



TO THE HONORABLE MAYOR AND COUNCIL

REPORT TO: STILLWATER CITY COUNCIL

No. CC-16-13

ISSUED BY THE CITY MANAGER - STILLWATER, OKLAHOMA

Date of Meeting: January 11, 2016

Subject: Stormwater Quality Management Plan, MS4

Purpose of Report: The purpose of this report is to provide information on the 2015-2020 permit cycle and to authorize the City Manager to sign the Notice of Intent (NOI) and associated documents.

Discussion: On November 1, 2015, the State of Oklahoma issued General Permit OKR4 for Phase 2 Small Municipal Separate Storm Sewer System (MS4) discharges within the state. This is a continuation of the requirements of the Clean Water Act (CWA). As a Phase 2 city, Stillwater is required to prepare a stormwater management plan (SWMP) which stipulates how the City will comply with the conditions of the new 5-year permit (2015-2020) in order to legally discharge stormwater. Similar to previous permits, this new permit does not immediately apply numerical controls, but requires only that the Stillwater community reduce the discharge of pollutants to the maximum extent practicable. The permit does indicate that determinations of numerical limits for Stillwater Creek and Boomer Lake are anticipated (by 2019) before the expiration of this permit (October 31, 2020).

The principal requirement is to develop and implement a program that establishes and utilizes Best Management Practices (BMP) to achieve progress toward measurable goals that satisfy each of the six minimum control measures (MCM). The MCMs, as determined by the EPA, are:

1. Public Education and Outreach
2. Public Participation/Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post-Construction Runoff Control
6. Pollution Prevention/Good Housekeeping

Since the City already has an established Stormwater Quality Management Program, much of the City's efforts to satisfy the new permit will be simple modifications of the current program. The program, permitted in 5-year cycles, must identify the BMPs to be implemented during the permit period with measurable goals for assessing progress toward the pollution reduction objective. The program must be fully implemented within the 5-year permit cycle and must be reviewed and updated annually between permitting cycles.

The City of Stillwater was notified of the 2015-2020 permit cycle by the Oklahoma Department of Environmental Quality (ODEQ), which is the state entity regulating the program. The following timelines are established to meet the requirements of compliance with the new permit cycle:

- | | |
|---|------------------|
| ○ Citizen Committee began meeting | June 2015 |
| ○ ODEQ issuance of draft OKR04 to Permittees | October 1, 2015 |
| ○ Effective Date of OKR04 | November 1, 2015 |
| (Commencement of 90 Day Period for City to submit its NOI to ODEQ for approval) | |
| ○ Open Draft of Stillwater SWMP for Public Input | December 7, 2015 |

- Public Hearing and SWMP Approval by City Council January 11, 2016
- Notice of Intent (NOI) and SWMP to ODEQ for Approval January 25, 2016

A citizen committee is utilized to assist staff with development of plans for the City of Stillwater. Members of the committee involved with the draft of the 2015-2020 MS4 permit include:

Craig Spencer
 Daniel Thrasher
 David Thomas
 Doug Swanson
 Karen Melcher
 Kelly Harris
 Kent Bradley
 Kevin Mussett
 Mark Lambert
 Mike Buchert
 Nigel Jones
 Richard Krysiak
 Tim Titus
 Tom Williams
 Tricia Carpenter

Budget Impact: Approval of the Stormwater Quality Management Plan has no binding financial impacts. There is a minimal application fee of \$100. Individual and specific projects to maintain compliance with the plan can have financial impacts and will be evaluated as they arise.

Alternatives:

1. *Approve the Stormwater Quality Management Plan and authorize the City Manager to sign the Notice of Intent (NOI) and associated documents.* The City of Stillwater will remain in compliance with federally-regulated requirements for communities the size of Stillwater.
2. *Approve the Stormwater Quality Management Plan with identified changes and authorize the City Manager to sign the Notice of Intent (NOI) and associated documents.* The City of Stillwater will remain in compliance with federally-regulated requirements for communities the size of Stillwater.
3. *Do not approve the Stormwater Quality Management Plan.* The City of Stillwater will not be in compliance with federally-regulated requirements and will be subject to penalties as established under the program.

Recommendation: Staff recommends the Council accept Alternative #1.

Prepared by: Paula J. Dennison, Development Services
Reviewed by Administrative Director: John McClenny, Director of Operations
Reviewed by City Attorney Office: John E. Dorman, City Attorney
Date of Preparation: January 28, 2016

Submitted by:

 Norman McNickle
 Interim City Manager

Attachment: Stormwater Quality Management Plan draft
Related Report: CC-15-139 May be viewed by clicking the following hyperlink:
http://files.stillwater.org/agendas/ccagendas/2015/120715_1573/CC-15-139_MS4_Open_Comment_Period.pdf