

**EL PASO COUNTY TEXAS POLLUTANT DISCHARGE ELIMINATION
SYSTEM (TPDES) MANAGEMENT PROGRAM**

TABLE OF CONTENTS

Section I – Overview

1. Storm Water Rule Overview.....2

Section II – Permit Applicability and Coverage

1. Urbanized Area.....3
2. Regulatory Restrictions on Texas Counties.....3

Section III – Storm Water Management Program (SWMP)

- Overview - El Paso County’s SWMP.....3-4
1. Public Education, Outreach, and Involvement.....5-6
2. Illicit Discharge Detection and Elimination.....7-9
3. Construction Site Storm Water Runoff Control.....10-11
4. Post-Construction Storm Water Management in New Development
And Redevelopment.....12-13
5. Pollution Prevention/Good Housekeeping for Municipal Operations....14-15

Section IV – Recordkeeping and Reporting

1. Recordkeeping.....16
2. Annual Report.....16

SECTION 1 – OVERVIEW

I. 1 – Storm Water Rule Overview

Phase 1 of the U.S. Environmental Protection Agency’s (EPA) municipal storm water program started in 1990 under the authority of the Federal Clean Water Act (CWA). Phase 1 relies on National Pollutant Discharge Elimination System (NPDES) permit coverage to address pollutants from storm water runoff and dry weather discharges. Phase 1 permits are required for large and medium municipal separate storm sewer systems (MS4), serving populations of 100,000 or greater.

The Storm Water Phase 2 Final Rule (promulgated December 8, 1999) was approved by EPA to prevent water resources from pollution by storm water runoff and dry weather discharges into storm drain systems. Local governments are required by Phase 2 regulations to implement programs and practices to control water pollution, to the “Maximum Extent Practicable” (MEP) in urbanized areas of small MS4s (population less than 100,000). Phase 2 requires local governments to obtain a permit those implements six “Minimum Control Measures”, as applicable. The six Minimum Control Measures (MCM’s) are: public education, outreach, and involvement; illicit discharge detection and elimination; construction site stormwater runoff control; post-construction stormwater management in new development and redevelopment; pollution prevention and good housekeeping operations; and industrial stormwater sources. Program elements for the sixth MCM (industrial stormwater sources) are not applicable for El Paso County (EPC) since it is classified as a Level 2 small MS4 operator.

EPA has authorized the Texas Commission on Environmental Quality (TCEQ) to issue and enforce the Texas Pollutant Discharge Elimination System (TPDES) Phase 1 and 2 storm water permits, in lieu of federal NPDES permits. Effective 8/13/2007 TCEQ Commissioners approved the TPDES General Permit to authorize discharge of storm water from regulated Phase 2 MS4s.

On February 2008, EPC submitted a Notice of Intent (NOI) to TCEQ for general permit coverage. The TPDES Small MS4 General Permit (TXR040000, Issued and Effective on August 13, 2007) was issued to EPC with an expiration date of August 13, 2012. On June 10, 2014, EPC reapplied for permit coverage for the next five year period (2014 - 2019). Before July 23, 2019, EPC and other operators of small MS4s that were covered under the previous TPDES general permit for small MS4s must reapply for permit coverage. The application must include a NOI for coverage and a Storm Water Management Program (SWMP). The NOI is a document that provides TCEQ with an official notification to seek permit coverage and identifies legally responsible parties for permit enforcement. The SWMP will describe actions that will be implemented by the permittee, to address the required elements of a storm water program. The SWMP describes in detail which Best Management Practices (BMPs) will be implemented to meet permit requirements. The permit term will cover the next 5 years (2019 – 2024). The permit will be renewed at 5 year intervals, which may require significant changes to the SWMP for future permit approvals, if necessary.

SECTION II – PERMIT APPLICABILITY AND COVERAGE

II. 1 Urbanized Areas

The TPDES Permit requirements apply only to the portions of unincorporated EPC that are identified as urbanized areas. There are approximately 9 non-contiguous urbanized areas in unincorporated EPC. TPDES General Permit recognizes the urbanized areas as determined by the 2000 or 2010 Decennial Census by the U.S. Bureau of Census. The 2000 and 2010 urbanized area maps may be viewed at <http://www.census.gov/geo/maps-data/maps/ua2kmaps.html> and <http://www.census.gov/geo/maps-data/maps/2010ua.html>, respectively.

II.2 Regulatory Mechanism Restrictions for Counties

The Texas Constitution and State statutes do not grant Texas counties the ability to create and enforce ordinances, such as home rule cities which are allowed to create ordinances to meet the TPDES permit requirements. To address this restriction, TCEQ rules contain text stating “to the extent allowable under state and local law”. This statement is cited several times in Part III, SWMP development and implementation, of the general permit. EPC will address the various elements in the General Permit SWMP requirements to the extent allowable under current state and local law.

SECTION III – STORM WATER MANAGEMENT PLAN (SWMP)

Overview of El Paso County’s SWMP

To the extent allowable under State and local law (see II.2 above), EPC’s SWMP was developed, and will be implemented, according to requirements of Part III of TPDES General Permit TXR040000 for discharges of storm water to surface water in the state. This SWMP was developed to prevent pollution in storm drainage systems to the maximum extent practicable, with control measures implemented during the permit term. The SWMP addresses six Minimum Control Measures (MCMs) as required by TCEQ rules, as applicable. Program elements for the sixth MCM (industrial stormwater sources) are not applicable for EPC since it is classified as a Level 2 small MS4 operator. MCMs will be implemented in urbanized areas of unincorporated EPC and may be implemented in other unincorporated areas adjacent to urbanized areas of EPC if warranted by special conditions as determined by EPC. MCMs will be evaluated based upon the accomplishment of activities (BMPs) listed under each MCM. EPC storm water staff from the Public Works department will monitor MCM activities.

Legal Authority (Contrast with Cities)

Unlike cities, counties are not authorized by the State Constitution or State Statutes to enact the ordinances and implement all of the regulatory requirements that Phase 2 (small MS-4) requires. EPC addresses “to the extent allowable under state and local law” in appropriate MCM sections.

Ditch Drainage System

EPC’s storm drainage system is mostly comprised of unlined (pervious) above ground ditches. Benefits and challenges associated with this type of system will be addressed in the Section III.5 of this document.

Large Area and Long Distances between Non-Contiguous Urbanized Areas

EPC has approximately 9 small non-contiguous Urbanized Areas scattered across EPC area. Long-travel distances, often exceeding those found in large MS-4 cities, will require MS-4 County staff to travel great distance in order to implement daily activities associated with this program. This extra challenge is another element to consider when comparing the SWMPs of EPC to cities in this area.

Annexation and De-annexation

EPC will be losing land areas when annexation occurs. EPC will not be adding new areas of responsibilities and will not have to provide services to the annexed land. EPC will only add urbanized areas when population densities increase in existing unincorporated county, as designated by the U.S. Census Bureau on a ten year cycle.

Participants in developing/implementing El Paso County’s SWMP

EPC’s SWMP was developed by County staff with storm water experience. Responsibilities for implementation of the SWMP will be handled by the El Paso County Public Works.

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Section III.1 – Public Education, Outreach, and Involvement MCM #1

The public will be informed about water quality issues regarding storm water runoff and illicit discharges by providing informational materials in multiple formats and media. EPC and other resources may be used to develop and distribute public education and outreach material. EPC will work with other government agencies to develop suitable community materials for website posting and/or distribution at EPC Administrative Office (MDR Building), Road & Bridge warehouse and EPC web page. EPC will rely upon compliance with public notice requirements regarding public meetings at El Paso County Commissioners' Court to receive public input into storm water program development and implementation. Also, the Draft 2019-2024 SWMP will be posted on the County Website as submitted to TCEQ for TPDES General Storm Water Permit coverage.

The community to be addressed will consist of residents, public service employees, businesses, commercial/industrial facilities and construction site personnel in unincorporated/urbanized areas of EPC. These areas are mostly residential in nature and not intended to attract visitors.

(a)BMP, Measurable Goal and Date – Educational Material and Distribution

EPC will distribute storm water related materials at 3 or more public facilities (County buildings, elementary schools, etc.). Examples include such items as information sheets, brochures, bookmarks, etc. These materials may be developed by EPC staff, EPA, TCEQ, or any other source. Some of these materials will address illicit discharges, construction, NOI submittals and other information materials required by the permit. Additionally EPC may elect to use materials that are intended for TV or radio broadcasts, if such materials are affordable. Also EPC may participate in regional storm water education projects to supplement or replace (if the regional activities are more effective or reach a larger audience) this BMP and will report activities in the annual report.

Goal and Date: At least 500 copies will be distributed by December 2022 (then annually) throughout the life of this new permit. TV or radio broadcasts may substitute for 500 hundred copies.

Status: **Ongoing**

(b)BMP, Measureable Goal and Date – Outside Participation

Participate with other organizations in order to develop storm water educational materials which can be used by MS-4s in the West Texas region. Any materials developed by such organizations will be reviewed by EPC staff and may be used during appropriate times throughout the permit term.

Goal and Date: Participate at a minimum of one event with other local governmental entity/entities by December 2022.

Status: **Ongoing**

(c) BMP Measureable Goal and Date – Public Service Websites

Post storm water information on the EPC website:

<http://www.epcounty.com/publicworks> EPC Public Works Department will also provide links to the TCEQ, EPA and storm water websites.

Goal and Dates: The EPC Public Works website is active and contains storm water information. The sites will be reviewed by December 2021 (then annually) to determine if content revisions are needed.

Status: **Ongoing**

(d) BMP, Measureable Goal and Date – Publish SWMP & Annual Report on Website

EPC Officials will review and update the SWMP once a year in conjunction with completion of the annual report.

Goal and Date: The SWMP and annual report will be published on the County Website within 30 days of submittal of annual reports to TCEQ.

Status: **Ongoing**

(e) BMP, Measureable Goal and Date – Public Notice for Meeting

EPC Commissioner’s Court is subject to state/local public notice requirements, which meet TCEQ minimum requirements for public involvement/participation.

Goal and Date: Staff will verify that Commissioner’s Court meetings comply with public notice requirements and include that information in the annual reports to TCEQ. Public notice for meetings is already in effect and will continue throughout the life of the new permit.

Status: **Ongoing**

(f) BMP, Measureable Goal and Date – Post Draft SWMP on Website

After internal review by EPC Officials, staff will post the draft 2019-2024 SWMP on the County’s website.

Goal and Draft: Staff will post the Draft 2019-2024 SWMP on the County Website as submitted to TCEQ for review and approval within 30 days of submittal to TCEQ.

Status: **In Process**

(g) BMP, Measureable Goal and Date – Public Notice in Newspaper

After reviewing EPC’s NOI and SWMP, TCEQ will issue “the executive director’s preliminary determination”. This public notice must be published by EPC at least once in the largest circulated newspaper in the county. In addition, this public notice must provide an opportunity for the public to submit comments on the NOI and SWMP and request a public meeting. A public meeting will be held if the TCEQ determines there is sufficient interest.

Goal and Date: Publish TCEQ Executive Director’s Preliminary Determination in the El Paso Times, including information about public comment and public meeting request within 30 days after being notified by the TCEQ Office of Chief Clerk.

Status: **Pending Further Official Notification**

Section III.2 – Illicit Discharge Detection and Elimination MCM #2

To the extent allowable under State law, EPC will develop and implement an illicit discharge program. Illicit dischargers that EPC cannot enforce against, after seeking voluntary compliance, will be referred to the TCEQ Region Office in El Paso. Malfunctioning on-site sewage facilities, such as septic systems, are subject to County corrective actions and enforcement, as necessary.

The actual structure of the MS4 system will impact the development of the MCM. EPC's MS4 is composed of many open drainage ditches, which means that illicit discharges to these systems are not as hidden or difficult to find, compared to underground systems. Also, dry weather flows are not as common in ditch systems since they are not lined in concrete and water is absorbed into the ground, while also being exposed to wind and sunlight. Last, outfalls are not commonly found in a ditch system compared to an underground pipe system which discharges into outfalls.

EPC will accept the TCEQ list of allowable non-storm water discharges in the MS4. These non-storm water sources may be discharged from the MS4 and are not required to be addressed in the MS4's Illicit Discharge and Detection MCM or other MCM's. This is provided that they have not been determined by the MS4 to be substantial sources of pollutants to the MS4. A list of the allowable discharges is contained in the TCEQ Fact Sheet and Executive Director's Preliminary Decision, TXR040000.

(a) BMP, Measureable Goal and Date – Detection: Monitoring Drainage System

Illicit discharge detection will be accomplished by visually monitoring outfalls or other locations within drainage ditch systems for indicators of illicit discharges or water pollution. When deemed appropriate by staff, chemical testing or toxicity testing (minnow in a bottle) may also be performed to confirm the presence of an illicit discharge.

Goal and Date: A minimum of 10 outfalls and/or other locations within drainage ditch system locations will be visually monitored by November 2021 and then annually.

Status: **Ongoing**

(b) BMP, Measureable Goal and Date – Detection: Impaired Bodies

Check annually if a water body within the MS4's permitted area has been added to the latest 305(a)/303(d) list (Texas Integrated Report Index).

Goal and Date: By November 2021 then annually, the Texas Integrated Report Index will be checked for any added impaired bodies within the MS4's permitted area. Newly listed impaired waterbodies will be addressed in the SWMP within 2 years of being added.

Status: **Ongoing**

(c) BMP, Measureable Goal and Date – Detection: Pollution of Concern (POC)

POC evaluations will be performed on outfalls or other locations within the County's drainage system to determine whether the MS4 is a source of the POC to the impaired sections of the Rio Grande. If MS4 is determined to be a significant POC source, BMP will be implemented with a goal to reduce the POC.

Goal and Date: At every outfall discharging stormwater into the Rio Grande located within the MS4 jurisdiction, water samples will be taken annually if sufficient flows are generated for sampling, which may not occur in this arid region. An environmental consultant for the County will be on stand-by to attempt to collect water samples after significant rain events. If MS4 is determined to be a source of POC by December 2023, BMP will be implemented to reduce the POC within a year and submit NOC to update the SWMP the following year.

Status: **Ongoing**

(d) BMP, Measureable Goal and Date – Detection & Correction: Citizen Reports and County Staff Surveillance.

A phone number (915-456-2280 or 1-888-6ElPaso) is available has been provided to the general public on the County website. All (100%) of illicit discharge complaints from citizens will be investigated by staff. Voluntary compliance will be requested due to the County's limited enforcement powers. TCEQ's Region Field Office will be notified of illicit discharges that do not comply voluntarily. For non-traditional small MS4s (such as El Paso County), if illicit connections or illicit discharges are observed related to another operator's MS4, the permittee shall notify the other MS4 operator within 48 hours of discovery. If notification to the other MS4 operator is not practicable, then the permittee shall notify the appropriate TCEQ Regional Office of the possible illicit connection or illicit discharge.

Goal and Date: All citizen reports and staff discovery of illicit discharges in unincorporated urbanized areas will be investigated within 2 weeks. This activity will continue throughout the life of the new permit.

Status: **Ongoing**

(e) BMP, Measureable Goal and Date – Correction: On-Site Sewage Facilities.

EPC staff will maintain records of 100% of the actions taken regarding malfunctioning on-site sewage facilities for the storm water program. All on-site sewage facilities will be subject to enforcement. EPC On-site Sewage will enforce the rules regarding the installation and operation.

Goal and Date: Documentation will be collected December 2021 on the enforcement/corrective actions taken regarding on-site sewage facilities. This documentation will be reported annually throughout the life of the new permit.

Status: **Ongoing**

(f) BMP, Measureable Goal and Date: - Detection: Storm Drainage Map

EPC will use a map of urbanized areas in unincorporated EPC that depicts outfalls contained in those areas that discharge directly into waters of the US. The map will contain the location of all outfalls in the MS4 and the location name of all

Storm Water Management Program
El Paso County, Texas

surface waters receiving discharges from the small MS4 outfalls, as required by Parts III.B.2(c) of the MS4 General Permit.

Goals and Dates:

Outfall map will be displayed on the County website by December 2021 and updated annually if necessary.

Status: **Ongoing**

(g) BMP, Measureable Goal and Date - Detection & Correction: Illegal Dumping

Team.

EPC Sheriff's Dept. in conjunction with the County Attorney's Environmental Section will offer residents of unincorporated EPC the opportunity to report illegal dumping and will investigate the illegal dumping complaints. Storm water staff will coordinate with the Sheriff's Department and the County Attorney's Office to report annual activities (number of illegal dumping cases, cases investigated, violations, convictions, enforcement actions, etc.).

Goals and Date: Prosecute a minimum of 5 Class A & B convictions of illegal dumping cases by December 2021 (then annually) and document activities and include findings in the annual report throughout the life of the new permit.

Status: **Ongoing**

(h) BMP, Measureable Goal and Date – Employee Training

Continue to provide training programs for County employees who can identify/detect illicit discharges and educate the general public regarding allowable non-storm water discharges in the MS4

Goal and Date: Provide a minimum of one training session for County field staff to receive illicit discharge detection and elimination training by December 2021 (then annually).

Status: **Ongoing**

Section III.3 – Construction Site Storm Water Runoff Control MCM #3

To the extent allowable under State law, the County will develop, implement and enforce a modified construction inspection program in the urbanized areas of unincorporated EPC that disturb one acre and greater (including larger common plan). This program will include a prohibition of illicit discharges such as wash out wastewater, fuels, oils, soaps, solvents, and dewatering activities. The County will participate in this MCM by requiring a Storm Pollution Prevention Plan as part of the documents to be reviewed prior to the commencement of construction. The County will also provide general information about the TCEQ requirements to construction site operators, conducting voluntary reactive and proactive inspections and maintaining a file of Notice of Intent (NOI) for operators to be covered under the TCEQ General Storm Water Permit for construction sites. This file will be readily accessible to TCEQ staff. Any required enforcement will be conducted by TCEQ.

(a) BMP, Measurable Goal and Date – NOI File for Construction

EPC has set up a file system for NOIs and CSNs (Construction Site Notices) that are submitted prior to the commencement of construction MCM activities. The file system contains a field for the construction sites that submit NOIs/CSNs for sites in the urbanized areas that disturb over one acre of land (including larger common plans of development). Urbanized areas are determined by using the TCEQ website link to EPA that is described in Section II.2, Urbanized Areas. TCEQ will have access to this file system to obtain information about construction sites in unincorporated areas in EPC.

Goals and Dates: Maintain records of 100% of the NOIs/CSNs submitted to the County for projects within the MS4 jurisdiction. Number of records will be tallied by December 2021 (and then annually) and included in the annual report.

Status: **Ongoing**

(b) BMP, Measurable Goal and Date – Public Submittal of Information

EPC will address public reporting of information regarding storm water quality issues associated with construction sites. The County will collect, review and maintain the information. Based on the information collected, the County will either conduct a construction site visit to observe conditions and resolve issues, conduct site surveys, or any other appropriate response to address the issue. If deemed necessary, the County will make a referral to TCEQ. For non-traditional small MS4s (such as El Paso County), if illicit connections or illicit discharges are observed related to another operator's MS4, the permittee shall notify the other MS4 operator within 48 hours of discovery. If notification to the other MS4 operator is not practicable, then the permittee shall notify the appropriate TCEQ Regional Office of the possible illicit connection or illicit discharge.

Goal and Dates: Initial response will be set at 2 weeks, excluding any repeated, unsubstantiated reports regarding a specific site. A minimum of 75% of public reports will be investigated prior to December 2021 (then annually).

Status: **Ongoing**

(c) BMP, Measurable Goal and Date – Site Plan Review

A Storm water pollution prevention plan is part of the review requirements during the platting and site development review procedures for EPC for projects that disturb more than one acre of land and are located within the unincorporated urbanized areas of El Paso County. EPC will address this requirement by providing additional storm water information to developers in the county's review documents.

Goal and Dates: Storm Water Pollution Prevention Plan, Site Notice and NOI information/requirements will continue to be incorporated into the site plan review documents for a minimum of 10 projects that disturb more than one acre of land and are located within the unincorporated urbanized areas of El Paso County by December 2021 and then annually.

Status: **Ongoing**

(d) BMP, Measurable Goal and Date – Site Inspection and Enforcement

The county will conduct voluntary construction site inspections in unincorporated areas of EPC. Site operators will be checked for NOI submittal, the presence and adherence of a functional Storm Water Pollution Prevention Plan (SW3P) and general compliance with TCEQ requirements. If there are violations, voluntary compliance will be requested due to the County's limited enforcement powers. If violations have not been corrected after the follow-up inspection, TCEQ will be notified and the County will discontinue its voluntary inspection at that particular site. The County will not perform inspections if entrance to a construction site is denied or the request to review records is denied. TCEQ will be notified of such occurrences immediately and documented in the County's database.

Goal and Dates: A minimum of 5 voluntary construction site inspections will be conducted by December 2021 and then annually throughout the life of the new permit.

Status: **Ongoing**

(e) BMP, Measurable Goal and Date – Employee Training

Continue to provide training programs for County employees who are involved with construction inspection and management.

Goal and Date: Annual trainings will be held for a minimum of 2 new and/or existing County employees involved with construction inspection and management by December 2022 then annually during the life of the new permit.

Status: **Ongoing**

**Section III.4 – Post Construction Storm Water Management in New Development
And Redevelopment MCM #4**

The intent of this MCM is to lessen the storm water quality impacts after construction has been completed on new and redeveloped sites of 1 acre or larger (including larger common plan) of disturbed earth and while people occupy and/or use the sites.

To the extent allowable under State law, EPC will develop and implement a Post Construction MCM in unincorporated EPC, which includes both urbanized and areas adjacent to urbanized areas. Since Texas counties do not have the rule/ordinance making authority that cities have, the County cannot enforce a program to reduce pollutants in post construction storm water runoff at new and redeveloped sites.

The County will participate in this MCM by requiring operators to maintain one hundred percent (100%) of the runoff during construction of their project. Operators shall also retain one hundred percent (100%) of the runoff of post construction, unless site runoff is determined to be waters of the State and required to be released downstream. In certain cases, the County will also allow the use of unlined or pervious drainage ditches and ponds, instead of impervious concrete and underground storm drain pipe systems, which cities typically require.

Compared to impervious underground storm drain pipe systems, above ground open grassy drainage ditch and pond systems allow more storm water runoff to soak into the ground provides a means of detaining and treating, to a degree, some pollutants (sediment, nutrients/fertilizers, detergents, etc.) and allows illicit discharges to be easier to observe and locate. Drainage ditch and pond systems are usually less costly to install, which provides an obvious incentive for their continued installation during and beyond this permit period. Implementation of retention basins for new development and redeveloped areas reduces downstream runoff velocities in the overall watershed area, which results in erosion reduction.

EPC maintains drainage ponds, ditches and channels that serve County roads and will continue to do so throughout the permit term. Ditch and pond maintenance data will be provided in the annual report to TCEQ.

(a) BMP, Measurable Goal and Date – Runoff Control Program

During the post construction phase of site development projects concurred by EPC, random inspections will be performed to verify if the drainage infrastructure constructed has been adequately maintained to manage one hundred percent (100%) of the site runoff referenced in the site plan.

Goal and Dates: EPC will conduct inspections of 5% of the number of projects reviewed by the County annually that require a NOI/SN and also provide legal entry to inspect the property (minimum of 10 inspections) by December 2021 (and then annually) to ensure that there is no water quality impact after construction.

Status: **Ongoing**

(b) BMP, Measurable Goal and Date – Pervious Drainage Systems

EPC Infrastructure Services Department crew will maintain the open, unlined storm drainage ditches beside County roads in unincorporated areas. This process will allow the drainage system to operate properly and produce storm water quality benefits.

Goal and Dates: Provide a list of the maintained drainage ditches/infrastructure in the annual report of at least 20 entries by December 2021 (and then annually).

Status: **Ongoing**

(c) BMP, Measurable Goal and Date – Site Inspection and Enforcement

The County will conduct voluntary post-construction site inspections in unincorporated areas of EPC to ensure compliance with TCEQ requirements. If there are violations, voluntary compliance will be requested due to the County's limited enforcement powers. If violations have not been corrected after the follow-up inspection, TCEQ will be notified and the County will discontinue its voluntary inspection at that particular site. The County will not perform inspections if entrance to a construction site is denied or the request to review records is denied. TCEQ will be notified of such occurrences immediately and documented in the County's database.

Goal and Dates: Voluntary construction site inspections will be conducted throughout the life of the new permit. The number of inspections will be determined based on construction activity in EPC. A minimum of 10 inspections will take place by December 2021 (and then annually).

Status: **Ongoing**

(d) BMP, Measurable Goal and Date – AgriLIFE EXTENSION Program

EPC will support AgriLIFE EXTENSION Program by encouraging new home owners and others in the County to use El Paso County Horticulture and Gardening website link from the AgriLIFE EXTENSION Program website: [Urban Programs – El Paso County | Teaching, Research, Extension and Service \(tamu.edu\)](https://www.elpasocountytx.gov/urban-programs-teaching-research-extension-and-service) to learn earth kind practices. (Earth Kind practices use research-proven techniques to provide maximum gardening and landscape enjoyment while preserving and protecting our fragile environment.) This website addresses gardening, water conservation, recycling and other environmental issues to make our community better.

Goal and Dates: County will continue partnership with Texas A&M to provide a minimum of \$100,000 of funding for support and education on AgriLIFE EXTENSION Program annually for the duration of this permit (December 2024).

Status: **Ongoing**

Section III.5 – Pollution Prevention/Good Housekeeping for Municipal Operations

MCM #5

EPC will establish a program to conduct its general operations in a manner that prevents or reduces pollution in storm water runoff to the maximum extent practicable. This MCM requires local government to examine multiple internal operations to see if they can be maintained or modified to prevent or minimize storm water pollution or illicit discharge. As stated by TCEQ, examples of local government operations include, but are not limited to: park and open space maintenance; street, road or highway maintenance; land disturbances; parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations.

(a) BMP, Measureable Goal and Date – County Operations Survey

EPC will develop and maintain an inventory of County facilities along with its stormwater controls and discuss issues with the County administration, departmental representatives and/or storm water staff. Stormwater pollution prevention measures and structural BMP's at the facility will be inspected and receive appropriate maintenance as necessary. EPC will also evaluate O&M activities (such as road and parking lot maintenance, cold weather operations, right-of-way maintenance, etc.) that may potentially impact storm water quality, discharge pollutants of concern or generate illicit discharges by visually monitoring outfalls or other locations within drainage ditch systems for indicators of illicit discharges or water pollution. When deemed appropriate by staff, chemical testing or toxicity testing (minnow in bottle) may also be performed to confirm the presence of an illicit discharge.

Goal and Date: At least 6 locations will be visually monitored by December 2021 (and then annually).

Status: **Ongoing**

(b) BMP, Measureable Goal and Date – Detection & correction: County Staff

Surveillance

Operation activities that may potentially impact storm water quality or generate illicit discharges will be investigated by staff and voluntary corrective actions will be taken.

Goal and Date: A minimum of five (5) operation activities will be observed by a staff member for potential impact on storm water quality or generate illicit discharges. Staff discovery of activities that may potentially impact water quality will be reported immediately and investigated with 2 weeks. Corrective actions will be addressed immediately. This activity will be performed by December 2021 (and then annually).

Status: **Ongoing**

(c) BMP, Measureable Goal and Date – Proper Waste Disposal

A report to document the proper waste disposal for County MS-4 related operations or maintenance will be maintained and updated. The report will

Storm Water Management Program
El Paso County, Texas

address dredge spoil, accumulated sediments and floatables (trash and debris in storm drain system).

Goal and Date: The report will be included in the annual report ending December 2021 (and then annually).

Status: **Ongoing**

(d) BMP, Measureable Goal and Date – Employee Training

Continue to provide training programs for County employees who have the potential to impact storm water quality.

Goal and Date: A minimum of five (5) new and/or existing County employees with the potential to impact storm water will be provided illicit discharge and/or stormwater pollution prevention trainings by December 2021 (and then annually).

Status: **Ongoing**

(e) BMP, Measureable Goal and Date – Contractor Procedures

Develop oversight procedures for contractors who will be working at a County facility that may have the potential to impact storm water quality.

Goal and Date: The County will incorporate into the procurement documents, for all (100%) contractors whose primary duty/activity has the potential to impact storm water, to have training and be required to follow procedures regarding storm water pollution prevention. Requirement will be incorporated into the procurement documents by December 2022 (and then annually).

Status: **Ongoing**

(f) BMP, Measureable Goal and Date: - SPCC Plans for County Facilities

EPC will comply with federal spill prevention control and counter measures plan regulations, and review spill response procedures to ensure storm water quality protection measures are considered during spill response. The county has evaluated and determined only two facilities currently require Spill Prevention Control and Countermeasures Plans (SPCC). An annual report on the facilities with SPCC plans and required actions will be documented.

Goal and Date: SPCC requirements and compliance will be documented with the MS4 annual report ending in December 2021 (and then annually).

Status: **Ongoing**

SECTION IV – RECORDKEEPING and REPORTING

Section IV. A – Recordkeeping

EPC will maintain all records, a copy of the TPDES general permit and all data used to complete the application (NOI) for this permit, for a period of at least three years, or for the term of this permit, whichever is longer. A current/updated copy of the SWMP, NOI and a copy of the permit language/requirements will be maintained at the EPC Planning & Development Department.

EPC will make the records, including the NOI and SWMP available to the public, if requested to do so in writing. The SWMP will be available within two working days following the request from the public. Other records will be provided within 10 working days, unless the request required an unusual amount of time or effort to assemble. In which case, Texas law regarding the Public Information Act will be followed. Reasonable charges, in accordance with Texas law, may be levied by the County for researching and preparing any requested material.

Section IV.B.2 – Annual Report

EPC will submit a concise report to the Executive Director of TCEQ within 90 days of the end of each permit year. The annual report will address the requirements listed in the TPDES Phase 2 MS-4 general permit rules. The County will also maintain copies of annual reports at the EPC Planning & Development Department.

EL PASO COUNTY TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES) MANAGEMENT PROGRAM
Summary of MCMs, BMPs and Measurable Goals

Minimum Control Measure	Best Management Practices	Measurable Goals
<p>MCM #1, Section III.1: Public Education, Outreach and Involvement MCM</p>	<p>(a)BMP: Educational Material and Distribution</p> <p>(b)BMP: Outside Participation</p> <p>(c)BMP: Public Services Websites</p> <p>(d)BMP: Publish SWMP & Annual Report on Website</p> <p>(e)BMP: Public Notice for Meeting</p> <p>(f)BMP: Post Draft SWMP on Website</p>	<ul style="list-style-type: none"> • Distribute storm water related materials. At least 500 copies will be distributed by December 2022 then annually. • Document participation with other organizations. Participation will continue throughout the permit term. • The EPC Public Works website is active and contains storm water information. The site will be reviewed by December 2021 then annually to determine if content revisions are needed. • EPC staff will review and update the SWMP once a year in conjunction with the annual report and will be published on the County website • Staff will verify that Commissioner’s Court meetings comply with public notice requirements and include that information in the annual reports to TCEQ. Public notice for meetings is already in effect and will continue throughout the life of the new permit. • Staff will post the Draft SWMP on the County Website as submitted to TCEQ for review and approval.

	(g)BMP: Public Notice in Newspaper	<ul style="list-style-type: none"> • Publish TCEQ Executive Director’s Preliminary Determination in the El Paso Times within 30 days after being notified by the TCEQ Office of Chief Clerk.
<p>MCM #2, Section III.2: Illicit Discharge Detection and Elimination MCM</p>	<p>(a)BMP: Detection: Monitoring Drainage System</p> <p>(b)BMP: Detection: Impaired Bodies</p> <p>(c)BMP: Detection: Pollution of Concern</p> <p>(d)BMP: Detection & Correction: Citizen Reports and County Staff Surveillance.</p> <p>(e)BMP: Correction: On-Site Sewage Facilities</p>	<ul style="list-style-type: none"> • Visually monitor outfalls or location discharge within drainage ditch systems for indicators of illicit discharges or water pollution. This activity will continue throughout the life of the new permit. • EPC staff will check annually if a water body within the MS4’s permitted area has been added to the latest 305(a)/303(d) list (Texas Integrated Report Index). • Determination if MS4 is a source of POC by Dec. 2023. If MS4 is determined to be source of POC, BMP will be implemented to reduce the POC within a year and submit NOC to update the SWMP the following year. • Illicit discharge, complaints from citizens will be investigated by staff. This activity will continue throughout the life of the new permit. • Software has been obtained and used to track corrective actions taken regarding on-site sewage facilities and will continue throughout the life of the new permit.

	<p>(f)BMP: Detection: Storm Drainage Map</p> <p>(g)BMP: Detection & Correction: Illegal Dumping Team.</p> <p>(h)BMP: Employee Training</p>	<ul style="list-style-type: none"> • Outfall map will be displayed on the County website by December 2021 and updated annually if necessary. • Prosecute a minimum of 5 Class A & B convictions of illegal dumping cases by December 2021 (then annually) and document activities and include findings in the annual report. • County field staff will continue to receive illicit discharge detection and elimination training during the life of the new permit.
<p>MCM #3, Section III.3: Construction Site Storm Water Runoff Control MCM</p>	<p>(a)BMP: NOI File for Construction</p> <p>(b)BMP: Public Submittal of Information</p> <p>(c)BMP: Site Plan Review</p>	<ul style="list-style-type: none"> • Continue to maintain/update the existing file system throughout the life of the new permit. • EPC will address public requests of storm water quality issues associated with construction sites prior to implementing a voluntary construction inspection and enforcement referral program. The County will collect, review and maintain the information. This activity will continue throughout the life of the new permit. • SWPPP, Site Notice and NOI information will continue to be incorporated into the site plan review documents for a minimum of 10 projects that disturb more than one acre of land and are located within the unincorporated urbanized areas of El Paso County by December 2021 and then annually.

	<p>(d)BMP: Site Inspection and Enforcement</p> <p>(e)BMP: Employee Training</p>	<ul style="list-style-type: none"> • A minimum of 5 voluntary construction site inspections will be conducted by December 2021 and then annually throughout the life of the new permit. • Annual trainings will be held for a minimum of 2 new and/or existing County employees involved with construction inspection and management by December 2022 then annually during the life of the new permit.
<p>MCM #4, Section III.4: Post Construction Storm Water Management in New Development And Redevelopment MCM</p>	<p>(a)BMP: Runoff Control Program</p> <p>(b)BMP: Pervious Drainage Systems</p> <p>(c)BMP: Site Inspection and Enforcement</p> <p>(d)BMP: AgriLIFE EXTENSION Program</p>	<ul style="list-style-type: none"> • EPC will conduct annual inspections to ensure proper maintenance is performed on drainage infrastructure for site developments in the post construction phase. This is currently in effect and will remain in effect throughout the life of the new permit. • Provide an annual list of the maintained drainage ditches in the annual report throughout the life of the new permit. • Voluntary construction site inspections will be conducted throughout the life of the new permit. The number of inspections will be determined based on construction activity in EPC • Provide minimum \$100k annually to help fund the AgriLIFE EXTENSION Program until the end of this permit (Dec. 2024).

<p>MCM #5, Section III.5: Pollution Prevention/Good Housekeeping for Municipal Operations MCM</p>	<p>(a)BMP: County Operations Survey</p> <p>(b)BMP: Detection and correction: County Staff Surveillance</p> <p>(c)BMP: Proper Waste Disposal</p> <p>(d)BMP: Employee Training</p> <p>(e)BMP: Contractor Procedures</p> <p>(f)BMP: SPCC Plans for County Facilities</p>	<ul style="list-style-type: none"> • At least 6 County facility locations will be visually monitored annually to identify operation activities that may potentially impact storm water quality or generate illicit discharges beginning Permit Year 1. • Staff discovery of activities that may potentially impact water quality will be investigated with 2 weeks. Corrective actions will be addressed immediately. This activity will be performed throughout the life of the new permit. • A report to document the proper waste disposal for County MS-4 related operations or maintenance will be included in the annual report. • Annual pollution prevention training will be held to train County employees with the potential to impact storm water. • Contractors working at a County facility will be required to follow procedures regarding storm water pollution prevention. • On all County Facilities requiring an SPCC, documentation of compliance will be documented and included in the MS4 annual report.
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