and fair consideration of all views.
 - c. **You** must consider the public input, oral and written, to the **Storm Water Pollution Prevention Program** and shall make adjustments **You** find appropriate.
 3. Illicit discharge detection and elimination. **You** must develop, implement, and enforce a program to detect and eliminate illicit discharges as defined at 40 CFR § 122.26(b)(2) into your **Small MS4**. **You** must also select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:

- a. **You** must develop, if not already completed, a storm sewer system map by June 30, 2008, or on another date established by the **Commissioner**, showing the location of:
 - 1) Ponds, streams, lakes and **Wetlands** that are part of your system;
 - 2) Structural pollution control devices (grit chambers, separators, etc.) that are part of your system;
 - 3) All pipes and conveyances in your system as a goal, but at minimum, those pipes that are 24 inches in diameter and over; and
 - 4) **Outfalls**, including discharges from your system to other **MS4s**, or waters and **Wetlands** that are not part of your system (where **You** do not have operational control); structures that discharge storm water directly into groundwater; overland discharge points and all other points of discharge from your system that are outlets, but not diffuse flow areas.
 - b. **You** must, to the extent allowable under law, 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. **You** must develop and implement a program to detect and address non-**Storm Water** discharges, including illegal dumping, to your system.
 - d. **You** must inform employees, businesses, and the general public in your **MS4** area of hazards associated with illegal discharges and improper disposal of waste.
 - e. **You** must address the following categories of non-**Storm Water** discharges or flows (i.e., illicit discharges), only if **You** identify them as significant contributors of pollutants to your **Small MS4**:

water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR § 35.2005(b)(20)), uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and **Wetlands**, dechlorinated swimming pool discharges, and street wash water, discharges or flows from fire fighting activities.
4. Construction site **Storm Water** runoff control. Within six months after extension of coverage under this permit, **You** must have developed and must have commenced to implement and enforce a program to **Reduce** pollutants in any **Storm Water** runoff to your **Small MS4** from construction activities

within your jurisdiction that result in a land disturbance of greater than or equal to one acre. Controls on **Storm Water** discharges from construction activity disturbing less than one acre must be included in your program, if that construction activity is part of a larger **Common Plan of Development or Sale** that would disturb one acre or more. **You** must also select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:

- a. An ordinance or **Other Regulatory Mechanism** to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under law;
 - b. Requirements for construction site operators to implement appropriate erosion and sediment control **Best Management Practices**;
 - c. Requirements for construction site operators to control waste, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
 - d. Procedures for site plan review which incorporate consideration of potential water quality impacts;
 - e. Procedures for receipt and consideration of reports of noncompliance or other information on construction related issues submitted by the public; and
 - f. Procedures for site inspection and enforcement of control measures.
5. Post-construction **Storm Water** management in **New Development** and **Redevelopment**. **You** must develop, implement, and enforce a program to address **Storm Water** runoff from **New Development** and **Redevelopment** projects within your jurisdiction 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** by June 30, 2008, or on another date established by the **Commissioner**. Your program must ensure that controls are in place that would prevent or **Reduce** water quality impacts. **You** must also select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:
- a. Develop and implement strategies which include a combination of structural and/or non-structural **BMPs** appropriate for your community;

- b. Use an ordinance or **Other Regulatory Mechanism** to address post-construction runoff from **New Development and Redevelopment** projects to the extent allowable under law; and
 - c. Ensure adequate long-term operation and maintenance of **BMPs** installed as a result of these requirements.
6. Pollution prevention/good housekeeping for municipal operations. **You** must select and implement a program of appropriate **BMPs** and measurable goals for this minimum control measure consisting of, at minimum:
- a. An operation and maintenance program that includes a training component and has the ultimate goal of preventing or **Reducing** pollutant runoff from **MS4** operations. Training materials that are available from the **USEPA**, state and regional agencies, or other organizations may be used as appropriate or modified for your community. Your program must include employee training to prevent and **Reduce Storm Water** pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and **Storm Water** system maintenance.
 - b. **You** must also:
 - 1) Operate and maintain your **Storm Water** system in a manner so as to **Reduce** the discharge of pollutants to the **Maximum Extent Practicable**.
 - 2) Inspect annually all structural pollution control devices, such as trap manholes, grit chambers, sumps, floatable skimmers and traps, separators, and other small settling or filtering devices.
 - 3) Inspect, at minimum, 20% of the **MS4 Outfalls**, sediment basins and ponds each year on a rotating basis, during the effective period of this permit.
 - 4) Inspect all exposed stockpile, storage and material handling areas at least annually.
 - 5) Based on your inspection, determine if repair, replacement, or maintenance measures are necessary for proper operation and to prevent environmental impacts such as erosion. The necessary measures shall be completed as soon as possible, usually during the same year as the inspection. When this is not practicable, the reasons and a schedule for completion shall be submitted in the annual report.
 - 6) Summarize the results of all inspections in the annual report. Keep records on the dates of inspection and responses to the inspections, including the date of completion of repairs and major additional protection measures.

- 7) Keep records of inspection results, including as appropriate, the date, antecedent weather conditions, sediment storage and capacity remaining, and any maintenance performed or recommended. After two years of inspections, if patterns of maintenance become apparent, the frequency of inspections may be adjusted. If maintenance or sediment removal is required as a result of each of the first two annual inspections, the frequency of inspection shall be increased to at least two (2) times annually, or more frequently as needed to prevent carry-over or washout of pollutants from the structures and maximize pollutant removal. If maintenance or sediment removal is not required as a result of both of the first two (2) annual inspections, the frequency may be reduced to once every two (2) years.

H. Modifications to the Storm Water Pollution Prevention Program

1. The **Commissioner** may require **You** to modify the **Storm Water Pollution Prevention Program** as needed, in accordance with the procedures of Minn. R. ch. 7001, and may consider the following factors:
 - a. Discharges from the storm sewer system are impacting the quality of receiving waters;
 - b. More stringent requirements are necessary to comply with state or federal regulations;
 - c. Measures are necessary to meet the applicable requirements of Appendices C and D, or
 - d. Additional conditions are deemed necessary to comply with the goals and requirements of the Clean Water Act or water quality standards.
2. Modifications that **You** wish to make in your **Storm Water Pollution Prevention Program**, other than modifications allowed in Part H.3 below, must be approved by the **Commissioner** in accordance with the procedures of Minn. R. ch. 7001. All requests must be in writing, setting forth schedules for compliance. The request should discuss alternative program modifications, assure compliance with requirements of the permit, and meet other requirements of the permit and applicable laws.
3. The **Storm Water Pollution Prevention Program** may only be modified by **You** without prior approval of the **Commissioner**, provided it is in accordance with the following:
 - a. A **BMP** is added, and none subtracted, from the **Storm Water Pollution Prevention Program**; or

- b. A less effective **BMP** identified in the **Storm Water Pollution Prevention Program** is replaced with a more effective **BMP**. The alternate **BMP** shall address the same, or similar, concerns as the ineffective or failed **BMP**; and
- c. The **Commissioner** is notified of the modification in the annual report for the year the modification is made.

PART VI. EVALUATING, RECORDKEEPING AND REPORTING

A. Evaluation and Assessment

For each annual report, **You** must evaluate program compliance, the appropriateness of your identified **Best Management Practices**, and progress towards achieving your identified measurable goals.

B. Recordkeeping

You must keep records required by the NPDES permit for at least three (3) years beyond the term of the permit. **You** must submit your records to the **Commissioner** only if specifically asked to do so.

C. Public Availability

You must make your records, including your **Storm Water Pollution Prevention Program**, available to the public at reasonable times during regular business hours (see 40 CFR § 122.7 for confidentiality provision). **You** may assess a reasonable charge for copying. **You** may require a member of the public to provide advance notice.

D. Annual Reporting

You must submit annual reports to the **MPCA** by June 30 of each year. The report must cover the entire previous calendar year. Your annual report must summarize:

1. The status of compliance with permit conditions, including an assessment of the appropriateness of your identified **Best Management Practices** and progress towards achieving your identified measurable goals for each of the minimum control measures. Your assessment must be based on results of information collected and analyzed, including monitoring (if any), inspection findings, and public input received during the reporting period;
2. The **Storm Water** activities **You** plan to undertake during the next reporting cycle;
3. A change in any identified **Best Management Practices** or measurable goals for any of the minimum control measures; and

4. A statement that **You** are relying on another entity to satisfy some of your permit obligations (if applicable), and what agreements **You** have entered into in support of this effort.

E. Reporting Submittals

The applications, annual reports, **Storm Water Pollution Prevention Program**, and other submittals required by this permit shall be submitted to:

Storm Water Management Unit
Storm Water Section
Municipal Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194

PART VII. APPENDIX A: STANDARD CONDITIONS

- A.** The **Agency's** issuance of a permit does not release the permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit.
- B.** The **Agency's** issuance of a permit does not prevent the future adoption by the **Agency** of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the permittee.
- C.** The permit does not convey a property right or an exclusive privilege.
- D.** The **Agency's** issuance of a permit does not obligate the **Agency** to enforce local laws, rules, or plans beyond that authorized by Minnesota statutes.
- E.** The permittee shall perform the actions or conduct the activity authorized by the permit in accordance with the plans and specifications approved by the **Agency** and in compliance with the conditions of the permit.
- F.** The permittee shall at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible.
- G.** The permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the **Agency** or to the **Commissioner** by the permit. The permittee shall immediately upon discovery report to the **Commissioner** an error or omission in these records, reports, plans, or other documents.
- H.** The permittee shall, when requested by the **Commissioner**, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit.
- I.** When authorized by Minn. Stat. §§ 115.04; 115B.17, subd. 4; and 116.091, and upon presentation of proper credentials, the **Agency**, or an authorized employee or agent of the **Agency**, shall be allowed by the permittee to enter at reasonable times

upon the property of the permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit.

- J.** If the permittee discovers, through any means, including notification by the **Agency**, that noncompliance with a condition of the permit has occurred, the permittee shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance.
- K.** If the permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the permittee shall, within 24 hours of the discovery of the noncompliance, orally notify the **Commissioner**. Within five days of the discovery of the noncompliance, the permittee shall submit to the **Commissioner** a written description of the noncompliance; the cause of the noncompliance; the exact dates of the period of the noncompliance; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
- L.** The permittee shall report noncompliance with the permit not reported under item K as a part of the next report, which the permittee is required to submit under this permit. If no reports are required within 30 days of the discovery of the noncompliance, the permittee shall submit the information listed in item K within 30 days of the discovery of the noncompliance.
- M.** The permittee shall give advance notice to the **Commissioner** as soon as possible of planned physical alterations or additions to the permitted facility (**MS4**) or activity that may result in noncompliance with a Minnesota or federal pollution control statute or rule or a condition of the permit.
- N.** The permit is not transferable to any **Person** without the express written approval of the **Agency** after compliance with the requirements of Minn. R. 7001.0190. A **Person** to whom the permit has been transferred shall comply with the conditions of the permit.
- O.** The permit authorizes the permittee to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and **Agency** assume no responsibility for damage to **Persons**, property, or the environment caused by the activities of the permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and **Agency** may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minn. Stat. § 3.736.

- P.** This permit incorporates by reference the applicable portions of 40 CFR §§ 122.41 and 122.42 parts (c) and (d) and Minn. R. 7001.1090, which are enforceable parts of this permit.

PART VIII. APPENDIX B: DEFINITIONS

The definitions in this Part are for purposes of this permit only.

“Agency” or **“Agency members”** means the **Commissioner** and the eight persons appointed to the Minnesota Pollution Control Agency, pursuant to Minn. Stat. § 116.02, subd. 1.

“Best Management Practices” or **“BMPs”** means practices to prevent or **Reduce** the pollution of the **Waters of the State**, including schedules of activities, prohibitions of practices, and other management practices, and also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage.

“Commissioner” means the **Commissioner** of the Minnesota Pollution Control Agency or the **Commissioner's** designee.

“Common Plan Of Development Or Sale” means a contiguous area where multiple separate and distinct construction activities are planned to occur at different times on different schedules under one plan, for example, a housing development of five one-quarter-acre lots (40 CFR § 122.26(b)(15)(i)).

“Designated MS4” means an MS4 designated in accordance with Minn. R. ch. 7090.

“EPA” means the U.S. Environmental Protection Agency.

“Expanded Discharge” means a discharge that changes in volume, quality, location, or any other manner after January 1, 1988 or the effective date an outstanding resource value water was designated as described in Minn. R. 7050.0460 and 7050.0470, such that an increased loading of one or more pollutants results. In determining whether an increased loading of one or more pollutants would result from the proposed change in the discharge, the **Agency** shall compare the loading that would result from the proposed discharge with the loading allowed by the **Agency** as of January 1, 1988 or the effective date of outstanding resource value water designation. This definition does not apply to the discharge of bioaccumulative chemicals of concern, as defined in Minn. R. 7052.0010, subp. 4, to outstanding resource value waters in the Lake Superior Basin. For purposes of Minn. R. 7050.0180, an expanded discharge of a bioaccumulative chemical of concern to an outstanding resource value water in the Lake Superior Basin is defined in Minn. R. 7052.0010, subp. 18.

“General Permit” means a permit issued under Minn. R. 7001.0210 to a category of permittees whose operations, emissions, activities, discharges, or facilities are the same or substantially similar.

“Maximum Extent Practicable” **“MEP”** is the statutory standard (33 U.S.C. § 1342(p)(3)(B)(iii)) that establishes the level of pollutant reductions that an **Owner** or

Operator of Regulated MS4s must achieve. The **USEPA** has intentionally not provided a precise definition of **MEP** to allow maximum flexibility in **MS4** permitting. The pollutant reductions that represent **MEP** may be different for each **Small MS4**, given the unique local hydrologic and geologic concerns that may exist and the differing possible pollutant control strategies. Therefore, each permittee will determine appropriate **BMPs** to satisfy each of the six minimum control measures through an evaluative process. The **USEPA** envisions application of the **MEP** standard as an iterative process.

“MPCA” means the Minnesota Pollution Control Agency.

“MS4” means a **Municipal Separate Storm Sewer System**.

“Municipal Separate Storm Sewer System” means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

1. Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, **Storm Water**, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management Agency under section 208 of the CWA (33 U.S.C. § 1288) that discharges to waters of the United States;
2. Designed or used for collecting or conveying **Storm Water**;
3. Which is not a combined sewer; and
4. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR § 122.2.

“New Development” means construction activities that create new impervious surface.

“New Discharge” For all waters that are not outstanding resource value waters **New Discharge** means a discharge that was not in existence before January 1, 1988. For outstanding resource value waters **New Discharge** means a discharge that was not in existence on the effective date the outstanding resource value water was designated as described in Minn. R. 7050.0460 and 7050.0470.

“Newspaper” means a publication containing news of general interest in the vicinity of the **MS4**. It can include other publications if the distribution includes the general population of potentially interested parties.

“Notice of Intent” as referenced in the **USEPA** documents is synonymous with the term “permit application” for the purposes of this permit.

“Other Regulatory Mechanism” means any legally enforceable document, such as a contract or other agreement that has penalties such as withholding payments, fines or other measures to prevent non compliance.

“Operator” means the **Person** with primary operational control and legal responsibility for the **Municipal Separate Storm Sewer System**.

“Outfall” means the point source where a **Municipal Separate Storm Sewer System** discharges from a pipe, ditch, or other discrete conveyance to receiving waters, or to other **Municipal Separate Storm Sewer Systems**. It does not include diffuse runoff or conveyances which connect segments of the same stream or water systems.

“Owner” means the **Person** that owns the **Municipal Separate Storm Sewer System**.

“Person” means the state or any agency or institution thereof, any municipality, governmental subdivision, public or private corporation, individual, partnership, or other entity, including, but not limited to, association, commission or any interstate body, and includes any officer or governing or managing body of any municipality, governmental subdivision, or public or private corporation, or other entity.

“Physical Alteration” except as used in Part VII.M, means the dredging, filling, draining, or permanent inundating of a **Wetland**. Restoring a degraded **Wetland** by reestablishing its hydrology is not a **Physical Alteration**.

“Rebuttable Presumption” is a presumption that may be rebutted by the evidence.

“Record of Decision” means a record of the comments and the permittee’s response to comments where such record is required in this permit.

“Redevelopment” refers to alterations of a property that change the “footprint” of a site or building in such a way that results in the disturbance of equal to or greater than one (1) acre of land. The term is not intended to include such activities as exterior remodeling, which would not be expected to cause adverse **Storm Water** quality impacts and offer no new opportunity for **Storm Water** controls.

“Reduce” means **Reduce** to the **“Maximum Extent Practicable”** unless otherwise defined in the context in which it is used.

“Regulated MS4” means an **MS4** that is regulated pursuant to 40 CFR § 122.32(a)(1), or an **MS4s** that is designated for coverage by the **Commissioner**.

“Selected MS4” means **MS4s** listed in Part XI (Appendix E).

“Small Municipal Separate Storm Sewer System” means all separate storm sewers that are:

1. Owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, **Storm Water**, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States.
2. Not defined as “large” or “medium” **Municipal Separate Storm Sewer Systems** pursuant to 40 CFR §122.26 paragraphs (b)(4) and (b)(7) or designated under paragraph (a)(1)(v).
3. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

“**Small MS4**” means a **Small Municipal Separate Storm Sewer System**.

“**Storm Water**” means **Storm Water** runoff, snowmelt runoff, surface runoff and drainage.

“**Storm Water Pollution Prevention Program**” or “**SWPPP**” is a compilation of **BMPs** to address the six minimum control measures and other provisions of the **MS4** permit, that is designed and managed to **Reduce** the discharge of pollutants from your **MS4** to the **Maximum Extent Practicable** as appropriate to your community.

“**Total Maximum Daily Load**” or “**TMDL**” is the process established by the **USEPA** for the allocation of pollutant loads, including **Storm Water**, to a particular water body or reach of a water body.

“**USEPA**” or “**EPA**” means the U.S. Environmental Protection Agency.

“**Waters of the State**” means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

“**Wetlands**” are those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. **Wetlands** generally include swamps, marshes, bogs, and similar areas. Constructed **Wetlands** designed for wastewater treatment are not **Waters of the State**. **Wetlands** must have the following attributes:

1. A predominance of hydric soils;
2. Inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and
3. Under normal circumstances support a prevalence of such vegetation.

“You” means the **Owner, Operator** or permittee as appropriate.

PART IX. APPENDIX C: LIMITATIONS ON COVERAGE

Contents of Appendix C:

- A. *Discharges to Waters With Prohibited Discharges (pages 25-26)*
- B. *Discharges to Waters With Restricted Discharges (pages 26-28)*
- C. *Discharges to Trout Waters (page 28)*
- D. *Discharges to Wetlands (page 28)*
- E. *Discharges Requiring Environmental Review (page 28)*
- F. *Discharges Affecting Threatened or Endangered Species or Their Habitat (page 29)*
- G. *Discharges Affecting Historic or Archeological Sites (page 29)*
- H. *Discharges Affecting Source Water Protection Areas (page 29)*

This part describes more stringent requirements for discharges that meet the following specified criteria, A through H. Whenever two or more requirements, restrictions, or prohibitions apply, both or all must be met. Whenever two or more requirements, restrictions or prohibitions conflict, the more restrictive conditions must be met.

- A. **Discharges to Waters with Prohibited Discharges** (*Minn. R. 7050.0180, subp. 3, 4 and 5*). This permit does not authorize **New or Expanded Discharges** to waters, or discharges adversely impacting waters, where the applicable water quality standards prohibit **New or Expanded Discharges** as described in Minn. R. 7050.0180, subp. 3, 4, and 5 unless the following requirements are met:
 - 1. **List.** You must identify as part of your application for permit the Waters with Prohibited Discharges to which your **MS4** discharges. The list must be included with your application, to be submitted within 90 days after the permit effective date on page 1 of this permit or for **Designated MS4s** in accordance with Part IV.B.
 - 2. **Map.** You must mark on U.S.G.S. watershed or topographic maps of 1:24,000 scale or better at minimum the DNR minor subwatersheds in your jurisdiction that discharge in whole or in part to Waters with Prohibited Discharges. You must provide a narrative estimate of the percent impervious surface based on current land use, the percent expected future impervious surface based on zoning or comprehensive plans, and other information that may significantly affect your runoff to the listed waters. The map must be included with your application, to be submitted within 90 days after the permit

effective date on page 1 of this permit or for **Designated MS4s** in accordance with Part IV.B.

3. **Assessment.** You must then assess how your **Storm Water Pollution Prevention Program** can be reasonably modified to eliminate **New or Expanded Discharges** to Waters with Prohibited Discharges. This assessment must be developed for **New or Expanded Discharges** created from 1988 until the year 2020. You must present this assessment, together with your proposed changes to your **Storm Water Pollution Prevention Program**, for public comment during the annual public comment period required in the permit, prior to your first annual report (see Part VI.D) or prior to the schedule in Appendix E for **Selected MS4s**.
 4. **Assessment Submittal.** You must submit the assessment from Part IX.A.3 above, including your response to any public comments and proposed changes to your **Storm Water Pollution Prevention Program**, (a) with your first annual report, (b) on another later date if established for your **MS4** by the **Commissioner**, or (c) in accordance with the schedule in Appendix E for **Selected MS4s**. The assessment will be reviewed by the **Commissioner**, who will provide opportunity for public input and hearing prior to denial or approval of your proposed **Storm Water Pollution Prevention Program**. The **MPCA** reserves the right to incorporate as much available information as possible in the decision making process, including the right to independently develop and evaluate potential alternatives to the discharge.
 5. **Implementation.** You must implement your approved plan, including all approved **BMPs**, in accordance with the schedule in the approved **Storm Water Pollution Prevention Program**.
- B. Discharges to Waters with Restricted Discharges** (*Minn. R. 7050.0180, subp.6, 6a, and 6b*). This permit does not authorize **New or Expanded Discharges** to waters where the applicable water quality standards restrict **New or Expanded Discharges**, unless such discharges are in accordance with Minn. R. 7050.0180, subpart 6, 6a, and 6b, and other applicable rules, and the following requirements. For **MS4s** that have discharges to outstanding resource value waters listed in Minn. R. 7050.0180, subp. 6, 6a or 6b (listed waters, or Waters with Restricted Discharges), the **MPCA** makes a **Rebuttable Presumption** that those **MS4s** have or will create a **New or Expanded Discharge** to a listed water. The following requirements create a schedule to bring discharges to listed waters into compliance:
1. In order to allow a **New or Expanded Discharge** to Waters with Restricted Discharges, the **MPCA** must determine that there are no prudent and feasible alternatives to the **New or Expanded Discharge**. The determination will be based on your demonstration. This demonstration should include, but is not limited to developing a plan to address prudent and feasible alternatives to the discharge. If **You** intend to argue that there are no prudent and feasible

alternatives to the discharge to these waters, **You** must develop a plan to restrict the discharge to the extent necessary to preserve the existing high quality, or to preserve the wilderness, scientific, recreational, or other special characteristics that make the listed water an outstanding resource value water.

2. Here are the specific actions **You** must take:
 - a. **List.** **You** must identify as part of your application for permit the waters with restricted discharges to which your **MS4** discharges. The list must be included with your application, to be submitted within 90 days after the permit effective date on page 1 of this permit or for **Designated MS4s** in accordance with Part IV.B.
 - b. **Map.** **You** must mark on U.S.G.S. watershed or topographic maps of 1:24,000 scale or better at minimum the DNR minor subwatersheds in your jurisdiction that discharge in whole or in part to waters with restricted discharges. **You** must provide a narrative estimate of the percent impervious surface based on current land use, the percent of future expected impervious surface based on zoning or comprehensive plans, and other information that may significantly affect your runoff to the listed waters. **You** must submit this map with your application within 90 days after the permit effective date on page 1 of this permit or other later date if established by the **Commissioner**.
 - c. **Assessment.** **You** must then assess how your **Storm Water Pollution Prevention Program** can be reasonably altered to eliminate **New or Expanded Discharges** to waters with restricted discharges. This assessment must be developed for **New or Expanded Discharges** produced from 1988 until the year 2020. Where **You** intend to argue that there are no prudent and feasible alternatives to **New or Expanded Discharges** to these waters, **You** must propose measures **You** will implement to restrict the discharge to the extent necessary to preserve the existing high quality, or to preserve the wilderness, scientific, recreational, or other special characteristics that make the listed waters outstanding resource value waters. Measures that can be proposed include ordinances and zoning changes or other **BMPs**. **You** must present this assessment, together with your proposed changes to your **Storm Water Pollution Prevention Program**, for public comment during the annual public comment period required in the permit, prior to your first annual report (see Part VI.D) or prior to the schedule in Appendix E for **Selected MS4s**.
 - d. **Assessment Submittal.** **You** must submit the assessment from Part IX.B.2.c above, and your response to any public comments, with your plan and proposed changes to your **Storm Water Pollution Prevention Program** and submit it with your first annual report, or on another later date if established for your **MS4** by the **Commissioner**, or according to the schedule in Appendix E for **Selected MS4s**. The plan and proposed changes to the **Storm Water Pollution Prevention Program** will be reviewed by the **Commissioner**, who will provide opportunity for public input and hearing pursuant to Minn. R. ch. 7001 prior to denial or approval of your proposed **Storm Water Pollution Prevention**

Program modifications. The **MPCA** reserves the right to incorporate as much available information as possible in the decision making process, including the right to independently develop and evaluate potential prudent and feasible alternatives to the discharge.

- e. **Implementation.** You must implement your approved **Storm Water Pollution Prevention Program**, including all **BMPs** in accordance with the schedule described in the approved **Storm Water Pollution Prevention Program**.

C. Discharges Adversely Impacting Trout Waters (*Minn. R. 6264.0050 subp. 2 and 4*).

The following requirements apply to Trout Waters listed in Minn. R. 6264.0050, subp. 2 and 4:

1. This permit does not authorize **New or Expanded Discharges** adversely impacting Trout Waters unless, at minimum, **You** establish administrative procedures or other measures to assure that **You** make the following determinations and document the basis for your decision:
 - a. That there is no feasible and prudent alternative to the proposed discharge; and
 - b. All prudent and feasible measures needed to avoid or **Reduce** impacts to Trout Waters, and to preserve the existing high quality of the water will be implemented (see Part IX.C.2 below).
2. If the discharge cannot be avoided, **You** must consider measures to protect water quality and prevent temperature increases. Acceptable measures include reduce the impervious surfaces, diversion away from the stream and use of filter strips, infiltration, biofiltration, or enhanced grass swales to treat runoff before discharge to the Trout Water. Innovative alternatives to ponds are specifically encouraged for Trout Water discharges if they provide equivalent treatment.

D. Discharges to Wetlands (*Minn. R. 7050.0130, subp. F; also 7050.0186*). This permit does not authorize **Physical Alterations** to **Wetlands**, or other discharge adversely affecting **Wetlands**, if the alteration will have a significant adverse impact to the designated uses of a **Wetland**. Any **Physical Alterations** to **Wetlands** that will cause a potential for a significant adverse impact to a designated use must be implemented in accordance with the avoidance, minimization and mitigation requirements of Minn. R. 7050.0186 and other applicable rules.

E. Discharges Requiring Environmental Review (*Minn. Stat. ch. 116D, and 42 U.S.C. §§ 4321 – 4370 f*). This permit does not replace or satisfy any environmental review requirements, including those under the Minnesota Environmental Policy Act (Minn. Stat. ch. 116D), the National Environmental Policy Act (42 U.S.C. §§ 4321 – 4370 f), and rules implementing those laws. Any environmental review required of **You** by law, including preparation of environmental review documents such as environmental assessment worksheets, environmental impact statements, or environmental assessments, must be completed in accordance with those requirements.

- F. Discharges Affecting Threatened or Endangered Species.** This permit does not replace or satisfy any review requirements for Threatened or Endangered Species, from discharges whose direct, indirect, interrelated, interconnected, or independent impacts would jeopardize a listed Threatened or Endangered Species or adversely modify a designated critical habitat. For any project resulting in a discharge having the potential to adversely impact Threatened or Endangered species, or their critical habitat, **You** must conduct your required review and coordination with appropriate agencies in accordance with those requirements.
- G. Discharges Affecting Historic or Archeological Sites.** This permit does not replace or satisfy any review requirements for Historic or Archeological Sites from discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or adversely affecting known or discovered archeological sites. For any project resulting in a discharge having the potential to adversely impact Historic or Archeological Sites, including significant anthropological sites and any burial sites, **You** must conduct your required review and coordination with the Minnesota State Historic Preservation Officer or other appropriate agencies in accordance with those requirements.
- H. Discharges Affecting Source Water Protection Areas** (*Minn. R. 4720.5100 – 4720.5590*). **You** shall incorporate **BMPs** into your **Storm Water Pollution Prevention Program** to protect any of the following drinking water sources that your **MS4** discharge may affect, and **You** shall include the map of these sources with the **Storm Water Pollution Prevention Program** if they have been mapped:
1. Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330, and
 2. Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13.

PART X. APPENDIX D: NONDEGRADATION FOR SELECTED MS4s

The requirements of this section apply only to **MS4s** called **Selected MS4s** as described in Part XI (Appendix E). Certain **MS4s** have been selected to perform the requirements of this part because their size and growth may be closely correlated with increased **Storm Water** flows and pollutant loading. Nondegradation review applies to all significant **New or Expanded Discharges** to all waters but does not negate the applicable requirements for outstanding resource value waters, requirements for special classes of waters, other requirements in Appendix C or the general requirements of the permit.

A. Selected MS4s

The basic requirement for all **MS4s** regulated under this permit is to develop a **Storm Water Pollution Prevention Program** that meets the requirements of the permit. An additional process is required of a limited number of permittees (30) that are listed in Appendix E. These **Selected MS4s** must submit to the **Commissioner** information described below to determine whether additional control measures beyond those of the permit Parts I through IX can be reasonably taken to minimize the impacts of the discharges. Selection, for purposes of this permit, is described in Appendix E.

B. Loading Assessment

Each **Selected MS4** must assess the change in **Storm Water** discharge loading for its permitted area using a pollutant loading water quality model that, at minimum, addresses changes in Average Annual Flow Volume, Total Suspended Solids, and Phosphorus. This modeling will be based on two time periods: from 1988 (1988-1990) to the present (2000-2005), and from the present to 2020. The **Selected MS4s** must use a simple model, or another more complex model that they find to be more appropriate, that addresses the parameters of concern. This may include a model that the **Selected MS4** has already used. Other assessment methods may be used if they can be shown to be as effective at quantifying the increase in loading as the modeling methods. The models and/or other methods will be used as part of the assessment to develop the Nondegradation Report, to help in selecting appropriate **BMPs** that address nondegradation, to determine whether additional control measures can reasonably be taken to **Reduce** pollutant loading, and for a few **Selected MS4s** that elect to do so, to evaluate the significance of the **New or Expanded Discharge**.

C. Nondegradation Report

Selected MS4s that have significant **New or Expanded Discharges** are required to complete a Nondegradation Report and, upon approval, to incorporate its findings on **BMPs** that address nondegradation into their **Storm Water Pollution Prevention Program**. The **BMPs** shall address changes in pollutant loadings as far as is reasonable and practical through future development. Additionally, the **BMPs** shall address, as far as is reasonable and practical, the negative impacts of increased **Storm Water** discharge volumes that cause increased depth and duration of inundation of **Wetlands** having the potential for a significant adverse impact to a designated use of the **Wetland**, or changes in stream morphology that have the potential for a significant adverse impact to a designated use of the streams.

The Nondegradation Report must include consideration of the Loading Assessment, which must include analysis of flow and may include removal of pollutants by **BMPs** already initiated. For purposes of this **General Permit**, 1988 levels consistently attained means runoff that would have been produced under approximately average conditions of rainfall. Local **Storm Water** management plans and other pertinent factors may also be considered. **BMPs** implemented by other parties may be considered when those **BMPs** affect the **Storm Water** from the area of the **Selected MS4**. If the pollutant loadings cannot be **Reduced** to levels consistently attained in 1988, the Report must describe reasonable and practical **BMPs** that the **Selected MS4** plans to incorporate into a modified **Storm Water Pollution Prevention Program**. The **Selected MS4** must consider alternatives, explain which alternatives have been studied but rejected and why, and propose alternatives that are reasonable and practical. The Report must give high priority to **BMPs** that address impacts of future growth, such as ordinances for **New Development**. Where increases in pollutant loading have already occurred due to past development, the Report must consider retrofit and mitigation options (**BMPs**) that the **Selected MS4** determines to be reasonable, practical and appropriate for the community. The **Selected MS4** is responsible for developing any site specific cost/benefit, social, and environmental information that the **Selected MS4** wishes to bring to the **Agency's** attention. The **Selected MS4** must incorporate the **BMPs** into a modified **Storm Water Pollution Prevention Program** and include an implementation schedule that addresses **New Development** and retrofit **BMPs** it proposes to implement.

D. Public Participation

Prior to submittal to the **MPCA**, the proposed **Storm Water Pollution Prevention Program** modifications to address nondegradation will be public noticed at the local level as required in the permit (Part V.G.1.e). Each **Selected MS4** shall also submit its **Storm Water Pollution Prevention Program** modifications to address nondegradation to the appropriate local water authority (e.g. watershed organizations or county water planning authority) in time to allow for their review and comment. The Nondegradation Report explaining the proposed **BMPs** and the entire **Storm Water Pollution Prevention Program** must be made available to the public and local water authority upon request.

E. Submittals for Selected MS4s

Selected MS4s must submit their proposed changes to the **Storm Water Pollution Prevention Program**, reports addressing nondegradation for all waters (and restricted waters or prohibited waters if applicable), together with other supporting documents, to the **MPCA** in accordance with the schedule in Appendix E. This submittal must include:

1. The Loading Assessment;
2. The Nondegradation Report;
3. The proposed **Storm Water Pollution Prevention Program** modifications to address nondegradation;
4. The public and local water authority comments on the proposed **Storm Water Pollution Prevention Program** modifications to address nondegradation, with a **Record of Decision** on the comments; and

5. An application to modify the permit.

F. MPCA Review

The **MPCA** will review the above submittals in accordance with Minn. R. ch. 7001. After consideration of the Loading Assessment, the Nondegradation Report, public and local water authority comments, the **Record of Decision** by the **Selected MS4**, and other pertinent information, the **MPCA** will make a determination on the preliminary approval of the proposed **Storm Water Pollution Prevention Program**. The role of the **MPCA** during the review process will generally be limited to reviewing the information presented by the **Selected MS4** and comments made by others during the review process. However, the **MPCA** reserves the right to incorporate as much available information as possible in the decision making process, including the right to independently develop and evaluate potential reasonable and practical alternatives.

G. Notice and Preliminary Determination

The **MPCA** will provide statewide public notice and opportunity for hearing on any **MPCA** determination of intent to deny or approve the **Storm Water Pollution Prevention Program** modifications to be implemented under this permit. The **MPCA** will provide public and **MPCA** comments to the **Selected MS4**. The **Selected MS4** will have the opportunity to respond to the comments prior to the **MPCA** making a final determination.

H. Final Determination

The **Commissioner** will make a final determination on the modifications to the **Storm Water Pollution Prevention Program** in accordance with Minn. R. ch. 7001.

I. Implementation of the Approved Storm Water Pollution Prevention Program

Following approval by the **MPCA** (as described in Part X.H above), the approved **Storm Water Pollution Prevention Program** modifications, including any changes required by the **MPCA**, must be implemented by the **Selected MS4** in accordance with the schedule in the approved **Storm Water Pollution Prevention Program** and modifications.

PART XI. APPENDIX E: SELECTED MS4s

This part describes the schedule of submittals of the items listed in Part X (Appendix D), item E to the **MPCA** for review and approval. The **Commissioner** has selected the **MS4s** listed below for further nondegradation review. The selection was based on the population growth experienced by the community during three time periods: from 1990 to 2000, based on census data; from 2000 to 2003, based on projections by the State Demographer and Metropolitan Council; and from 2000 to 2020, also based on the State Demographer and Metropolitan Council projections. The **Commissioner** also considered the size of the community as represented by the 2000 census. The **Commissioner** may also determine that additional **MS4s** be selected based on the same factors, or other factors in accordance with Minn. R. ch. 7001 and other applicable rules.

The following **Selected MS4s** shall submit the items listed in Part X (Appendix D), item E, to the **MPCA** for review and approval, postmarked on or before the listed dates.

	Selected MS4	Submittal date
1	Rochester	15 months after the effective date of the Permit
2	Woodbury	15 months after the effective date of the Permit
3	Maple Grove	15 months after the effective date of the Permit
4	Lakeville	15 months after the effective date of the Permit
5	Eden Prairie	15 months after the effective date of the Permit
6	Eagan	16 months after the effective date of the Permit
7	Plymouth	16 months after the effective date of the Permit
8	Blaine	16 months after the effective date of the Permit
9	Bloomington	16 months after the effective date of the Permit
10	Duluth	16 months after the effective date of the Permit
11	Brooklyn Park	17 months after the effective date of the Permit
12	Shakopee	17 months after the effective date of the Permit
13	Apple Valley	17 months after the effective date of the Permit
14	St. Cloud	17 months after the effective date of the Permit
15	Burnsville	17 months after the effective date of the Permit
16	Prior Lake	18 months after the effective date of the Permit
17	Maplewood	18 months after the effective date of the Permit
18	Coon Rapids	18 months after the effective date of the Permit
19	Andover	18 months after the effective date of the Permit
20	Elk River	18 months after the effective date of the Permit
21	Savage	19 months after the effective date of the Permit
22	Farmington	19 months after the effective date of the Permit
23	St. Louis Park	19 months after the effective date of the Permit
24	Edina	19 months after the effective date of the Permit
25	Minnnetonka	19 months after the effective date of the Permit
26	Chanhassen	20 months after the effective date of the Permit
27	Chaska	20 months after the effective date of the Permit
28	Inver Grove Heights	20 months after the effective date of the Permit
29	Rosemount	20 months after the effective date of the Permit
30	Cottage Grove	20 months after the effective date of the Permit

**BEST
MANAGEMENT
PRACTICES**

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	1-PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1a-1
*BMP Title:	Distribute Educational Materials
*BMP Description:	
<ul style="list-style-type: none"> • Informational brochures were developed in conjunction with the Regional Stormwater Protection Team (RSPT). • Hermantown will create brochures specifically relating to local issues. • The brochures will be direct-mailed and available at City Hall. • An area watershed map will be created. 	
Location(s) in SWPPP of detailed information relating to this BMP:	
Figures 1.1, 1.2, 1.3	
*Measurable Goals:	
<ul style="list-style-type: none"> • The brochure will be mailed annually with utility bills and available at City Hall. • Hermantown brochures will also be distributed at the Great Lakes Aquarium, Lake Superior Zoo, Gander Mountain, Western Lake Superior Sanitary District, and other relevant offices and businesses to increase visibility 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Stormwater brochures will be mailed annually beginning in 2007 • Additional brochures will be created as needed and available in local high-visibility locations (listed above) 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Identifying and reporting discharges • Chemical impacts • Septic System maintenance • Watershed awareness • Descriptive river and stream systems 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1b-1
*BMP Title:	Implement an Education Program
*BMP Description:	
<ul style="list-style-type: none"> • In conjunction with the Regional Stormwater Protection Team (RSPT), a stormwater education campaign will be implemented. • The education campaign will include diverse components to impact as many residents and businesses possible, including information brochures and public service announcements (radio and television). • The educational campaign will utilize the RSPT logo, developed specifically for MS4 stormwater education as a regionally recognized icon. • The campaign will focus on improving public awareness, attitudes, and behavior regarding stormwater systems. 	
Location(s) in SWPPP of detailed information relating to this BMP:	
BMP section 1: Public Education and Outreach, Fig 1.1, 1.2, 1.3, 1.4	
*Measurable Goals:	
<ul style="list-style-type: none"> • Air public service radio spots on surface water protection during 2005-2006 • Air public service television spots on surface water protection during 2005-2006 • Provide brochure on www.hermantownmn.com and other regional stormwater links 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Informational brochures will be distributed annually. • Public service announcements will be aired annually in the spring. 	
Specific Components and Notes:	
<p>The following topics will be targeted in the educational campaign:</p> <ul style="list-style-type: none"> • keeping debris out of ditches, creeks, and streams • landscaping for water protection • chemical impacts • septic system maintenance for water protection • controlling erosion • identifying and reporting illicit discharges • being part of a watershed 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet

MS4 Name:	City of Hermantown
Minimum Control Measure:	PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1c-1
*BMP Title:	Education Program: Public Education and Outreach
*Audience(s) Involved:	
<ul style="list-style-type: none"> • City Council and City staff • Local school district staff 	
*Educational Goals for Each Audience:	
<ul style="list-style-type: none"> • NPDES regulations • SWPPP provisions • Responsible individuals and departments for compliance • Challenges 	
*Activities Used to Reach Educational Goals:	
<ul style="list-style-type: none"> • Presentation to City Council • Presentation to City staff • Meetings with Hermantown School District educational staff 	
*Activity Implementation Plan:	
<ul style="list-style-type: none"> • Annual presentation of SWPPP to municipal employees, beginning in 2007 • Distribution of informational brochure to school district, 2006 	
*Performance Measures:	
<ul style="list-style-type: none"> • Compile input from audience to incorporate into other education & outreach programs 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1c-2
*BMP Title:	Education Program: Public Participation
*Audience(s) Involved:	
General public	
*Educational Goals for Each Audience:	
<ul style="list-style-type: none"> • Awareness of location and sensitivity of stormwater drains • Improve understanding of good residential stormwater practices (i.e. lawn & garden) 	
*Activities Used to Reach Educational Goals:	
<ul style="list-style-type: none"> • The City will purchase all supplies necessary to stencil stormwater drains; city staff will stencil drains in critical watershed areas; supervision and supplies will then be made available to the public to continue stenciling throughout the City. • Exhibit good residential stormwater practices including games for children biennially at a community event 	
*Activity Implementation Plan:	
<ul style="list-style-type: none"> • Drain stenciling was completed in 2003-2004 • Biennially exhibit at a community event, the first one being no later than December 30, 2007 	
*Performance Measures:	
<ul style="list-style-type: none"> • Number of drains stenciled • Audience interest and participation during community event 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1c-3
*BMP Title:	Education Program: Illicit Discharge Detection and Elimination
*Audience(s) Involved:	
<ul style="list-style-type: none"> • General public • High school students 	
*Educational Goals for Each Audience:	
<ul style="list-style-type: none"> • Improve understanding of household hazardous waste • Educate high school students on environmental monitoring methods 	
*Activities Used to Reach Educational Goals:	
<ul style="list-style-type: none"> • Exhibit potential household hazardous wastes & containment practices at a community event • Hold field class on environmental assessment and sampling for high school students 	
*Activity Implementation Plan:	
<ul style="list-style-type: none"> • Biennially exhibit at a community event • Develop field class with local science teachers and implement by June 1, 2007 	
*Performance Measures:	
<ul style="list-style-type: none"> • Audience interest and participation during community event • Student interest and participation, teacher feedback after field classes 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1c-4
*BMP Title:	Education Program: Construction Site Run-off Control
*Audience(s) Involved:	
Developers and Contractors	
*Educational Goals for Each Audience:	
To educate developers and contractors about acceptable practices for stormwater pollution prevention at construction sites.	
*Activities Used to Reach Educational Goals:	
<ul style="list-style-type: none"> • Educational curriculum developed by intergovernmental political subdivision group (Regional Stormwater Protection Team; RSPT) as part of a regional effort • Addendum to Land Alteration Permit with illustrating proper erosion control techniques • Annual workshop for contractors and developers in conjunction with Saint Louis County Soil and Water Conservation District (see figure 1.5) 	
*Activity Implementation Plan:	
<ul style="list-style-type: none"> • The RSPT held an erosion and sediment control workshop in January, 2006, and the Soil and Water Conservation District held workshops in January, March, and June, 2005 and February, 2006 • Workshops will continue to be offered at least annually. • Land Alteration Permit addendum complete and implemented by June 2006 	
*Performance Measures:	
<ul style="list-style-type: none"> • Evaluation of proper erosion control methods on construction sites • Number of violations noted during construction • Attendance of workshops 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1c-5
*BMP Title:	Education Program: Post-Construction Stormwater Management in New Development and Redevelopment
*Audience(s) Involved:	
<ul style="list-style-type: none"> • Contractors • Homeowners/landowners 	
*Educational Goals for Each Audience:	
<ul style="list-style-type: none"> • Foster understanding of MS4 BMPs, as a benefit to residents and businesses, rather than a nuisance 	
*Activities Used to Reach Educational Goals:	
<ul style="list-style-type: none"> • City meeting 	
*Activity Implementation Plan:	
<ul style="list-style-type: none"> • Develop interactive presentation for the community and present by June 1, 2007. May be presented in conjunction with the Annual Report meeting. • Advertise meeting and contact local press with at least 30 days notice. • Continue presentations annually thereafter. 	
*Performance Measures:	
<ul style="list-style-type: none"> • Recorded feedback from contractors & homeowners 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1c-6
*BMP Title:	Education Program: Pollution Prevention/Good Housekeeping for Municipal Operations
*Audience(s) Involved:	
City maintenance staff	
*Educational Goals for Each Audience:	
To review, update, and train on proper maintenance procedures and practices including street cleaning and storm drain cleaning	
*Activities Used to Reach Educational Goals:	
Annual meeting	
*Activity Implementation Plan:	
<ul style="list-style-type: none"> • Implement immediately (2006) and conduct annual meetings • Annual maintenance inspection report will be prepared and included with Annual Report to MPCA by June 1 of each following year. 	
*Performance Measures:	
<ul style="list-style-type: none"> • Input from city maintenance staff • Annual maintenance inspection report: street sweeping; inspection of outfalls, pollution control devices, retention ponds, etc; and stockpile stabilization 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1d-1
*BMP Title:	Coordination of Education Program
*BMP Description:	
<p>Hermantown, Duluth, Proctor, Superior, St. Louis County, University of Minnesota, and the South St. Louis County Soil & Water Conservation District have formed the Regional Stormwater Protection Team (RSPT) to create a regionally effective message and delivery format to effectively reach the broadest audience about stormwater protection.</p>	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Participate in RSPT through monthly meetings and correspondence • Enact public education components described in 1a-1 and 1b-1. 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • create logo, informational brochures, and watershed maps within 3 months COMPLETE • air public service announcements within 1 year COMPLETE 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • RSPT logo • Watershed maps, informational brochures, and public service announcements • RSPT website: http://www.duluthstreams.org/stormwater/rspt.html 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	PUBLIC EDUCATION AND OUTREACH
Unique BMP Identification Number:	1e-1
*BMP Title:	Annual Public Meeting
*BMP Description:	
City to hold annual meeting to present elements of the SWPPP to the public. May be held in conjunction with meeting for homeowners/contractors (Section 1c-5).	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Public input considered and adapted into SWPPP. • Oral and written materials from meeting. • Complete and record public meeting. 	
*Timeline/Implementation Schedule:	
The meeting will be held annually.	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Meeting will cover: review of annual income, public concerns on the SWPPP, possible changes to the SWPPP. • Relevant literature, suppliers, and contact information will be provided to attendees. • Report plan changes 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	2-PUBLIC PARTICIPATION/INVOLVEMENT
Unique BMP Identification Number:	2a-1
*BMP Title:	Comply with Public Notice Requirements
*BMP Description:	
The Hermantown Star serves as the official newspaper for the City of Hermantown. The City will publish notice of the annual meeting at least 30 days before the actual hearing date.	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
Publication of notice of annual hearing.	
*Timeline/Implementation Schedule:	
A thirty-day advance notice will be published prior to the annual meeting.	
Specific Components and Notes:	
Announcement will include date, time, location, and brief overview of the stormwater program.	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	2-PUBLIC PARTICIPATION/INVOLVEMENT
Unique BMP Identification Number:	2b-1
*BMP Title:	Solicit Public Input and opinion on the Adequacy of the SWPPP
*BMP Description:	
<p>During the annual meeting (see 1e-1, 2a-1), all attendees will be given the opportunity to comment, both in person and on comment sheets distributed through the audience. The audience will be asked to sign in and give contact information, so any points can be further discussed after the meeting. City personnel will also record public meeting.</p>	
<p>Location(s) in SWPPP of detailed information relating to this BMP:</p>	
Appendix C. Annual Public Meeting Comment Sheet	
*Measurable Goals:	
Amount of response received by community members	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Public input will be solicited at every annual meeting. • Comment sheets will be developed and in place by June 1, 2006 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Comment sheets • Meeting record 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	2-PUBLIC PARTICIPATION/INVOLVEMENT
Unique BMP Identification Number:	2c-1
*BMP Title:	Consider Public Input
*BMP Description:	
All public input (see 2b-1) will be summarized and evaluated by city staff. Where deemed appropriate, public input will be followed up by personal interaction with commenters, and/or incorporated into the City's stormwater management plan.	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Recorded summary of public input • Present summary of public input to City Council & Planning Commission. 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Public input will be solicited at every annual meeting. 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Review of public input responses • Presentation to City Council & Planning Commission 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	3-ILLICIT DISCHARGE DETECTION AND ELIMINATION
Unique BMP Identification Number:	3a-1
*BMP Title:	Storm Sewer System Map
*BMP Description:	
Hermantown staff to create a storm sewer map outlining collection throughout Hermantown.	
Location(s) in SWPPP of detailed information relating to this BMP:	
Appendix D. Maps	
*Measurable Goals:	
Actual stormwater map	
*Timeline/Implementation Schedule:	
Map is complete (2006) and will be updated following any changes to the MS4. The City intends to incorporate the map into a GIS as soon as possible.	
Specific Components and Notes:	
<ul style="list-style-type: none"> • City collection system • County collection system • All other entities within corporate limits 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet

MS4 Name:		City of Hermantown
Minimum Control Measure:		3-ILLCIT DISCHARGE DETECTION AND ELIMINATION
Unique BMP Identification Number:		3b-1
*BMP Title:	Regulatory Control Program	
*BMP Description:		
<p>Adopt an ordinance prohibiting non-stormwater discharges into the public storm drainage system and implement enforcement action as needed.</p> <p>The City adopted Ordinance 2007-06 (Illicit Discharge and Connection to the Storm Drainage System) in January 2008. This ordinance prohibits non-stormwater discharges into the public storm drainage system and provides for enforcement measures and procedures.</p>		
*Measurable Goals:		
<ul style="list-style-type: none">• Adopt and enforce an ordinance prohibiting illicit discharges into the public drainage system• Keep records of illicit discharges and any follow-up or enforcement actions implemented		
*Timeline/Implementation Schedule:		
<ul style="list-style-type: none">• 2008 – adoption of ordinance prohibiting illicit discharges into the storm drainage system• 2008-2011 – annually review records from previous year(s) to assess type & prevalence of illicit discharges and to determine if regulatory changes are needed		
Specific Components and Notes:		
<ul style="list-style-type: none">• Track and assess trends• Develop educational materials for distribution to employees and the public		
*Responsible Party for this BMP:		
Name:	Lauri Walters, Environmental Resource Specialist	
Department:	Environmental Services	
Phone:	218.729.3618	
E-mail:	lwalters@hermantownmn.com	

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	3-ILLCIT DISCHARGE DETECTION AND ELIMINATION
Unique BMP Identification Number:	3c-1
*BMP Title:	Illicit Discharge Detection and Elimination Plan
*BMP Description:	
<p>The City will develop an Illicit Discharge Detection and Elimination Guide. The plan will detail procedures for illicit discharge evaluation, for use when an illicit discharge is detected during normal municipal operations (maintenance crews, building inspection, erosion control inspection, etc).</p>	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
Design and Implement Illicit Discharge Detection and Elimination Guide	
*Timeline/Implementation Schedule:	
The Guide will be drafted and distributed to appropriate City personnel by June 1, 2007.	
Specific Components and Notes:	
<ul style="list-style-type: none"> • How to recognize an illicit discharge • How to evaluate an illicit discharge (water quality sampling, stream surveys, etc) • How to correct an illicit discharge 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	3-ILLCIT DISCHARGE DETECTION AND ELIMINATION
Unique BMP Identification Number:	3d-1
*BMP Title:	Public and Employee Illicit Discharge Information Program
*BMP Description:	
<ul style="list-style-type: none"> • The City will create an exhibit at a local community event to educate the community on lawn and garden maintenance and proper disposal of municipal hazardous waste (see section 1: Public Education and Outreach). • Specific brochures or a pamphlet will be designed and distributed that details the responsibilities of residents. • City employees will be given the Illicit Discharge Detection and Elimination Guide (3c-1) and an introductory presentation on the use of the Guide. 	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Design and distribute the brochures/pamphlets detailing illicit discharge responsibilities of residents. • Presentation to city employees on the Illicit Discharge Detection and Elimination Guide. • Stormwater page on City website 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • brochures/pamphlets will be designed and distributed by June 1, 2007 • City employees will attend a one-time presentation of the Illicit Discharge Detection and Elimination Guide by June 1, 2007 • City website will have a stormwater page by June 1, 2007 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Brochures/pamphlets detailing illicit discharge responsibilities of residents • Presentation to city employees • City website will have a stormwater page with contact information about illicit discharge reporting 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	3-ILLICIT DISCHARGE DETECTION AND ELIMINATION
Unique BMP Identification Number:	3e-1
*BMP Title:	Identification of Non Stormwater Discharges and Flows
*BMP Description:	<p>City will develop and implement a stream monitoring program to help protect the 5 identified trout streams in city limits. These streams are: Miller Creek, Keene Creek, Kingsbury Creek, Rocky Run, and Midway River. Stream monitoring data from the MN DNR will be taken into consideration. Sampling parameters will include: temperature, turbidity, pH, and presence of pollutants.</p>
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • to establish a baseline of stream quality • to identify and correct non-stormwater discharges and flows 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • 2006- design monitoring program • 2007- implement and evaluate monitoring program; address any illicit discharges as necessary 	
Specific Components and Notes:	
Monitoring will address water quality and evaluate any illicit discharges into natural waterways.	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	4-CONSTRUCTION SITE STORMWATER RUNOFF CONTROL
Unique BMP Identification Number:	4a-1
*BMP Title:	Ordinance or other Regulatory Mechanism
*BMP Description:	
<p>In 2005, the City adopted ordinance 2005-02 (City Code Section 1060, Erosion and Sediment Control for Land Disturbance Activities).</p> <p>A new ordinance (2009-05) was adopted in December 2009 which replaced Section 1060 in its entirety with updated language for Erosion and Sediment Control for Land Disturbance Activities.</p>	
*Measurable Goals:	
<ul style="list-style-type: none"> • Ordinance is adopted and implementation is in effect 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Original ordinance adopted in 2005 • Updated ordinance was adopted in December 2009 • 2010-2011: implement new procedures on an ongoing basis 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Ordinance defines requirements for plan submittal & review, required construction site controls and enforcement procedures. 	
*Responsible Party for this BMP:	
Name:	Lauri Walters, Environmental Resources Specialist
Department:	Environmental Services
Phone:	218.729.3618
E-mail:	lwalters@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	4-CONSTRUCTION SITE STORMWATER RUNOFF CONTROL
Unique BMP Identification Number:	4b-1
*BMP Title:	Construction Site Implementation of Erosion and Sediment Control BMPs
*BMP Description:	
<p>City Code Section 1060, Erosion and Sediment Control for Land Disturbance Activities, defines specific requirements for erosion control, sediment control, inspection & maintenance, and final stabilization at construction sites. Required BMPs mimic those of the NPDES construction permit, except that the requirements apply to all projects impacting ½ acre or more, and many projects impacting less than ½ acre.</p>	
*Measurable Goals:	
<ul style="list-style-type: none"> • Required practices for erosion and sediment control at construction sites are clearly defined by ordinance. • Educational materials relating to erosion and sediment control BMP requirements are available for applicants. 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Updated requirements went into effect in December 2009, with the adoption of ordinance 2009-05. • Informational materials were developed in 2010 for ongoing distribution to applicants • Implementation and enforcement ongoing throughout duration of permit 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Required BMPs for erosion control, sediment control, inspection & maintenance, and final stabilization are all defined in City Code, Section 1060.12. 	
*Responsible Party for this BMP:	
Name:	Lauri Walters, Environmental Resources Specialist
Department:	Environmental Services
Phone:	218.729.3618
E-mail:	lwalters@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	4-CONSTRUCTION SITE STORMWATER RUNOFF CONTROL
Unique BMP Identification Number:	4c-1
*BMP Title:	Waste Controls for Construction Site Operators
*BMP Description:	
<p>City Code Section 1060, Erosion and Sediment Control for Land Disturbance Activities, also defines requirements for non-sediment pollution controls at construction sites. These requirements apply to solid waste, concrete washout, and hazardous waste materials.</p>	
*Measurable Goals:	
<ul style="list-style-type: none"> • Required practices for non-sediment waste controls at construction sites are clearly defined by ordinance. 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Current Ordinance 2009-05 was adopted in December 2009 • Ongoing implementation throughout permit duration 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Required BMPs for solid waste, concrete washout, and hazardous waste materials are all defined in City Code, Section 1060.12.03 	
*Responsible Party for this BMP:	
Name:	Lauri Walters, Environmental Resources Specialist
Department:	Environmental Services
Phone:	218.729.3618
E-mail:	lwalters@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	4-CONSTRUCTION SITE STORMWATER RUNOFF CONTROL
Unique BMP Identification Number:	4d-1
*BMP Title:	Procedure for Site Plan Review
*BMP Description:	
<p>City Code, Section 1060, Erosion and Sediment Control for Land Disturbance Activities, defines the requirements and process for plan submittal, review and approval for projects subject to erosion and sediment control requirements. New requirements effect in December 2009, with the adoption of ordinance 2009-05.</p> <ul style="list-style-type: none"> • Professionally prepared plans required for projects >1/2 ac. • Abbreviated plans required for projects <1/2 ac • No City permit issued until an erosion & sediment control plan has been reviewed and approved 	
*Measurable Goals:	
<ul style="list-style-type: none"> • Requirements defined by ordinance and procedures implemented during plan review process • Written Erosion & Sediment Control plan on file for all projects subject to the requirements of Section 1060 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • New requirements for written erosion control plans and plan review procedures took effect in December 2009, with the adoption of Ordinance 2009-05. • Implementation ongoing throughout duration of permit 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Section 1060.07 defines who must submit a plan, Section 1060.08 defines the plan submittal & approval process, and Sections 1060.09 &1060.10 define what information must be submitted in the plan • Environmental Resources Specialist, Planning/Zoning Director, and Building Official all work together to ensure that no City permit is issued until the ESC plan is approved. 	
*Responsible Party for this BMP:	
Name:	Lauri Walters, Environmental Resources Specialist
Department:	Environmental Services
Phone:	218.729.3618
E-mail:	lwalters@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	4-CONSTRUCTION SITE STORMWATER RUNOFF CONTROL
Unique BMP Identification Number:	4e-1
*BMP Title:	Establishment of Procedures for the Receipt and Consideration of Reports of Stormwater Noncompliance
*BMP Description:	
<ul style="list-style-type: none"> • All reports of stormwater noncompliance will be directed to the Environmental Resource Specialist • Site will be inspected within 7 days • Property owner and/or manager will be contacted within 10 days if deemed necessary • All complaints and inspection notes will be filed with the property's project file 	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
To consistently and effectively address all reports of stormwater noncompliance	
*Timeline/Implementation Schedule:	
Procedures as stated above will be followed as of June 1, 2006	
Specific Components and Notes:	
All complaints and inspection reports will be maintained in the project file and general site inspection logs.	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	4-CONSTRUCTION SITE STORMWATER RUNOFF CONTROL
Unique BMP Identification Number:	4f-1
*BMP Title:	Establishment of Procedures for Site Inspections and Enforcement
*BMP Description:	
<ul style="list-style-type: none"> • A uniform checklist for on site construction will be created to ensure stormwater protection. • Environmental Resource Specialist will check for compliance on established uniform checklist at selected construction sites 	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • An established checklist for area construction • Detailed inspection logs 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Checklist will be developed and implemented by June 1, 2007 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Checklist: erosion control, stabilization, and seeding • Annual report • Database material 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	5-POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT
Unique BMP Identification Number:	5a-1
*BMP Title:	Development and Implementation of Structural and/or Non-structural BMPs
*BMP Description:	
<ul style="list-style-type: none"> • Adopt a stabilization seeding program setting forth specific vegetation cover parameters. • Develop and implement a Wetland Protection & Management Plan 	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Adopt a policy for setting forth vegetation cover parameters. • Complete wetlands inventory • Create comprehensive wetland protection & management program 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Stabilization seeding: included in Ordinance 2005-02, adopted in 2005 • wetlands inventory: by December 2003 • adopt Wetlands Protection & Management Plan in 2005 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Seasonal considerations • Wetland types, functions, and identification • Wetland management goals and objectives • Water issues 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	5-POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT
Unique BMP Identification Number:	5b-1
*BMP Title:	Regulatory Mechanism to Address Post Construction Runoff from New Development and Redevelopment
*BMP Description:	
The City of Hermantown will review existing zoning regulations to consider modification to promote new low impact development criteria.	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
Submit a written request to the Planning & Zoning Commission	
*Timeline/Implementation Schedule:	
Ordinance of other regulatory mechanism will be in place by June 1, 2008	
Specific Components and Notes:	
<ul style="list-style-type: none"> • curb and gutter vs. grass swale channel landscaping • fill permits 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	5-POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT
Unique BMP Identification Number:	5c-1
*BMP Title:	Long-term Operation and Maintenance of BMPs
*BMP Description:	
<ul style="list-style-type: none"> • City will inspect projects immediately after completion and routinely during subsequent years • City will maintain regular site inspection logs • We will focus on underground storage systems in the Miller Creek Watershed 	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
Maintain proper erosion control and stormwater protection on completed construction projects	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • City already inspects projects after completion and routinely during subsequent years • Site inspection logs will be kept beginning June 1, 2006, and kept for at least 3 years 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Inspection logs • Post-construction inspections 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	6-POLLUTION PREVENTION/GOOD HOUSEKEEPING
Unique BMP Identification Number:	6a-1
*BMP Title:	Municipal Operations and Maintenance Program
*BMP Description:	
<ul style="list-style-type: none"> • Develop an annual maintenance program • Implement annual maintenance program • Map storm sewers and catch basins 	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Maintenance program 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • December 2003- Develop maintenance program • December 2004- Implement annual maintenance program 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • List of maintenance procedures • Annual maintenance report 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	6-POLLUTION PREVENTION/GOOD HOUSEKEEPING
Unique BMP Identification Number:	6a-2
*BMP Title:	Street Sweeping**
*BMP Description:	
Reduce the amount of road de-icing chemicals and sediment entry to storm sewer program	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • identify priority areas for sweeping • mechanically sweep priority areas no later than May 30th of each year 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • Implement priority sweeping for 2004 sweeping season • Continue seasonal street sweeping annually 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • annual street cleaning report 	
*Responsible Party for this BMP:	
Name:	Dean Sharpe, City Superintendent
Department:	Public Works
Phone:	(218) 729-7441
E-mail:	dsharp@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	6-POLLUTION PREVENTION/GOOD HOUSEKEEPING
Unique BMP Identification Number:	6b-2
*BMP Title:	Annual Inspection of All Structural Pollution Control Devices
*BMP Description:	
<p>City will have an annual public inspection of public and private storm water retention systems. The City will work with the MPCA and South St. Louis County Soil and Water Conservation District regarding private structural pollution control devices. City maintenance crews will evaluate stormwater drains on City roads during regular maintenance.</p>	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Identify public and private systems requiring inspection • Develop an inspection program with site checklist • Prepare annual reports 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • 2003/2004- Identification • 2005- Checklist • 2006- Annual reports 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Listing of public and private systems • Inspection checklist • Individual system reports • detailed log of inspections 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	6-POLLUTION PREVENTION/GOOD HOUSEKEEPING
Unique BMP Identification Number:	6b-3
*BMP Title:	Inspection of a Minimum of 20 percent of the MS4 Outfalls, Sediment Basins and Ponds Each Year on a Rotating Basis
*BMP Description:	
City will clean the stormwater collection system to enhance proper drainage and remove sediment and deicing chemicals. All outfalls, sediment basins, and ponds will be inspected and maintained annually.	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Identify priority areas • Annual maintenance of stormwater collection structures 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • December 2003- Identify priority areas (listed in City's wetland plan) • 2006- begin annually inspecting stormwater collection structures. 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • detailed log of inspections 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	6-POLLUTION PREVENTION/GOOD HOUSEKEEPING
Unique BMP Identification Number:	6b-4
*BMP Title:	Annual Inspection of All Exposed Stockpile, Storage and Material Handling Areas
*BMP Description:	
City will implement an annual inspection of all exposed municipal stockpile, storage, and material handling areas.	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • number of municipal areas in compliance • annual report 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • annual inspection, beginning in 2006 	
Specific Components and Notes:	
* detailed log of stockpile location, type, management, and condition	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	6-POLLUTION PREVENTION/GOOD HOUSEKEEPING
Unique BMP Identification Number:	6b-5
*BMP Title:	Inspection Follow-up Including the Determination of Whether Repair, Replacement, or Maintenance Measures are Necessary and the Implementation of the Corrective Measures
*BMP Description:	
<p>If corrective action is required after annual inspections of stormwater control structures and stockpiles, the proper city employees will be notified for repair work. After repair is complete, the structure/site will be re-inspected to ensure the corrective action was appropriate and successful. All actions will be noted in the inspection log.</p>	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Completed repairs • Detailed inspection log 	
*Timeline/Implementation Schedule:	
<p>Follow-ups will be completed after any corrective measure is taken concerning the City's good housekeeping and maintenance policies.</p>	
Specific Components and Notes:	
<ul style="list-style-type: none"> • all repairs and corrective action will receive a follow-up review • detailed inspection log 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	6-POLLUTION PREVENTION/GOOD HOUSEKEEPING
Unique BMP Identification Number:	6b-6
*BMP Title:	Record Reporting and Retention of All Inspections and Responses to the Inspections
*BMP Description:	
All inspections will be recorded in a field book and kept by the Environmental Resource Specialist. Digital photos will be taken where appropriate.	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Proper record retention • Access to information regarding past inspections 	
*Timeline/Implementation Schedule:	
<ul style="list-style-type: none"> • All inspections after April 15, 2006 by the Environmental Resource Specialist require a field log • Inspection logs will be retained for no less than 3 years following inspection • If appropriate, printed photos or a disk containing photos will be attached to inspection logs. 	
Specific Components and Notes:	
<ul style="list-style-type: none"> • Inspection field books • Field photos 	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet	
MS4 Name:	City of Hermantown
Minimum Control Measure:	6-POLLUTION PREVENTION/GOOD HOUSEKEEPING
Unique BMP Identification Number:	6b-7
*BMP Title:	Evaluation of Inspection Frequency
*BMP Description:	
<p>Inspections, as described in BMPs 6b1-7 will be practiced to the Maximum Extent Possible by available city resources. The Environmental Resource Specialist will evaluate inspection frequency annually in the MS4 Annual Report to the MPCA and alter inspection frequencies as necessary.</p>	
Location(s) in SWPPP of detailed information relating to this BMP:	
*Measurable Goals:	
<ul style="list-style-type: none"> • Annual evaluation of inspection frequency 	
*Timeline/Implementation Schedule:	
* Inspection frequency will be evaluated annually in the MS4 report, due to the MPCA every June 1	
Specific Components and Notes:	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet

MS4 Name:		City of Hermantown
Minimum Control Measure:		X- OTHER PROVISIONS
Unique BMP Identification Number:		Xa-1
*BMP Title:	Special Waters Protection: Outstanding Resource Value Waters	
*BMP Description:		
<p>Hermantown does not have any designated ORVWs within city limits. All streams in Hermantown eventually flow to Lake Superior (either via the St. Louis River or into St. Louis Bay), which is an ORVW with restricted discharge (no new or expanded discharge of any waste). Hermantown streams flow several miles and have many filtration opportunities in wetlands and reservoirs before entering Lake Superior, and we have thus claimed “no discharge to restricted waters” on the application. Hermantown will work to the Maximum Extent Practicable within city limits to ensure downstream protection of Lake Superior.</p>		
Location(s) in SWPPP of detailed information relating to this BMP:		
MCM1, MCM2, MCM3, MCM4, MCM5, MCM6, Appendix E		
*Measurable Goals:		
<ol style="list-style-type: none">1. To protect trout streams within the City of Hermantown using Minimum Control Measures 1-6 and the Trout Stream Monitoring Program (Appendix E)2. To identify water quality contacts downstream to notify in the event of an illicit or expanded discharge.3. To contact and work with relevant persons downstream in the event of an illicit or expanded discharge.		
*Timeline/Implementation Schedule:		
<ol style="list-style-type: none">1. Implemented as described independently in each BMP, Minimum Control Measures 1-6.2. 2006- Identify downstream contacts3. 2007- add downstream contact information and protocol regarding illicit or expanded discharges into SWPPP		
Specific Components and Notes:		
<ul style="list-style-type: none">• list of downstream contacts• protocol for reporting illicit discharges to downstream municipalities		
*Responsible Party for this BMP:		
Name:	Jennifer Griggs, Environmental Resource Specialist	
Department:	Administration	
Phone:	218.729.3618	
E-mail:	jgriggs@hermantownmn.com	

BMP Summary Sheet

MS4 Name:		City of Hermantown
Minimum Control Measure:		X- OTHER PROVISIONS
Unique BMP Identification Number:		Xa-2
*BMP Title:	Special Waters Protection: Trout Streams and Tributaries	
*BMP Description:		
<p>Hermantown has portions of the following Trout Stream and Tributaries within city limits:</p> <ul style="list-style-type: none">• Keene Creek, flows to St. Louis Bay, then to Lake Superior• Kingsbury Creek, flows to St. Louis Bay, Lake Superior• Midway River, flows to St. Louis River, then to Lake Superior• Miller Creek, flows to St. Louis Bay, Lake Superior• Rocky Run Creek, flows to the Midway River, then to St. Louis River, then to Lake Superior. <p>The City will work to protect these waters to the Maximum Extent Practicable by creating a Trout Stream Monitoring Program (Appendix E). When possible, the City will work with other governing agencies to assess the quality of the trout streams. Miller Creek, listed as a 5A impaired water on the 2006 TMDL draft, will be assessed as part of a 3-year TMDL study in conjunction with the South St. Louis County Soil and Water Conservation District beginning in Spring 2006. The City will work with SSL-SWCD to ensure the City of Hermantown's stormwater impact on the creek is effectively assessed.</p>		
Location(s) in SWPPP of detailed information relating to this BMP:		
Appendix E		
*Measurable Goals:		
<ol style="list-style-type: none">1. Outline and draft the Trout Stream Monitoring Program2. Work with SSL-SWCD on Miller Creek TMDL study3. Implement Trout Stream Monitoring Program		
*Timeline/Implementation Schedule:		
<ol style="list-style-type: none">1. 2006—Outline and draft Trout Stream Monitoring Program2. 2006, spring—begin 3-year TMDL study of Miller Creek3. 2007, spring—implement Trout Stream Monitoring Program		
Specific Components and Notes:		
<ul style="list-style-type: none">• Trout Stream Monitoring Program• Miller Creek TMDL study		
*Responsible Party for this BMP:		
Name:	Jennifer Griggs, Environmental Resource Specialist	
Department:	Administration	
Phone:	218.729.3618	
E-mail:	jgriggs@hermantownmn.com	

BMP Summary Sheet

MS4 Name:	City of Hermantown
Minimum Control Measure:	X- OTHER PROVISIONS
Unique BMP Identification Number:	Xa-3
*BMP Title:	Special Waters Protection: Impaired Waters and TMDLs
*BMP Description:	
<p>Miller Creek is the only impaired water within city limits, classified as 5A on the 2006 draft TMDL list. 5A is described as "Impaired by multiple pollutants and no TMDL study plans are approved by the EPA". It is listed specifically due to the absence of trout and high water temperature.</p> <p>Two trout streams (Midway, Rocky Run) flow to the Thompson Reservoir on the St. Louis River, which is also classified as 5A due to a variety of toxins present (mercury, FCA, PCB, DDT, dioxin, etc) associated with industrial use of the waterway.</p> <p>All streams in Hermantown eventually flow to Lake Superior (ORVW), which is not listed as impaired, and is specially addressed in MCM Xa-1.</p>	
Location(s) in SWPPP of detailed information relating to this BMP:	
Xa-2, Appendix E	
*Measurable Goals:	
<ul style="list-style-type: none">• Protection of Impaired Waters is currently addressed in other locations in the SWPPP (see above).• In the event that a TMDL is placed on a stream in the City of Hermantown, this BMP will be revised to address any special requirements.	
*Timeline/Implementation Schedule:	
See Xa-2, Appendix E	
Specific Components and Notes:	
*Responsible Party for this BMP:	
Name:	Jennifer Griggs, Environmental Resource Specialist
Department:	Administration
Phone:	218.729.3618
E-mail:	jgriggs@hermantownmn.com

BMP Summary Sheet

MS4 Name:		City of Hermantown
Minimum Control Measure:		X- OTHER PROVISIONS
Unique BMP Identification Number:		Xb-1
*BMP Title:	Evaluating, Recordkeeping, and Reporting	
*BMP Description:		
The following statements address component VI (pg 15-16) of the General Permit:		
<ul style="list-style-type: none">• For each annual report, program compliance, appropriateness of BMPs, and progress towards achieving measurable goals must be assessed.• All records related to stormwater management, assessment, and enforcement must be retained for at least 3 years.• The SWPPP and other stormwater documents must be available to the public upon request.• Annual reports must be submitted to the MPCA by June 30 of each year.• All reporting submittals must be sent to: Storm Water Management Unit, Storm Water Section, Municipal Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194		
Location(s) in SWPPP of detailed information relating to this BMP:		
*Measurable Goals:		
<ul style="list-style-type: none">• Annually submit completed and accurate MS4 report to the MPCA• Make the SWPPP available to the public on www.hermantownmn.com and upon request at City Hall		
*Timeline/Implementation Schedule:		
<ul style="list-style-type: none">• June 30 2006-2011—submit completed and accurate MS4 report to the MPCA• June 30, 2006—make the SWPPP available to the public on www.hermantownmn.com and upon request at City Hall		
Specific Components and Notes:		
*Responsible Party for this BMP:		
Name:	Jennifer Griggs, Environmental Resource Specialist	
Department:	Administration	
Phone:	218.729.3618	
E-mail:	jgriggs@hermantownmn.com	

BMP Summary Sheet

MS4 Name:		City of Hermantown
Minimum Control Measure:		X- OTHER PROVISIONS
Unique BMP Identification Number:		Xc-1
*BMP Title:	Environmental Review	
*BMP Description:		
<p>The City of Hermantown assures coordination with appropriate agencies, including but not limited to: the Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, Army Corps of Engineers, South St. Louis Soil and Water Conservation District (SSL-SWCD), St. Louis County, and agencies within the City of Hermantown such as the Planning and Zoning Commission, Wetlands Technical Evaluation Panel (TEP), and the City Council. As a member of the Regional Stormwater Protection Team (RSPT), the City of Hermantown also voluntarily coordinates and contributes to a regional stormwater education program.</p>		
Location(s) in SWPPP of detailed information relating to this BMP:		
*Measurable Goals:		
<ul style="list-style-type: none">• Communicate with appropriate agencies regarding stormwater management policies and issues in Hermantown• Participate in inter-agency groups such as the RSPT and TEP• Retain open communication via email regarding state-wide stormwater policies		
*Timeline/Implementation Schedule:		
<ul style="list-style-type: none">• April 2006—City coordinated correspondence protocol for all NPDES issues with the SSL-SWCD• The City of Hermantown has practices already in place for extensive review between appropriate agencies regarding development permits within city limits. Stormwater management is addressed during standard development permitting processes.• The Environmental Resource Specialist communicates to appropriate agencies regularly via email and phone, and is subscribed to email lists with the MPCA and RSPT.•		
Specific Components and Notes:		
*Responsible Party for this BMP:		
Name:	Jennifer Griggs, Environmental Resource Specialist	
Department:	Administration	
Phone:	218.729.3618	
E-mail:	jgriggs@hermantownmn.com	

BMP Summary Sheet

MS4 Name:		City of Hermantown
Minimum Control Measure:		X- OTHER PROVISIONS
Unique BMP Identification Number:		Xd-1
*BMP Title:	Endangered or Threatened Species	
*BMP Description:		
<p>The City will work with the Minnesota DNR and other agencies to determine listed threatened and endangered species that may be present within city limits. The City will then evaluate the potential impact of the MS4 on listed species and implement BMPs to protect those species if necessary.</p>		
Location(s) in SWPPP of detailed information relating to this BMP:		
*Measurable Goals:		
<ul style="list-style-type: none">• create a list of federal and state threatened and endangered species that may be present in Hermantown• evaluate impact of MS4 on listed species		
*Timeline/Implementation Schedule:		
<ul style="list-style-type: none">• 2006-2007 compile T/E list• 2008- evaluate the potential impact of the MS4 on listed species		
Specific Components and Notes:		
*Responsible Party for this BMP:		
Name:	Jennifer Griggs, Environmental Resource Specialist	
Department:	Administration	
Phone:	218.729.3618	
E-mail:	jgriggs@hermantownmn.com	

BMP Summary Sheet

MS4 Name:		City of Hermantown
Minimum Control Measure:		X- OTHER PROVISIONS
Unique BMP Identification Number:		Xe-1
*BMP Title:	Historic Places and Archaeological Sites	
*BMP Description:		
<p>The City will work with appropriate agencies to determine historic places and archaeological sites that may be present within city limits. The City will then evaluate the potential impact of the MS4 on listed sites and implement BMPs to protect those species if necessary.</p>		
Location(s) in SWPPP of detailed information relating to this BMP:		
*Measurable Goals:		
<ul style="list-style-type: none">• create a list/map of historic places and archaeological sites that may be present in Hermantown• evaluate impact of MS4 on historic places/archaeological sites		
*Timeline/Implementation Schedule:		
<ul style="list-style-type: none">• 2006-2007 compile historic places/archaeological sites list and map if applicable• 2008- evaluate the potential impact of the MS4 on listed historic places/archaeological sites		
Specific Components and Notes:		
*Responsible Party for this BMP:		
Name:	Jennifer Griggs, Environmental Resource Specialist	
Department:	Administration	
Phone:	218.729.3618	
E-mail:	jgriggs@hermantownmn.com	

BMP Summary Sheet

MS4 Name:		City of Hermantown
Minimum Control Measure:		X- OTHER PROVISIONS
Unique BMP Identification Number:		Xf-1
*BMP Title:	Drinking Water Source Protection	
*BMP Description:		
<p><i>May 1, 2006:</i> <i>WAITING TO HEAR BACK FROM THE MN DEPARTMENT OF HEALTH TO SEE IF HERMANTOWN IS WITHIN A SOURCE WATER PROTECTION ZONE—WILL FILL IN BMP ACCORDINGLY BEFORE SUBMISSION TO THE MPCA</i></p> <p><i>I don't think we are, but if so, a measurable goal may include inquiring about well water quality in Hermantown (MPCA?) and making a source water infiltration map</i></p>		
Location(s) in SWPPP of detailed information relating to this BMP:		
*Measurable Goals:		
*Timeline/Implementation Schedule:		
Specific Components and Notes:		
*Responsible Party for this BMP:		
Name:	Jennifer Griggs, Environmental Resource Specialist	
Department:	Administration	
Phone:	218.729.3618	
E-mail:	jgriggs@hermantownmn.com	

FIGURES

Fig 1.1 RSPT Brochure #1

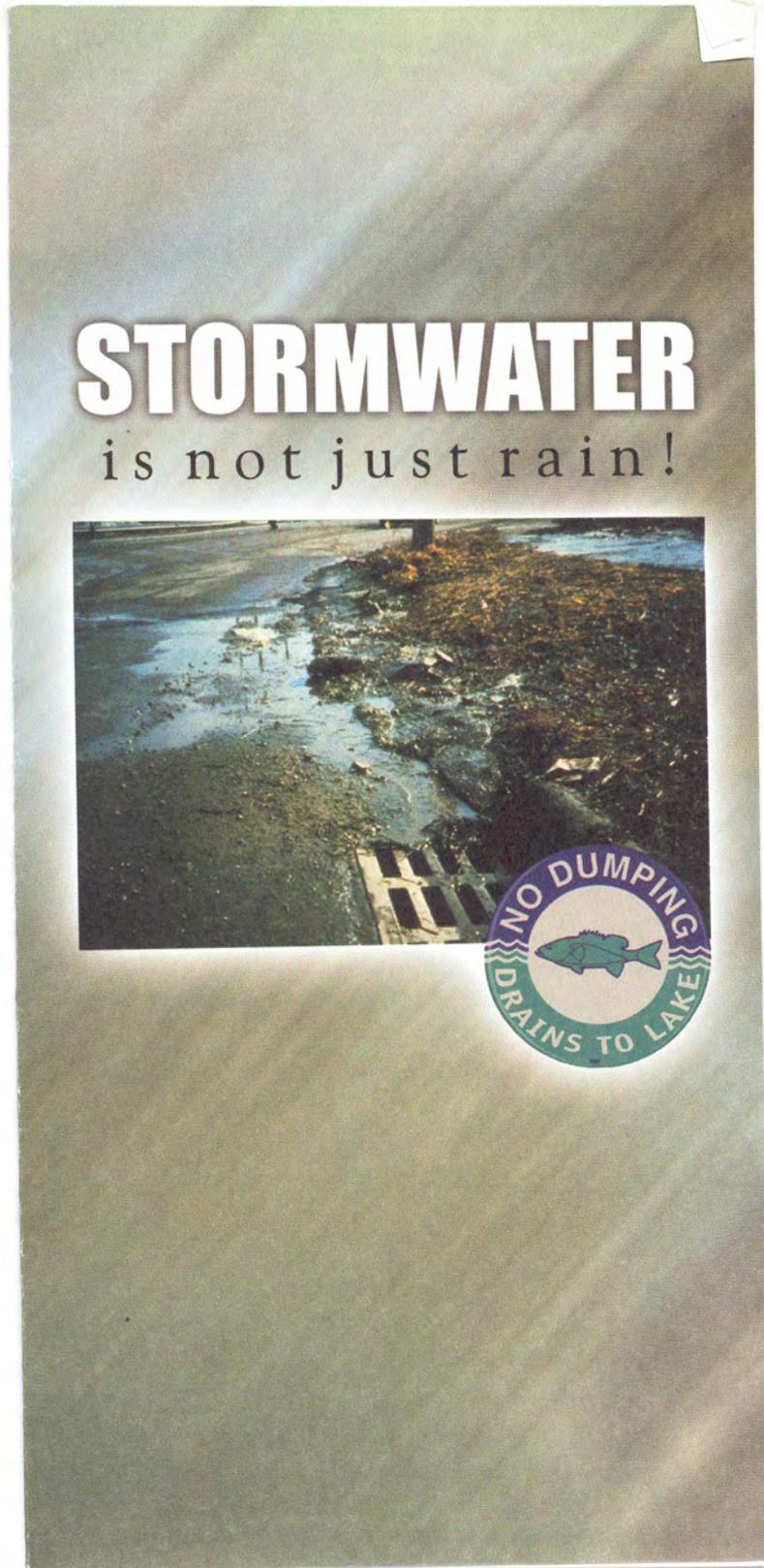


Fig 1.2 RSPT Brochure #2

URGENT
Protection Needed

LAKE SUPERIOR

An awesome lake

- 10% of the world's fresh liquid surface water (2,000,000,000,000 gallons)
- The largest freshwater lake by surface area in the world (300 miles long by 100 miles wide)
- Some of the cleanest water in the world
- Coastal conditions are affected by our storms and watershed activities

ST. LOUIS RIVER

Lake Superior's largest tributary

- Head of the Great Lakes
- Wetlands and estuary provide important nursery for native fish
- Area of concern due to industrial pollution

RIVERS, STREAMS, CREEKS

- Sources along the shore
- Toxic pollutants (flow even within city limits)
- Clean cold water replenishes Lake Superior

Plan ahead to prevent pollution - **PROTECTION is cheaper than RESTORATION.**



"Your catch gutter often is really the storm of Lake Superior."

Regional Stormwater Protection

Team Members

- City of Duluth
- City of Minneapolis
- City of Proctor
- City of Superior
- Duluth Township
- Wice Lake Township
- Wilmey Township
- Point du Lac Reservation
- Minnesota Department of Transportation
- Minnesota Pollution Control Agency
- St. Louis River Citizens Action Committee
- St. Louis County
- South St. Louis Hill and Water Conservation District
- University of Minnesota Superior
- University of Minnesota Duluth
- Storvick's Tree Grant
- Natural Resources Research Institute
- Facilities Management
- Metropolitan Office for Municipal Offices
- Wisconsin Department of Natural Resources
- Western Lake Superior Sanitary District

For more information:
218-629-2085
www.lakesuperiorstreams.org

This Watershed Award brought to you by



For information on awarding the Superior Catch Program, please contact info@lakesuperiorstreams.org

STORM WATER

is not just rain!

Easy ways you can help prevent water pollution

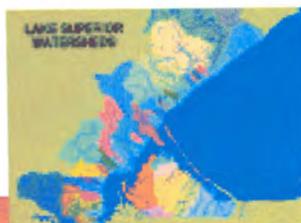


Pollution Prevention begins at home!

Whether you are a resident or visitor, what you do determines the future of our water bodies. Everyone is part of a watershed. A watershed is all the land that drains to a particular wetland, creek, stream, river or lake. In the Lake Superior basin, most stormwater drains directly to the Lake without treatment.

Polluted runoff affects:

- 90% of our inland lakes,
- 40% of our streams,
- Much of our groundwater.



It all comes down to your water!

When it rains in the watershed:

- ✓ Water rushes over the surface,
- ✓ Water picks up dirt, grease and trash on the surface,
- ✓ Water and its dry load travel directly to our streams, rivers and lakes.

Stormwater runoff is the #1 urban water pollution problem and you can be part of the solution!



Pollutants found in Stormwater

SEDIMENT: soil, clay and sand from dishes, lawns and driveways reduce water clarity, smother habitat and carry other pollutants.

NUTRIENTS AND ORGANIC MATTER: yard waste and fertilizer encourage the growth of nuisance algae and consume oxygen in our waters, harming aquatic vegetation.

LITTER: dumped trash degrades habitat, harms fish and wildlife and detracts from the beauty of the area.

PATHOGENS: disease-causing organisms from human and animal waste threaten health.

CHEMICALS: herbicides, pesticides, degreasers from vehicle washing, oil, grease, used oil and other substances harmful or toxic to aquatic, terrestrial and human life.

WARM WATER: hot summer pavement heats water that flows to our cold water trout streams threatening fish and other inhabitants of our cold water streams.



You can make a big difference!

1. Keep streets, gutters, and storm drains clean - never use them for dumping
2. Compost yard waste or take it to the WSSSD collection site during open hours (218-722-0781)
3. Wash vehicles at the car wash or on your lawn
4. Clean up after your pets
5. If you live on the shoreline, plant a buffer of native vegetation
6. Garden for water quality:
 - a. Use a rain barrel
 - b. Plant a rain garden
 - c. Minimize the use of fertilizer and herbicides
7. Keep your car in good condition - fix leaks

Fig 1.3 Stormwater Character Tattoos



Fig 1.4 Regional Stormwater Protection Team Logo



Figure 1.5 Erosion and Sediment Control Registration Brochure

Erosion and Sediment Control from Contractors, Developers, and Inspectors Point of View

Registration: \$15

Includes: Lunch and Refreshments

The workshop will allow for many of your questions to be answered in a non-formal discussion atmosphere.

Purpose

- To explain Storm Water permit obligations
- To answer questions about Storm Water permit, wetland regulations, and to let contractors, developers, and engineers voice their opinions on the process.
- To get contractors, developers, and landscapers on the same page.

Who should attend

- Contractors
- Developers
- Landscapers
- Engineers

South St. Louis SWCD
 215 N 1st Ave E, Rm 301
 Duluth MN 55802

From a Different Point of View

EROSION AND SEDIMENT CONTROL

What you need to know to stay compliant with your NPDES Phase II Permits



Hermantown Public Safety Building
 511 Maple Grove Road
 Hermantown MN 55911

Friday February 3rd, 2006
 7:30AM - 8:00PM



Erosion and Sediment Control Workshop
 February 3rd, 2006 Hermantown, MN

Name:

Address:

City/State:

Zip:

Phone:

Check one

Contractor

Developer

Landscaper

Engineer

Other

Make check payable to:
South St. Louis SWCD

Mail registration for February 3rd to:

South St. Louis SWCD
 215 N 1st Ave E, Rm 301
 Duluth MN 55802

Questions? Contact:
 Mindy Granley
 (218) 723-4867
 E-mail: meinda.granley@southstlouisswcd.org

Erosion and Sediment Control

Workshop agenda

7:30 Coffee & Registration

7:55 What we saw this summer:
 Most common problems we saw as Inspectors.

Storm Water Permit Basics

8:00 Permit Basics:
 What you REALLY need to know.

10:00 Inspection Forms
 What inspectors look for on your site.
 Nate Schroeder, South St. Louis SWCD

10:30 Break

We're All in This Together

10:45 Contractors Perspective
 David Nelson, Owner of Nels Nelson

11:00 Owner/Developer Perspective
 John Hovland, White Pine Development

11:15 Engineers Perspective
 Mike Sondag, Lakehead Construction

11:30 Lunch

On the Ground Stuff

12:00 Best Management Practices: Common Problems - Common Fixes

(Agenda Continued)

Wetlands

1:30 Wetland and Storm Water Permits Straightened out
 RC Boehm, South St. Louis SWCD

2:00 Questions and Answers
 Answers from question box and Discussion

2:30 Test (Adjourn by 3:00)



**Come inside out of the cold.
 Limited Space available.
 Sign up immediately!**

Location: Hermantown Public Safety Building
 5111 Maple Grove Road
 Hermantown MN 55911

Questions? Contact:
 Nathan Schroeder
 (218) 723-4867 or
 Email: nathan.schroeder@southstlouisswcd.org

APPENDICES

Appendix A

Ordinance 2009-05

City Code, Section 1060

***Erosion and Sediment Control
for Land Disturbance Activities***

Ordinance No. 2009-05

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING CHAPTER 10 OF THE HERMANTOWN
CODE OF ORDINANCES BY REPLACING SECTION 1060**

Section 1. Amendment to Chapter 10 of the Hermantown Code of Ordinance. Chapter 10 of City of Hermantown Code of Ordinances is hereby amended by replacing Section 1060 in its entirety:

**SECTION 1060. EROSION AND SEDIMENT CONTROL
FOR LAND DISTURBANCE ACTIVITIES**

1060.01 Purpose. The purpose of this Section is to establish standards and specifications to achieve a level of erosion and sediment control that will minimize damage to property and degradation of water resources and wetlands, and will promote and maintain the health and safety of the citizens of the City of Hermantown.

1060.02 Scope. Section 1060 establishes standards for erosion and sediment control associated with land disturbance activities within the City of Hermantown.

1060.03 Definitions. For the purposes of this Section 1060, the following terms, phrases, words, and their derivatives shall have the meaning stated below:

1060.03.01 “Abbreviated erosion and sediment control plan” or “AESC plan” is an ESC plan that is prepared by completing a form provided by the City. An AESC plan may be completed by an applicant or landowner and does not need professional certification.

1060.03.02 “Applicant” is any person who submits an application to the City for a permit pursuant to this ordinance.

1060.03.03 “Best management practices” or “BMPs” are erosion and sediment control and water quality management practices that are the most effective and practicable means of controlling, preventing, and minimizing the degradation of surface water, including construction-phasing, minimizing the length of time soil areas are exposed, and other management practices published by state or designated area-wide planning agencies. Examples of BMPs can be found in the current versions of: the Minnesota Pollution Control Agency’s publications “Protecting Water Quality in Urban Areas,” “Storm-Water and Wetlands: Planning and Evaluation Guidelines for Addressing Potential Impacts of Urban Storm-Water and Snow-Melt Runoff on Wetlands,” and the “Minnesota Stormwater Manual;” the Metropolitan Council’s “Minnesota Urban Small Sites BMP Manual;” the United States Environmental Protection Agency’s “Storm Water Management for Construction Activities:

Developing Pollution Prevention Plans and Best Management Practices;” and the Minnesota Department of Transportation’s “Erosion Control Design Manual.”

1060.03.04 “Borrow” is earth material used in filling or grading on a site.

1060.03.05 “City” is the City of Hermantown.

1060.03.06 “City Administrator” is the City Administrator designated from time to time by the City Council.

1060.03.07 “City Attorney” is the City Attorney designated from time to time by the City Council.

1060.03.08 “City Clerk” is the City Clerk as designated from time to time by the City Council.

1060.03.09 “City Council” is the City Council of Hermantown.

1060.03.10 “City Engineer” is the City Engineer designated from time to time by the City Council.

1060.03.11 “Clearing and grubbing” is the cutting and removal of trees, shrubs, bushes, windfalls and other vegetation including removal of stumps, roots, and other remains in the designated areas.

1060.03.12 “Demolition” is any act or process of wrecking or destroying a building or structure.

1060.03.13 “Erosion” is the wearing away of the ground surface as a result of the movement of wind, water, ice, and/or land disturbance activities.

1060.03.14 “Erosion control” is a measure employed to prevent soil erosion. Erosion control methods include, but are not limited to, stabilizing soil with temporary or permanent vegetation, mulch, or erosion control blankets, construction phasing, vegetative buffer strips, and limiting the area of impact.

1060.03.15 “Erosion and sediment control plan” or “ESC plan” is a written plan that includes a set of best management practices or equivalent measures designed to control surface runoff and erosion and to retain sediment on a particular site during the period in which pre-construction and construction related land disturbances, fills, and soil storage occur, and before final improvements are completed, all in accordance with the specific requirements set forth in this Section. An ESC plan must either be professionally-prepared or abbreviated, in accordance with Section 1060.07.

1060.03.16 “Erosion Control Inspector” is an employee, consultant, contract agency or individual who has been designated by the City Administrator to perform erosion and sediment control inspections at land disturbance sites in the City of Hermantown.

1060.03.17 “Excavation” is the mechanical removal of earth material.

1060.03.18 “Fill” is a deposit of soil or other materials placed by artificial means.

1060.03.19 “Grading” is any excavating, filling or combination thereof.

1060.03.20 “Issuing Authority” is the employee, consultant, contract agency or individual who has been designated by the City Administrator to issue a permit for a project involving a land disturbance activity.

1060.03.21 “Land” is the parcel(s) of real estate upon which a land disturbance activity is conducted.

1060.03.22 “Land alteration permit” is a permit issued by the Zoning Director pursuant to Section 1060.13.

1060.03.23 “Land disturbance activity” is any land change that may result in soil erosion from wind, water and/or ice and the movement of sediments into or upon waters, lands, or rights-of-way within the City of Hermantown, including but not limited to building construction or demolition, clearing and grubbing, stripping, grading, excavating, filling of land, and soil storage on land.

1060.03.24 “Landowner” is the legal or beneficial owner of the land upon which the land disturbance activity is conducted.

1060.03.25 “National pollutant discharge elimination system permit” or “NPDES permit” is a permit issued by the U.S. Environmental Protection Agency (or the State of Minnesota under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group or general area-wide basis.

1060.03.26 “One hundred (100) year floodplain” is that area adjoining a watercourse which could be inundated by a flood that has a one (1) percent chance of being equaled or exceeded in any given year and is delineated on the Federal Emergency Management Agency floodway maps for Hermantown.

1060.03.27 “Permit” is any permit issued by the City authorizing a land disturbance activity.

1060.03.28 “Permittee” is a person or entity in whose name a permit is duly issued for a land disturbance activity and his/her agents, employees, and others acting under his/her direction.

1060.03.29 “Perimeter control” is a barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

1060.03.30 “Phasing” is the clearing of land in distinct phases, with the stabilization of each area completed before the clearing of the next.

1060.03.31 “Professional engineer” is an individual who is licensed and registered to practice engineering in the State of Minnesota.

1060.03.32 “Professionally-prepared erosion and sediment control plan” or “PESC plan” is an ESC plan that is prepared and certified by a professional engineer who is knowledgeable on the topic of erosion and sediment control BMPs, or another qualified individual acceptable to the Issuing Authority.

1060.03.33 “Project” is the entire land disturbance activity conducted on a site. A single project may involve multiple, separate and distinct land disturbance activities that take place at different times on different schedules and on more than one parcel of land.

1060.03.34 “Retention basin” is a temporary or permanent structure that provides for the storage of stormwater runoff and settling of sediments and has a permanent pool of water.

1060.03.35 “Runoff” is rainfall, snowmelt, or other water flowing over the ground surface.

1060.03.36 “Sediment” is soils or other surficial materials transported by surface water as a product of erosion.

1060.03.37 “Sediment control” is a method employed to prevent eroded sediment from leaving a land disturbance site. Sediment control practices include, but are not limited to, silt fences, sediment logs, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, storm drain inlet protection, and temporary or permanent sediment basins.

1060.03.38 “Sedimentation” is the process or action of deposition sediment that is determined to have been caused by erosion.

1060.03.39 “Site” is the land upon which a land disturbance activity is conducted.

1060.03.40 “Site plan” is a plan or set of plans showing the details of any land disturbance activity including but not limited to the construction of: structures, open, underground, and enclosed drainage facilities, stormwater management facilities, parking lots, driveways, curbs, pavements, sidewalks, bike paths, recreational facilities, ground covers, plantings, landscaping and any grading activities.

1060.03.41 “Slope” is the incline of a ground surface expressed as a ratio of vertical distance to horizontal distance.

1060.03.42 “Soil” is naturally occurring surficial deposits overlying bedrock.

1060.03.43 “Soils engineer” or “geotechnical engineer” is a professional engineer experienced and knowledgeable in the practice of soils engineering.

1060.03.44 “Soils engineering” or “geotechnical engineering” is the application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection and/or testing of the construction thereof.

1060.03.45 “Stabilized” means the disturbed ground surface is fully and uniformly covered by a material that effectively prevents erosion from occurring, with no bare soil exposed. Such materials include, but are not limited to, vegetation, mulch, staked sod, riprap, erosion control blankets, mats, hydromulch and tackifier.

1060.03.46 “Stripping” is any activity that removes or significantly disturbs the vegetative surface cover including clearing, grubbing of stumps and root mat, and topsoil removal.

1060.03.47 “Structure” is anything manufactured, constructed or erected which is normally attached to or positioned on land, including buildings, portable structures, earthen structures, roads, parking lots, and paved storage areas.

1060.03.48 “Topsoil” is the upper layer of soil.

1060.03.49 “Utility” is any infrastructure used to produce, store, convey, transmit, or distribute communications, data, electricity, power, heat, gas, oil, petroleum products, water (including stormwater), steam, sewage and other similar substances.

1060.03.50 “Watercourse” means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

1060.03.51 “Wetland” means transitional land between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, a wetland must: have a predominance of hydric soils; be inundated or saturated by surface water or groundwater at a frequency and duration to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and, under normal circumstances, support a prevalence of hydrophytic vegetation.

1060.03.52 “Zoning Director” is such person as is appointed as the Zoning Director of the City by the City Council from time to time.

1060.04 Liability and Relation to Other Laws. Neither this Section 1060 nor any administrative decision made under it exempts the permittee, landowner, or any other person from procuring other required permits or complying with the requirements and conditions of such a permit, or limits the right of any person to maintain, at any time, any appropriate action, at law or in equity, for relief or damages against the permittee or any other person arising from the activity regulated by this Section 1060.

The permittee and landowner are jointly and severally responsible for safely and legally completing the project. Neither the approval of a plan under the provisions of this Section 1060, nor the compliance with the provisions hereto or with any condition imposed by the Issuing Authority, shall relieve any person from responsibility for damage to persons or property resulting therefrom, or as otherwise imposed by law, nor impose any liability upon the City for damages to persons or property.

1060.05 Exemptions. The following activities are exempt from the plan approval and permitting provisions of this Section 1060:

1060.05.01 Emergency work to protect life, limb, or property and emergency repairs. If the land disturbing activity would have required an approved PESCS or AESCS plan except for the emergency, then, as soon as possible after the emergency is done, the land area disturbed shall be stabilized in accordance with the requirements of this Section 1060.

1060.05.02 Existing nursery and agricultural operations conducted as a permitted main or accessory use.

1060.05.03 Construction, installation and maintenance of utility lines (electric, telephone, cable television, water, sewer, and gas) or individual service connections to these utilities, unless one (1) acre or more is impacted.

1060.05.04 Installation of septic tank lines or drainage fields unless included in an overall plan for a land disturbance activity relating to construction of a building to be served by the septic tank system.

1060.05.05 Tilling, planting or harvesting of agricultural, horticultural or silviculture crops.

1060.05.06 Land disturbance activities impacting less than one-half (1/2) acre and/or involving placement of less than seventy-five (75) cubic yards of fill material for which a PESCS plan or AESCS plan is not required under this Section 1060.

1060.06 Manner of Work. Any land disturbance activity whether subject to this Section 1060 or otherwise, shall be undertaken in a manner designed to minimize surface runoff, erosion and sedimentation. Whenever the Erosion Control Inspector determines that any land disturbance activity on any private property has become a hazard to life or limb, or endangers the property of another, or adversely affects the safety, use, slope, or soil stability of a public road, publicly controlled wetland, or watercourse, then the landowner of the property upon which the land disturbance activity is located, or other person or agent in control of said property, upon receipt of notice in writing, shall within the period specified therein repair or eliminate such conditions. Exempt activities under Section 1060.05 are also subject to the provisions of this Section and Section 1060.20.

1060.07 Erosion and Sediment Control Plan Required. A PESCS or AESCS plan that identifies the materials, methods, and practices to be used to meet the requirements of this

Section 1060 must be submitted to the Issuing Authority for review and approval before any City permit is issued for a project subject to the provisions of this Section. The plans shall be drawn to an appropriate scale and shall include sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed grading on water resources, and measures proposed to minimize soil erosion and off-site sedimentation. Plans are required as follows:

1060.07.01 Projects disturbing one-half (1/2) acre or more. A PESC plan is required for any land disturbance activity disturbing one-half (1/2) acre or more. This applies to all commercial, institutional, industrial, and residential projects. The plan shall be prepared in accordance with Section 1060.09. If such construction activities are part of a larger common plan of development or site disturbing one (1) acre or more, the permittee must also obtain an NPDES permit from the Minnesota Pollution Control Agency and comply with all requirements contained therein.

1060.07.02 Projects disturbing less than one-half (1/2) acre. For land disturbance activities impacting less than one-half (1/2) acre, a PESC or AESC plan is required in accordance with this Section. If such construction activities are part of a larger common plan of development or site disturbing one (1) acre or more, the permittee must also obtain an NPDES permit from the Minnesota Pollution Control Agency and comply with all requirements contained therein.

1060.07.02.01 An AESC plan, prepared in accordance with Section 1060.10, is required for the construction of new homes, multi-family dwellings, and commercial buildings of any size.

1060.07.02.02 An AESC plan, prepared in accordance with Section 1060.10, is required for the construction of new garages, accessory structures, or additions four hundred (400) square feet or more in size. An AESC plan may also be required for smaller structures if the Issuing Authority determines it is necessary based on the nature of the project and site conditions.

1060.07.02.03 A PESC or AESC plan may be required for any project subject to a land alteration permit, wetland replacement plan, de minimus exemption, special use permit, or any other City permit or authorization, if the Issuing Authority determines it is necessary based on the nature of the project and site conditions.

1060.08 Erosion and Sediment Control Plan Approval. In accordance with Section 1060.07, a PESC or AESC plan must be submitted for review and approval before a project is authorized and before any land disturbing activities begin. Prior to plan approval, the Issuing Authority may require an onsite pre-construction meeting with the applicant, landowner, contractor and/or their agents to better assess field conditions and the adequacy of a submitted PESC or AESC plan. No City permit will be issued for any land disturbing activity for which a PESC or AESC plan is required without an approved PESC or AESC plan.

1060.08.01 If the Issuing Authority determines that a PESC or AESC plan does not meet the requirements of this Section 1060, he/she shall notify the applicant in writing. The PESC or AESC plan must then be revised and resubmitted for review and approval. No permit will be issued for the project until the PESC or AESC plan is approved.

1060.09 Professionally-Prepared Erosion and Sediment Control Plan. A PESC plan must be prepared and certified by a professional engineer or another qualified individual acceptable to the Issuing Authority. The PESC plan shall incorporate measures sufficient to meet the requirements of Section 1060.12. At a minimum, the information listed below must be included in the PESC plan.

1060.09.01 Narrative Description. The narrative description of the project shall include:

1060.09.01.01 The names, addresses, and telephone numbers of the landowner, the applicant, the person responsible for executing the plan during construction, and the person who prepared the plan.

1060.09.01.02 A description of the nature and type of the construction activity (e.g. residential, shopping mall, highway, etc.).

1060.09.01.03 Total area of the site and the area of the site that is expected to be disturbed (i.e., grubbing, clearing, excavation, filling or grading, including off-site borrow areas).

1060.09.01.04 An estimate of the impervious area and percent of imperviousness created by the land disturbance activity.

1060.09.01.05 Existing data describing the soil and, if available, the quality of any known pollutant discharge from the site that may result from previous contamination caused by prior land uses.

1060.09.01.06 A description of prior land uses at the site.

1060.09.01.07 A description of wetlands, streams, and other surface waters within one (1) mile of the project boundaries, which will be disturbed or which will receive stormwater runoff discharges from disturbed areas of the project.

1060.09.01.08 A chronological implementation schedule which describes the sequence of major soil disturbing operations (i.e., grubbing, excavating, grading, utilities and infrastructure installation) and the corresponding erosion and sediment controls to be employed during each step of the sequence. The schedule must provide for stabilization of exposed soils within seven (7) days of inactivity.

1060.09.01.09 A description of, and specifications for, all temporary and permanent erosion and sediment control measures to be implemented throughout construction, from ground breaking through final stabilization, including:

construction phasing, erosion control methods and materials, dewatering methods, inlet protection methods, perimeter controls, stockpile controls, sediment retention structures, temporary and permanent vegetative controls, seeding mixture and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of fertilizer application, and quantity and type of mulch. Estimated quantities and costs for all materials shall be included.

1060.09.01.10 A description of practices to be implemented for management of solid and liquid wastes and concrete washout.

1060.09.02 Site Map. The site map shall show:

1060.09.02.01 The location of the project site in relationship to the surrounding area, including streams, wetlands, lakes, roads, and other significant structures and geographic features.

1060.09.02.02 Limits of land disturbance activity, including off-site spoil and borrow areas.

1060.09.02.03 Clear delineation of any areas not to be disturbed (such as wetlands, required buffer areas, or other areas of vegetation or trees to be saved).

1060.09.02.04 Soils types should be depicted for all areas of the site, including locations of unstable or highly erodible soils.

1060.09.02.05 Contours for existing and proposed topography. Dividing lines and direction of flow for all pre- and post-construction stormwater runoff drainage areas within the project limits must be included.

1060.09.02.06 Locations of wetlands, streams, lakes, water wells, the one hundred (100) year floodplain, and any other significant water features on or adjacent to the site.

1060.09.02.07 Storm drainage system, including natural or artificial water storage detention areas, and drainage ditches. Quantities of flow and site conditions around all points of surface water discharge from the site shall be included.

1060.09.02.08 Existing and planned locations of buildings, roads, parking facilities, and utilities.

1060.09.02.09 The locations of all erosion and sediment control practices, including areas designated for stockpiles and areas likely to require temporary stabilization during the course of site development.

1060.09.02.10 Sediment ponds, including their sediment settling volume and contributing drainage area.

1060.09.02.11 Areas designated for the storage or disposal of solid, sanitary and toxic wastes, including dumpster areas, areas designated for concrete washout, and vehicle fueling.

1060.09.02.12 The location of designated stoned construction entrances where the vehicles will enter and exit the construction site.

1060.09.02.13 The location of any in-stream activities including stream crossings.

1060.09.02.14 For subdivided developments where the PESC plan does not call for a centralized sediment control capable of controlling multiple individual lots, a detailed drawing of a typical individual lot showing standard individual lot erosion and sediment control practices may also be required.

1060.09.03 Soils Engineering Report. A soils engineering report prepared by a qualified soils engineer may be required if the Issuing Authority determines that the condition of the soils is unknown or unclear to the extent that additional information is required to protect against erosion or other hazard. The report shall be based on adequate and necessary test borings and shall contain data regarding the nature of the soils at the site as well as recommendations for grading procedures and stabilization measures. Appropriate measures shall be incorporated in the project's grading plans and/or specifications based on the results of the report.

1060.09.04 Signed Statement. The applicant must provide a signed statement that the proposed land disturbing activities will be done pursuant to the PESC plan. If the applicant is not the landowner, then both parties must provide a signed statement.

1060.09.05 Verification of NPDES Permit Coverage. For any project subject to the NPDES permit, the applicant may also be required to provide copies of documents such as the NPDES permit application and/or the permit modification form to demonstrate that proper NPDES permit coverage has been obtained.

1060.10 Abbreviated Erosion and Sediment Control Plan. An AESC plan is prepared by completing a form provided by the City. An AESC plan may be completed by the applicant or landowner and does not need professional certification. An AESC plan must provide the following information:

1060.10.01 The names, addresses, and telephone numbers of the applicant and the landowner.

1060.10.02 A description of the project including location, area to be disturbed, and the type of project (e.g., new home construction, fill project, etc.).

1060.10.03 Materials and methods to be used for erosion and sediment control (including soil stabilization, perimeter control, entrance stabilization, and inlet protection method) and waste control (including solid waste and concrete washout).

Additional information may be required if deemed necessary by the Issuing Authority.

1060.10.04 A site plan showing the limits of disturbance, grade, property boundaries, existing and proposed structures, surface waters, and the locations of all erosion and sediment control devices.

1060.10.05 A signed statement assuring that the proposed land disturbing activities will be done pursuant to the AESC plan. If the applicant is not the landowner, then both the applicant and the landowner must sign the form.

1060.10.06 For any project subject to the NPDES permit, the applicant may also be required to provide copies of documents such as the NPDES permit application and/or the permit modification form to demonstrate that proper NPDES permit coverage has been obtained.

1060.11 Changes to Plans. All changes or modifications to an approved PESC or AESC plan must adhere to the following conditions:

1060.11.01 If site inspections reveal that the BMPs included in an approved PESC or AESC plan are not effective or are inadequate, then the plan must be amended to include additional or modified BMPs. Such changes must be documented in written form, kept onsite, and provided to the Erosion Control Inspector upon request.

1060.11.02 If work is not being done in conformance with an approved PESC or AESC plan due to delays in obtaining materials, machinery, services or manpower necessary to implement the plan as scheduled, the permittee shall notify the Issuing Authority.

1060.11.03 Requests for major modifications to an approved PESC or AESC plan, as determined by the Issuing Authority, must be submitted in writing to the Issuing Authority for review and approval.

1060.12 Best Management Practices. Best management practices (BMPs) for erosion and sediment control must be implemented throughout construction in accordance the approved PESC or AESC plan. The BMPs identified in the PESC or AESC plan must be selected, installed, and maintained in an appropriate and functional manner that is in accordance with relevant manufacturer specifications, accepted engineering practices, and the requirements of this Section. The BMPs employed must be adequate to prevent transportation of sediment from the site.

1060.12.01 Erosion Prevention Practices

1060.12.01.01 The area of disturbance shall be minimized to the extent possible.

1060.12.01.02 The permittee must plan for and implement appropriate construction phasing, vegetative buffer strips, horizontal slope grading, and other construction practices that minimize erosion. The location of areas not to be

disturbed must be delineated (e.g. with flags, stakes, signs, silt fence etc.) on the development site before work begins.

1060.12.01.03 All exposed soil areas must be stabilized as soon as possible to limit soil erosion but in no case later than seven (7) days after the construction activity in that portion of the site has temporarily or permanently ceased. Temporary stockpiles without significant silt, clay or organic components (e.g., clean aggregate stockpiles, demolition concrete stockpiles, sand stockpiles) and the constructed base components of roads, parking lots and similar surfaces are exempt from this requirement.

1060.12.01.04 Any temporary or permanent drainage ditch or swale that drains water from any portion of the construction site, or diverts water around the site, must be stabilized within two hundred (200) lineal feet from the property edge, or from the point of discharge into any surface water. Stabilization must be completed within twenty-four (24) hours after connecting to a surface water.

1060.12.01.05 Pipe outlets must be stabilized with temporary or permanent measures adequate to prevent erosion and scouring within twenty-four (24) hours after connection to a surface water.

1060.12.02 Sediment Control Practices

1060.12.02.01 Sediment control practices must be established on all down gradient perimeters before any up gradient land disturbing activities begin. Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed. These practices shall remain in place until final stabilization has been established.

1060.12.02.02 Sediment control practices must minimize sediment from entering adjacent properties and surface waters, including curb and gutter systems and storm sewer inlets.

1060.12.02.02.01 Temporary or permanent drainage ditches and sediment basins that are designed as part of a sediment containment system (e.g., ditches with rock check dams) require sediment control practices only as appropriate for site conditions.

1060.12.02.02.02 If the down gradient treatment system is overloaded, additional upgradient sediment control practices or redundant BMPs must be installed to eliminate the overloading.

1060.12.02.02.03 In order to maintain sheet flow and minimize rills and/or gullies, there shall be no unbroken slope length of greater than seventy-five (75) feet for slopes with a grade of 1:3 (vertical: horizontal), or steeper.

1060.12.02.02.04 Redundant sediment controls, with a ten (10)-foot

undisturbed vegetative buffer strip in between, may be required at the base of any disturbed slope and/or stockpile in the project area that is immediately adjacent to a wetland or other sensitive surface water.

1060.12.02.03 The timing of the installation of sediment control practices may be adjusted to accommodate short-term activities such as clearing or grubbing, or passage of vehicles. Any short-term activity must be completed as quickly as possible and the sediment control practices must be installed immediately after the activity is completed. However, sediment control practices must be installed before the next precipitation event even if the activity is not complete.

1060.12.02.04 All storm drain inlets must be protected during construction until all sources with potential for discharging to the inlet have been stabilized. Inlet protection may be removed for a particular inlet if a specific safety concern (street flooding/freezing) has been identified and approved by the Erosion Control Inspector.

1060.12.02.05 Temporary soil stockpiles must have silt fence or other effective sediment controls, and cannot be placed in surface waters, including stormwater conveyances such as curb and gutter systems, or conduits and ditches unless there is a bypass in place for the stormwater. Redundant controls may be required if a stockpile is positioned immediately adjacent to a wetland or other sensitive surface water.

1060.12.02.06 Vehicle tracking of sediment from the construction site (or onto streets within the site) must be minimized by the use of measures such as stone pads, concrete or steel wash racks, or equivalent systems at the designated construction site access road. Street sweeping must be used if such practices are not adequate to prevent sediment from being tracked onto the street. Tracked sediment must be removed from all paved surfaces within twenty-four (24) hours of discovery.

1060.12.02.07 Adequate control measures are required for discharge water that contains suspended solids. All water from dewatering or basin draining activities must be discharged in a manner that does not cause nuisance conditions, erosion in receiving channels or on downslope properties, or adverse impacts to wetlands.

1060.12.02.08 For projects covered by an NPDES permit, temporary sedimentation basins must be installed in accordance with Part III.B of the permit.

1060.12.02.09 Sediment traps and basins located within a densely populated area or in the proximity of an elementary school, playground or other area where small children may congregate without adult supervision may require additional safety related devices.

1060.12.03 Non-Sediment Pollutant Controls. No solid or liquid waste, including building materials, shall be discharged from the construction site into stormwater

runoff. The permittee must implement appropriate management practices to prevent toxic materials, hazardous materials, or other debris from entering streets, storm sewers, ditches, streams, wetlands, and other surface waters.

1060.12.03.01 Solid Waste Materials. All solid waste materials, including asphalt, sediment, garbage, plastic, plaster, drywall, fabric, grout, gypsum, and any other construction or demolition debris, must be managed to prevent flow obstructions and offsite discharges. Disposal shall be in accordance with state regulations.

1060.12.03.02 Concrete Washout. Onsite concrete washout materials must be fully contained and limited to a designated area. The washing of concrete material into a street, catch basin, or other public facility or natural resource is prohibited. Disposal shall be in accordance with state regulations.

1060.12.03.03 Toxic or Hazardous Waste Materials. Oil, gasoline, paint and any other toxic or hazardous substances shall be stored in a manner to prevent spills, leaks, or other discharges. Disposal shall be in compliance with state regulations.

1060.12.04 Inspections And Maintenance. The permittee, landowner, or his/her agent shall make regular inspections of all erosion and sediment control BMPs to determine their overall effectiveness, the need for maintenance, and need for additional control measures. All nonfunctional BMPs must be repaired, replaced, or supplemented with functional BMPs at the cost and expense of the permittee or landowner as the case may be. All inspections and maintenance shall be documented in written form, kept onsite, and provided to the Erosion Control Inspector upon request.

1060.12.04.01 The entire construction site must be routinely inspected at least once every seven (7) days during active construction and within twenty-four (24) hours after a rainfall event greater than one-half (1/2) inch in twenty-four (24) hours. Following an inspection which occurs within twenty-four (24) hours after a rainfall event, the next inspection must be conducted within seven (7) days after that.

1060.12.04.02 Silt fences must be repaired, replaced, or supplemented when they become non-functional or the sediment reaches one-third (1/3) of the height of the fence. Repairs must be made within twenty-four (24) hours after discovery, or as soon as field conditions allow.

1060.12.04.03 Temporary or permanent sedimentation basins must be drained and sediment removed when the depth of sediment collected in the basin reaches 1/2 the storage volume.

1060.12.04.04 Surface waters, including drainage ditches and conveyance systems must be inspected for evidence of erosion and sediment deposition. Deposited sediments must be removed.

1060.12.04.05 Infiltration areas must be inspected to ensure that no sediment from the construction activity is reaching the infiltration area and that the area is protected from compaction from construction equipment.

1060.12.04.06 If sediment escapes the construction site, offsite accumulations must be removed in a manner and at a frequency sufficient to minimize offsite impacts.

1060.12.04.07 Temporary stabilization measures must be maintained and enhanced as needed to limit soil erosion until final stabilization has been established in accordance with Section 1060.12.05. Uniform coverage must be maintained on all disturbed areas, leaving no bare soil exposed.

1060.12.04.08 After construction is complete, the landowner, permittee, or their agent shall continue to regularly inspect the vegetation until adequate turf establishment or other suitable vegetative cover is established.

1060.12.05 Final Stabilization.

1060.12.05.01 To achieve final stabilization after completion of land disturbance activities, all soils must be stabilized by a uniform perennial vegetative cover with a density of 70% over the entire pervious surface area, or other equivalent means necessary to prevent soil failure under erosive conditions.

1060.12.05.02 Temporary, synthetic sediment control devices must be removed after vegetation is established.

1060.12.05.03 The permanent stormwater management system must be fully functional and in conformance with the requirements of Section 1080 of the Hermantown City Code and the NPDES permit. Sediments shall be removed from retention basins as needed to restore the basins to their original design capacity.

1060.13 Land Alteration Permit Required. Except as exempted in Section 1060.05, no person may authorize or engage in any of the following land disturbance activities without first obtaining a land alteration permit from the Zoning Director, unless that same activity is already authorized by an active building permit, commercial development permit, or another permit issued by the City.

1060.13.01 Placement of seventy-five (75) or more cubic yards of fill material on any site, regardless of the size of the area disturbed.

1060.13.02 Any land disturbance activity impacting one-half (1/2) or more acre(s).

1060.13.03 Any land disturbance activity impacting less than one-half (1/2) acre, if the Zoning Director determines that a PESC or AESC plan is needed to protect life or limb, protect the property of another, protect the safety, use, slope or soil stability of a public road, protect wetland(s) or watercourse(s) or otherwise protect the health, safety and general welfare of the public.

1060.13.04 Placement of less than seventy-five (75) cubic yards of fill material, if the Zoning Director determines that a PESC or AESC plan is needed to protect life or limb, protect the property of another, protect the safety, use, slope or soil stability of a public road, protect wetland(s) or watercourse(s) or otherwise protect the health, safety and general welfare of the public.

1060.14 Land Disturbances in Wetlands, Shorelands, and Floodplain Areas. The exemptions and conditions for obtaining land alteration permits issued under this Section 1060 apply only to upland sites. Any land disturbance activity within a designated wetland, shoreland area, or floodplain management area, regardless of the area disturbed or the quantity of fill material placed, must be carried out in accordance with all applicable zoning restrictions and regulations.

1060.15 Permit Duration. Land alteration permits issued under this Section 1060 shall be valid for the period during which the proposed land disturbance activity takes place or is scheduled to take place, whichever is shorter, but in no event shall such a permit be valid for more than one (1) year.

1060.15.01 Permit Renewals/Extensions. The permittee shall fully perform and complete all of the work required in the sequence shown on the PESC or AESC plan within the time limit specified in the permit. Prior to the expiration of a permit issued under this Section 1060, the permittee may present a written request for an extension to the Issuing Authority. If, in the opinion of the Issuing Authority, an extension is warranted, a one-time no fee extension, not to exceed one (1) year, may be granted. The Issuing Authority may authorize additional extensions for a period to be determined by the Issuing Authority for a fee determined from time to time by the City Council.

1060.16 Conditions of Approval. In granting any permit pursuant to Section 1060, the Issuing Authority may impose such conditions as may be reasonably necessary to prevent creation of a nuisance or unreasonable hazard to persons or to a public or private property. Such conditions shall include (even if not specifically written in the permit), but need not be limited to:

1060.16.01 The granting (or securing from others) and the recording in St. Louis County land records of easements for drainage facilities, including the acceptance of their discharge on the property of others, and for the maintenance of slopes or erosion control facilities.

1060.16.02 Adequate control of dust by watering, or other control methods acceptable to the Issuing Authority, and in conformance with applicable air pollution ordinances.

1060.16.03 Improvements of any existing grading, ground surface or drainage condition on the site (not to exceed the area as proposed for work or development in the application) to meet the standards required under Section 1060 for new grading, drainage and erosion control.

1060.16.04 Sediment traps and basins located within a densely populated area or in the proximity of an elementary school, playground or other area where small children may congregate without adult supervision may be requested to install additional safety related devices.

1060.17 City Inspections. The City may carry out scheduled and/or random inspections at any land disturbance site throughout the duration of the project and until final stabilization is achieved as deemed necessary to determine compliance with the an approved PESC or AESC plan and other provisions of Section 1060.

1060.17.01 In making application for a permit from the City for any project requiring a PESC or AESC plan, the landowner performing or allowing such work consents to the Erosion Control Inspector having the right to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the erosion and sediment control plan. This does not include consent to enter into any building which is completed and which has been secured, but does include consent to inspect any area of the site where land disturbance activity is occurring or is thought to be planned at the project site.

1060.17.02 When deemed necessary by the Issuing Authority, onsite inspection and approval of installed sediment controls may be required before up gradient land disturbing activities can begin.

1060.17.03 For projects where a security is required, the Erosion Control Inspector shall complete a final inspection with the permittee and/or permittee's representative to assess whether all requirements for final stabilization have been met, in accordance with Section 1060.12.05. Within seven (7) days of the inspection, the Erosion Control Inspector will issue a written notice to the permittee as to whether all requirements for final stabilization have been met. If all requirements have not been met, the notice will include a detailed description of what needs to be accomplished in order to achieve final stabilization. The security shall be released only when all requirements for final stabilization have been met.

1060.18 Security. An applicant who is required to submit a PESC plan is also required to file with the City a bond, letter of credit or other surety to insure compliance with the approved plan. The amount of the surety shall be equal to the estimated cost of

implementing the entire PESC plan, from beginning to end (including cost of materials, installation, inspection, and maintenance), plus 25%. The form of such surety shall be subject to approval by the City Attorney.

1060.18.01 No security will be released until a final inspection has been conducted and the Erosion Control Inspector confirms in writing that final stabilization has been achieved, in accordance with Section 1060.17.03.

1060.19 Permittee Responsibility. The permittee, his/her agent, contractors and employees shall carry out the proposed work in accordance with the requirements of Section 1060 and the approved PESC or AESC plan at all times. The design, testing, installation, and maintenance of erosion and sediment control operations and facilities shall adhere to the standards and specifications contained in the approved PESC or AESC plan.

1060.19.01 A copy of the approved PESC or AESC plan and inspection records shall be onsite and available for inspection during all working hours.

1060.19.02 The permittee shall take action as needed to prevent soils from being deposited onto adjacent properties, rights-of-ways, public storm drainage system, or wetland or watercourse.

1060.19.03 Notwithstanding other conditions or provisions of a City-issued permit, or the minimum standards set forth in this Section 1060, the permittee is responsible for the prevention of damage to adjacent property. No person shall grade on land in any manner, or so close to the property line as to endanger or damage any adjoining public street, sidewalk, alley or any other public or private property without supporting and protecting such property from settling, cracking, erosion, sedimentation or other damage or personal injury which might result.

1060.20 Action Upon Noncompliance.

1060.20.01 Notice of Violation. In the event work does not conform to Section 1060 or to an approved PESC or AESC plan or to any instructions of the Erosion Control Inspector, compliance may be ordered by written notice of violation to the violator and/or to the landowner. Failure to address a notice of violation in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this Section.

In the case of work for which there is a permit, the notice of violation shall be mailed by first class mail, postage pre-paid, to the address listed by the permittee on the permit. In the case of work for which there is no permit, the notice of violation shall be mailed to the person(s) listed as the taxpayer and/or landowner by the records of the St. Louis County Auditor.

After a notice of violation is given, the landowner, permittee, or his/her contractor shall be required to make the corrections within the time period determined by the

Issuing Authority. If an imminent hazard exists, the Erosion Control Inspector may require that the corrective work begin immediately. The notice of violation shall contain:

1060.20.01.01 the name and address of the landowner and/or to the violator;

1060.20.01.02 the address when available or a description of the building, structure or land upon which the violation is occurring;

1060.20.01.03 a statement specifying the nature of the violation;

1060.20.01.04 a description of the remedial measures necessary to achieve compliance with this Section and a deadline for the completion of such remedial action;

1060.20.01.05 a statement advising that, should the violation not be remedied or restored within the established deadline, the work may be done by the City or a contractor, and the expense thereof shall be charged to the land, landowner and/or violator; and

1060.20.01.06 a statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed or against the land upon which the violation is originating or occurring.

1060.20.02 Stop Work Order. The Erosion Control Inspector may issue a stop work order for the entire project or any specified part thereof when an imminent hazard exists and/or for failure to comply with the requirements set forth in a notice of violation. Upon issuance of a stop work order, all work must stop immediately except that work which is required to attain compliance with Section 1060. A stop work order shall remain in effect until the Erosion Control Inspector confirms that the land disturbance activity is in compliance and the violation has been satisfactorily addressed.

1060.20.02.01 For the purposes of this section, a stop work order is validly posted by posting a copy of the stop work order on the site of the land disturbance activity in reasonable proximity to a location where the land disturbance activity is taking place. Additionally, a copy of the order, in the case of work for which there is a permit, shall be mailed by first class mail, postage pre-paid, to the address listed by the permittee on the permit. In the case of work for which there is no permit, a copy of the order shall be mailed to the person(s) listed as the taxpayer and/or landowner by the records of the St. Louis County Auditor.

1060.20.03 Enforcement Measures. If a violation has not been corrected pursuant to the requirements set forth in the notice of violation and/or stop work order, then representatives of the City may take any and all measures necessary to abate the violation and/or restore the land. It shall be unlawful for any person, landowner, agent or person in possession of any land to refuse to allow the government agency or

designated representative to enter upon the land for the purposes set forth above. The remedies available to the City shall include:

1060.20.03.01 Criminal prosecution;

1060.20.03.02 Injunctive relief pursuant to Section 1060.20.05 of this Section;

1060.20.03.03 Collection of administrative and remediation costs, including attorney's fees, court costs, labor, use of equipment, sampling and monitoring costs, and other expenses associated with enforcement of this Section;

1060.20.03.04 Imposition of costs of abatement pursuant to Section 1060.20.04 of this Section;

1060.20.03.05 Immediate revocation of and/or suspension of the processing of any and all City permits for which the landowner or violator has applied, even if said permits are not connected to the land where the violation is occurring;

1060.20.03.06 Suspension of City sewer and water services at the property where the violation is occurring;

1060.20.03.07 Withholding of the certificate of occupancy for the property where the violation is occurring; and

1060.20.03.08 Enforcing the provisions of Section 1060.20.06 of this Section.

1060.20.04 Abatement of Violation If a violation continues for ten (10) days beyond the deadline set forth in the notice of violation and/or stop work order, the Issuing Authority may issue a notice of intent to the landowner and/or violator of the City's intent to perform work necessary to comply with Section 1060. The City may go on the site and commence work fourteen (14) days after issuing the notice of intent. After abatement of the violation, the landowner and/or violator will be notified of the cost of abatement, including attorney's fees and administrative costs. The landowner and/or violator may file a written protest objecting to the amount of the assessment within ten (10) calendar days with the City Clerk of the City.

The costs incurred by the Issuing Authority to perform the abatement work shall be paid by the landowner out of the security referenced in Section 1060.18, to the extent that the amount is covered thereby, with the remainder being directly due and owing to the City by the landowner and/or violator. In the event no permit was issued or no security was posted, the cost, plus interest at the rate authorized by the Issuing Authority, plus a reasonable administrative fee shall be billed to the landowner and/or violator. If in any event the amount due is not paid by the deadline set forth by the decision of the City Council, then the City Clerk shall enter the amount due on the tax roll and collect as a special assessment against the property using the procedures contained in applicable City codes and State law or may collect such amount in whatever manner is allowed or permitted by law.

1060.20.05 Injunctive Relief. It shall be unlawful for any person to violate any provision or fail to comply with a notice of violation, a stop work order, or any requirement of this Section 1060. If a person has violated or continues to violate the provisions of this Section, the City may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

1060.20.06 Violations Deemed A Public Nuisance. In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Section is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's and/or landowner's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

1060.20.07 Criminal Prosecution. Any person, firm, corporation or agency acting as principal, agent, employee or otherwise, who fails to comply with the provisions of Section 1060 shall be guilty of a misdemeanor. Each day there is a violation of any part of Section 1060 shall constitute a separate offense.

1060.20.08 Remedies Not Exclusive. The remedies listed in this Section are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the City of Hermantown to seek cumulative remedies.

Section 2. Effective Date. The provisions of this Ordinance shall be effective after adoption immediately upon publication once in the official newspaper of the City of Hermantown.

Dated: _____

Mayor

Attest:

City Clerk

Adopted: _____

Published: _____

Effective Date: _____

Appendix B.
Addendum to Land Alteration Permit Application

Erosion Control Requirements (Hermantown Code 1060.08.24)

Before land alteration:

1. The construction site access road needs to prevent localized erosion and ensure that sediment is not tracked onto public streets or washed into storm drains
2. All sediment control devices must be installed and stabilized before clearing begins. These include:
 - a. Perimeter controls with vegetative buffer strip
 - b. Settling basins, sediment traps, or tanks
 - c. Hay bales or other barrier protecting stormwater drains
3. Upland runoff must be diverted around land alteration area.
4. All adjacent property must be protected by proper sediment control devices.
5. All natural streams, ditches, and wetlands adjacent to project area must be protected by proper sediment control devices.

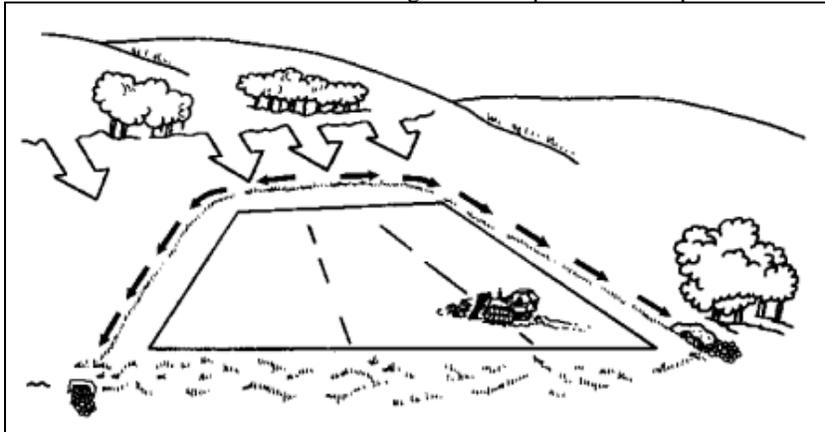
During land alteration:

1. Cut and fill slopes shall be no greater than 2:1.
2. Soil stockpiles must be covered with secure tarps or plastic sheeting at the end of each day.
3. Prevent debris, dust, or sediment blowing off the site. Weigh down light debris or store in waste bins, bags, or other containers. Dust and sediment can be temporarily reduced by **lightly** spraying the site with water, or physical devices such as solid board fences, snow fences, and bales of hay may be necessary.

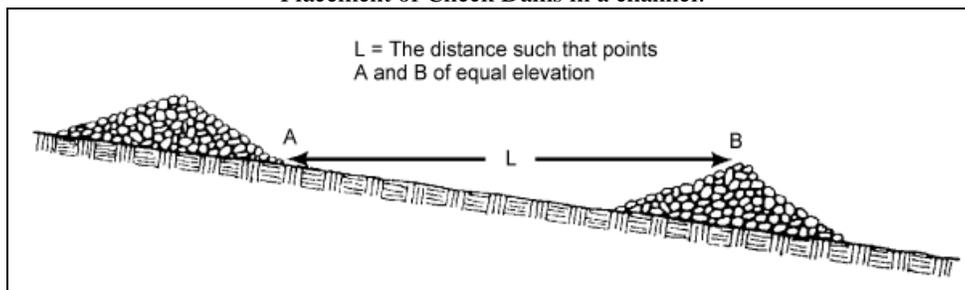
Project completion:

1. **Soil stabilization must be completed within 5 days of grading.**
2. **Any seeding or planting as an erosion control method must be established within 14 days.**

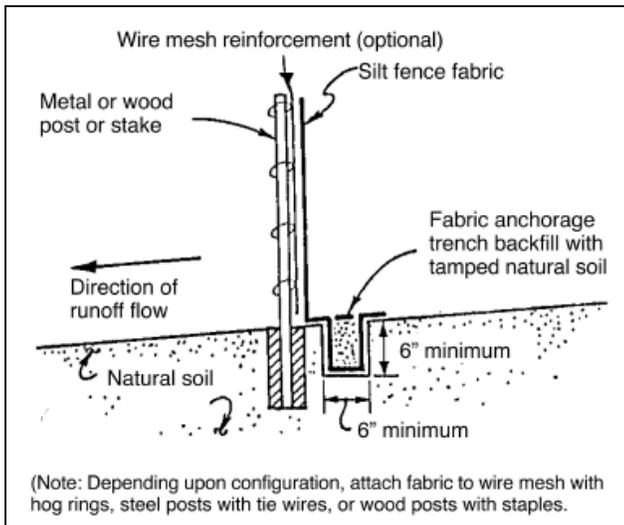
Perimeter controls must include a vegetative strip and divert upland runoff:



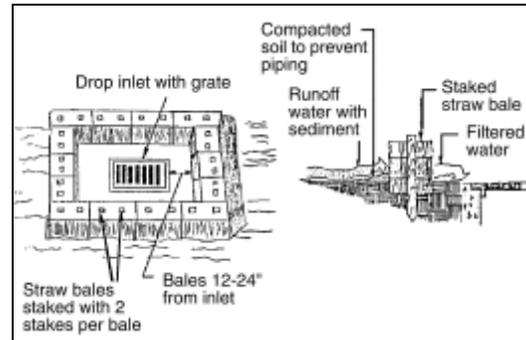
Placement of Check Dams in a channel:



Typical installation of a silt fence:

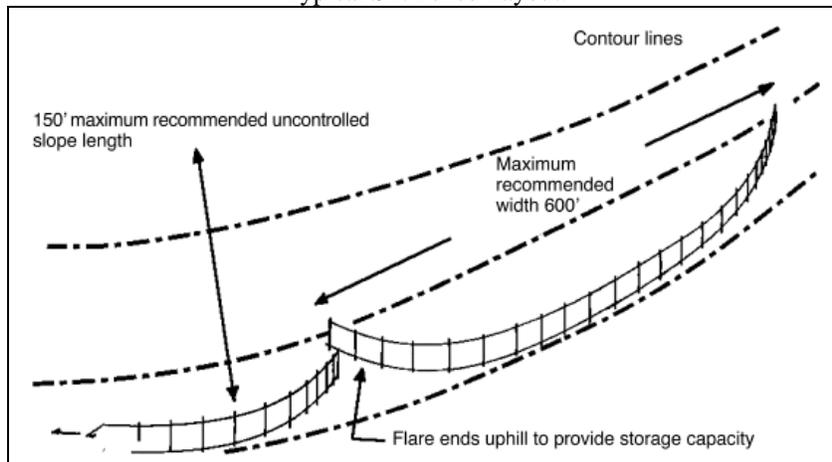


Hay bale stormwater inlet protection:



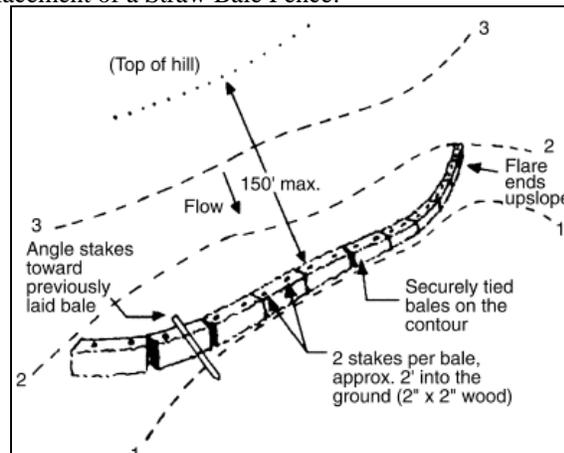
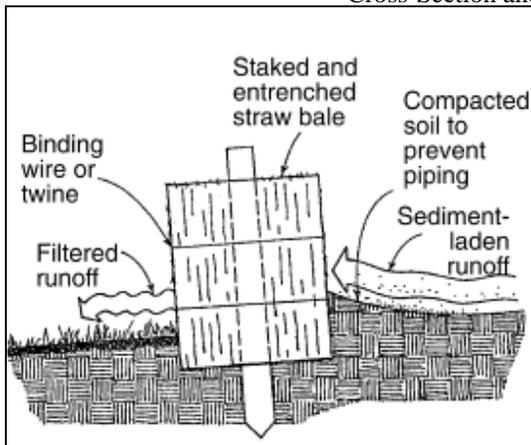
Note: Hay bales are only adequate in low flow situations

Typical Silt Fence Layout:



Note: uncontrolled slope length dependent on slope grade
(2:1 grade = 15ft maximum uncontrolled slope length)

Cross-Section and Placement of a Straw Bale Fence:



* All illustrations are from the MPCA's Protecting Water Quality in Urban Areas Manual, Chapter 6: Erosion Prevention & Pollution Control. <http://www.pca.state.mn.us/water/pubs/sw-bmpmanual.html> and the Michigan Soil Erosion and Sedimentation Control Guidebook (1975)

Erosion Control Suppliers

American Excelsior Co.

15815 Oakhill Road North
Scandia, MN 55073
651-433-4267/F-651-433-4267
www.amerexcel.com

Brock-White

4231 West 1st Street
PO Box 16507
Duluth, MN 55807
218-628-2231/ F-218-628-2917
1-800-232-1344
www.brockwhite.com

Central Landscape Supply

4026 County Road 74 So.
St. Cloud, MN 56301
320-252-1601/F-888-257-5577/800-772-3888
<http://www.centrallandscape.com>

Construction Materials, Inc.

6725 Oxford St.
St. Louis Park, MN 55426
612-929-0431/F-612-929-0737/800-486-8456

CONTECH Construction Products, Inc.

11115 Chaparral Ave.
Shakopee, MN 55379
612-496-1050/F-612-496-3183/800-346-2274

Geo-Synthetics, Inc.

428 North Pewaukee Road
Waukesha, WI 53188-2425
414-524-7979/F-414-524-7961/800-444-5523
www.geo-synthetics.com

Jackson Landscape Supply, Inc.

10906 162nd St. West
Lakeville, MN 55044
612-435-6927/F-612-435-8718/800-435-6927

Lawn & Driveway Service, Inc.

R.R. 1, Box 452
Morris, MN 56267-9788
320-795-2412/F-320-795-2119

Northern Water Works Supply

4124 83rd Ave. No.
Brooklyn Park, MN 55443
612-560-5200/F-612-560-1799/800-844-8334

Appendix C.
Annual Public Meeting Comment Sheet

City of Hermantown
Public Meeting Comment Sheet

All questions are optional. Your input is very important to us. Thanks for participating!

Please choose the most appropriate response(s):

1. I am: a resident of Hermantown a business owner in Hermantown City employee
 a contractor or developer a non-resident other _____

2. I am _____ about the environmental quality of Hermantown
 not concerned somewhat concerned very concerned

Comments: _____

3. I feel well informed about pollution and erosion control guidelines in the City. Y N

4. Do you feel that you have any personal effect upon the stormwater quality in Hermantown? Y N

5. Do you understand the City's Stormwater Pollution and Prevention Plan (SWPPP)? Y N

6. Do you have any concerns regarding the SWPPP? Y N If yes, they are: _____

7. Do you feel the City should do anything differently concerning the SWPPP or enforcement?

If yes, please explain: _____

8. I plan to attend next year's SWPPP Annual Report meeting. Y N

If not, what would entice you to attend? _____

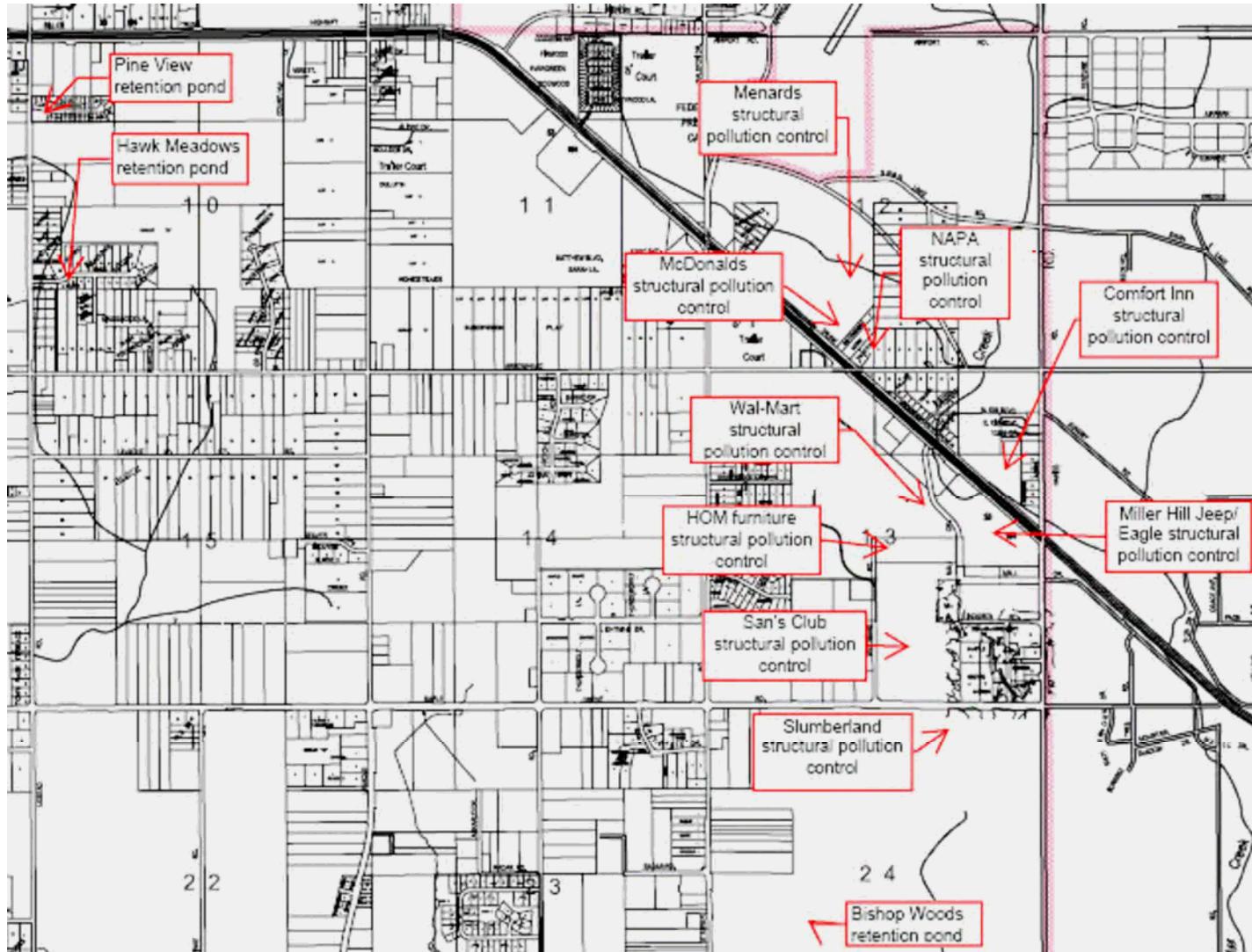
Additional comments:

Name _____ Address _____ Phone _____

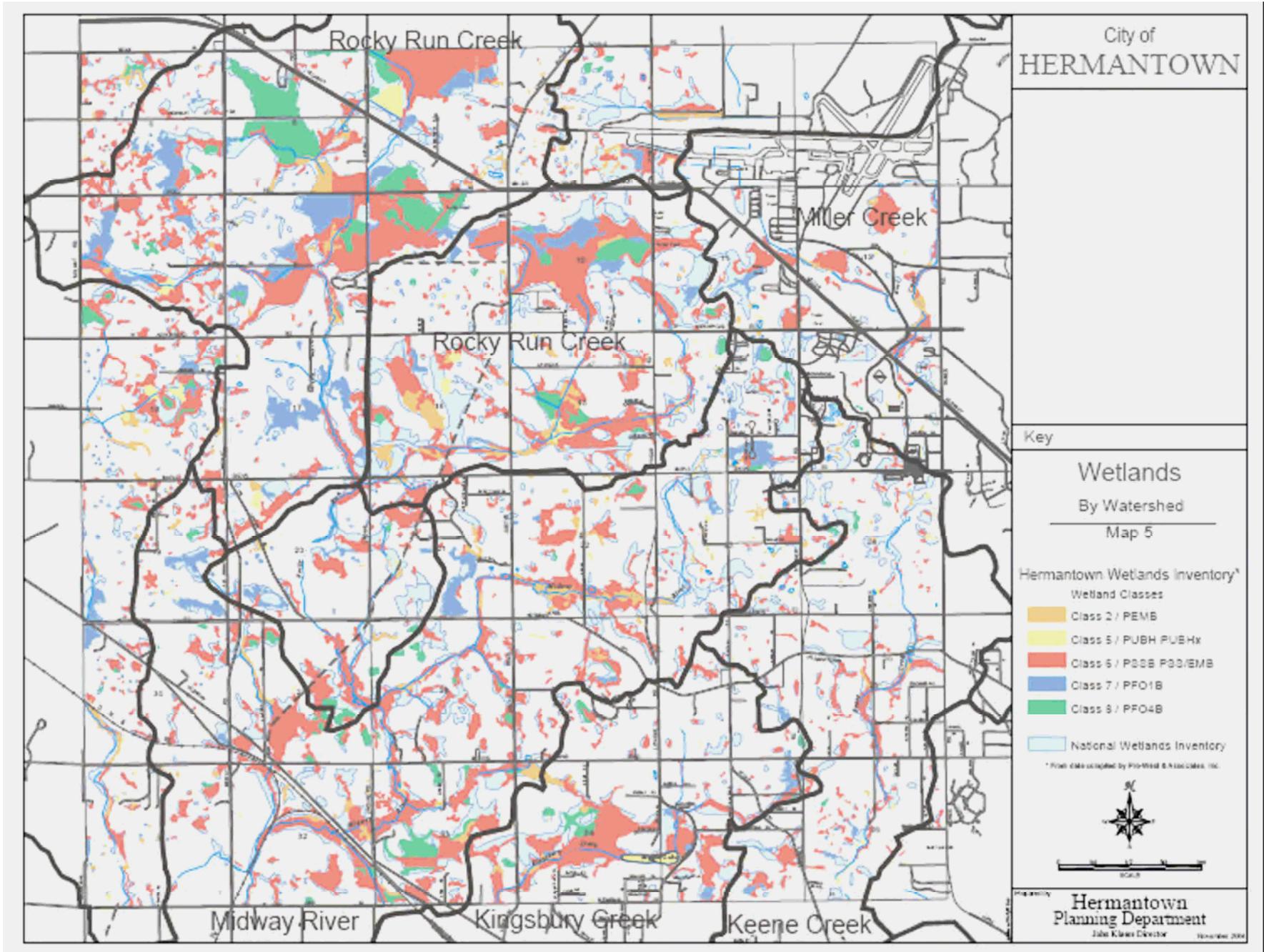
Would you like to be contacted regarding your comments? Y N

Please return comment sheets to:
Jennifer Griggs, Environmental Resource Specialist, 5255 Maple Grove Road, Hermantown, MN, 55811.
You may also call (218) 729-3618 or email jgriggs@HermantownMN.com

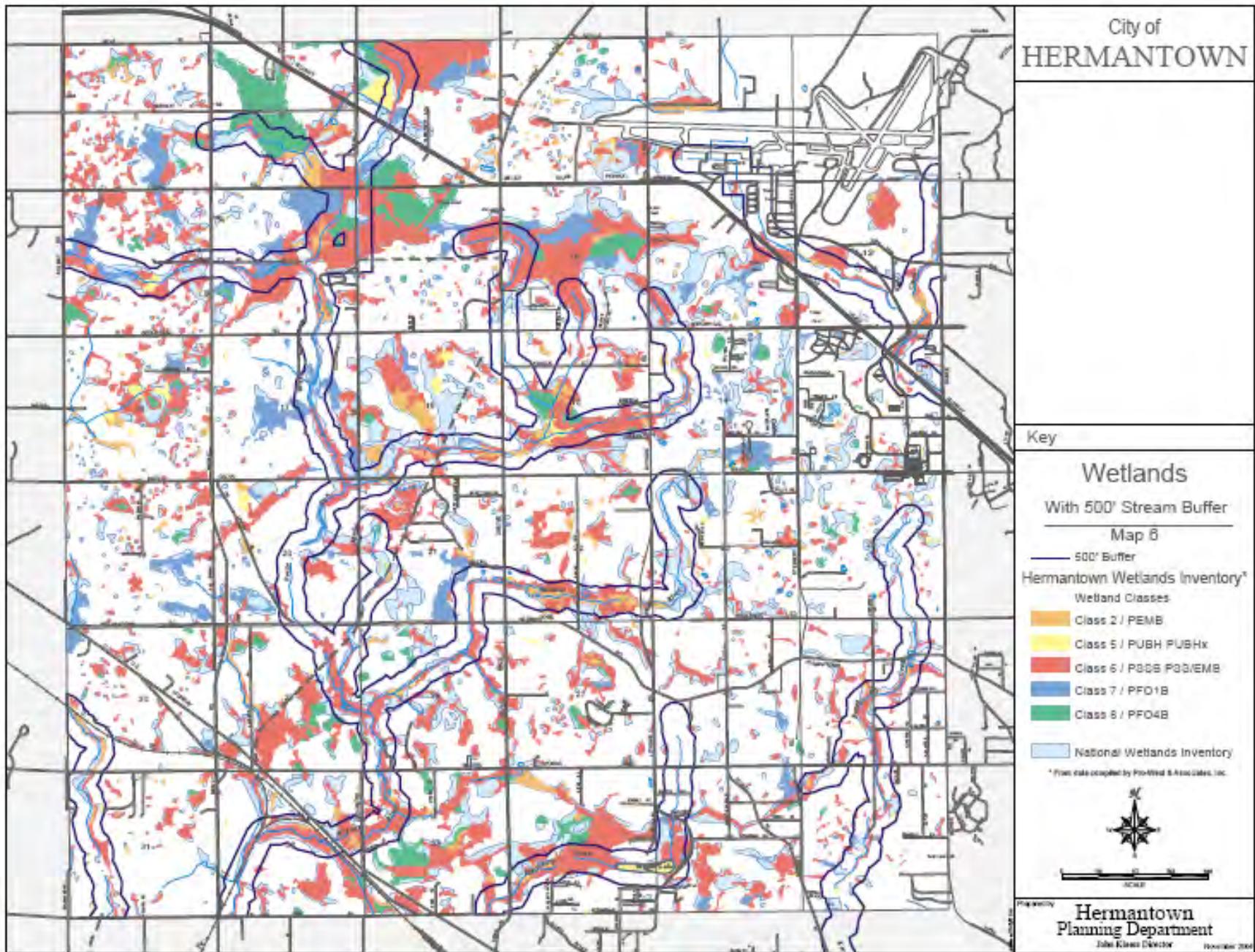
Appendix D.
Maps



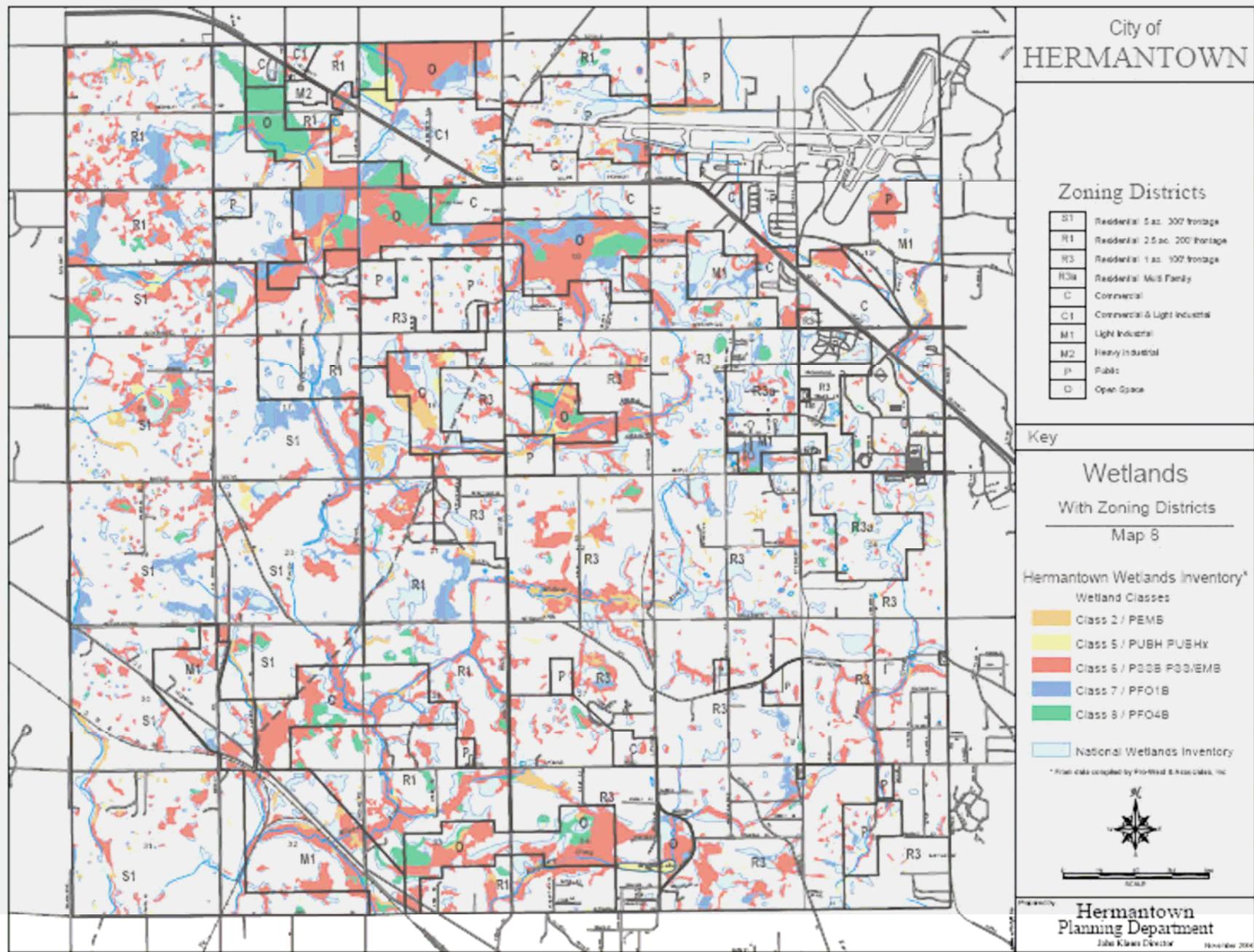
Map of Structural Pollution Control Devices & Constructed Retention Ponds



Map of Hermantown Wetlands Inventory (2003 Remote Sensing)

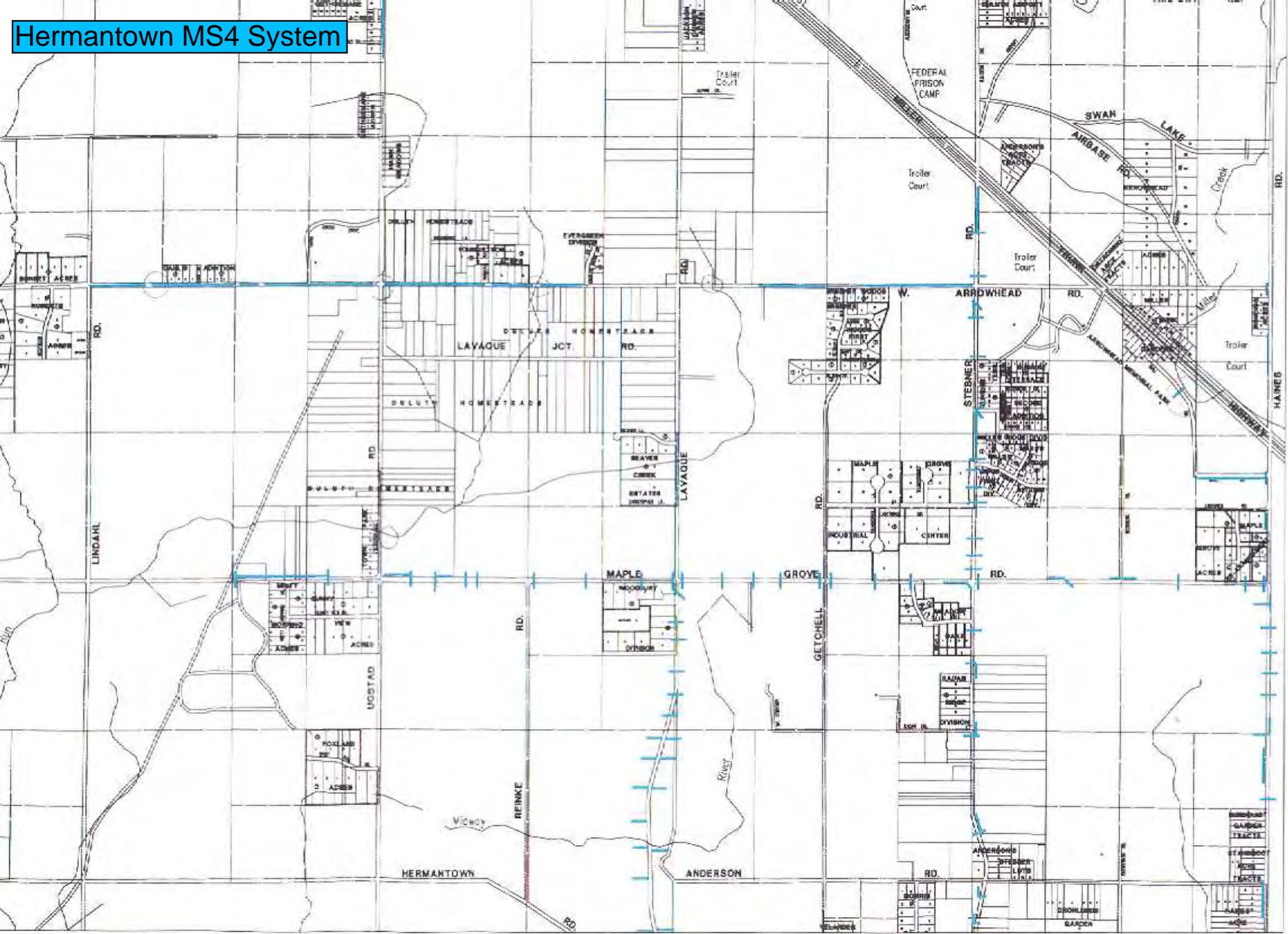


Map of Hermantown Wetlands Inventory (2003 Remote Sensing) with 500-foot stream buffer



Map of Hermantown Wetlands Inventory with Zoning

Hermantown MS4 System



Appendix E.
Trout Stream Monitoring Program

Excerpt from the 2006 Permit:

Discharges Adversely Impacting Trout Waters (*Minn. R. 6264.0050 subp. 2 and 4*).

The following requirements apply to Trout Waters listed in Minn. R. 6264.0050, subp. 2 and 4:

1. This permit does not authorize **New or Expanded Discharges** adversely impacting Trout Waters unless, at minimum, **You** establish administrative procedures or other measures to assure that **You** make the following determinations and document the basis for your decision:

a. That there is no feasible and prudent alternative to the proposed discharge; and
b. All prudent and feasible measures needed to avoid or **Reduce** impacts to Trout Waters, and to preserve the existing high quality of the water will be implemented (see Part IX.C.2 below).

2. If the discharge cannot be avoided, **You** must consider measures to protect water quality and prevent temperature increases. Acceptable measures include reduce the impervious surfaces, diversion away from the stream and use of filter strips, infiltration, biofiltration, or enhanced grass swales to treat runoff before discharge to the Trout Water. Innovative alternatives to ponds are specifically encouraged for Trout Water discharges if they provide equivalent treatment.

Trout Stream Monitoring Program Summary:

There are seven (7) stormwater outlets into Hermantown tributaries (4) and streams (3). One outlet to a stream is regulated by a private structural pollution control device; another outlet to a stream is filtered through wetlands. The remainder of the outlets drain small portions of paved roadway through a series of curb drains and sediment chambers. The City is dissected with several trout streams and concerned with protecting stream water quality.

In order to reduce impacts of development on Hermantown's trout streams, the City will develop a monitoring program to assess water quality and detect any illicit discharges into the streams. This program will work in conjunction with the City's Wetland Management Plan (2005). When possible, data collected by the South St. Louis Soil and Water Conservation District, DNR, MPCA will be incorporated into the assessment. This program will also provide BMPs associated with construction and development within 300ft of the trout streams. This program will be developed in 2006 and included in the SWPPP for 2007.