

**DOÑA ANA COUNTY**  
**NPDES SMALL MS4 ANNUAL REPORT**  
**SEPTEMBER 2010**



**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2009 – JUNE 30, 2010**





## **CERTIFICATION**

*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. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Signed by:

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Robert Armijo, PE  
County Engineer  
Doña Ana County, NM

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Date

NPDES Tracking No.: NMR04L003  
MS4 Permittee Name: Doña Ana County  
Address: 845 N. Motel Blvd, Las Cruces, NM 88007

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**COMPLIANCE SUMMARY**





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## 1.0 INTRODUCTION

Doña Ana County is the operator of a Small Municipal Separate Storm Sewer System (MS4) as defined in the NPDES General Permit for Discharges from Small MS4s (General Permit for Small MS4s). Therefore, the County is required to obtain permit authorization to discharge storm water from its MS4. The County submitted a Notice of Intent (NOI) to the Environmental Protection Agency (EPA) in July 2009, indicating the County's intent to comply with the permit's conditions. With the NOI, the County submitted a Storm Water Management Program (SWMP) to the EPA for review. EPA has since approved the SWMP.

Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA. The purpose of the report is to document the County's status of compliance with permit conditions and its progress towards meeting the goals of the SWMP. The report is due to the EPA by October 1<sup>st</sup>.

Doña Ana County, with assistance from Martich Professional Services, PLLC, prepared this report to satisfy the permit's reporting requirement for the permit year of July 1, 2009, through June 30, 2010, also called the third permit year (Year 3). The County is not relying on another government entity to satisfy any of its permit requirements. The report has been organized according to guidance provided by Ms. Thea Lomax, Storm Water Enforcement, EPA Region 6, at EPA Region 6's 12<sup>th</sup> Annual MS4 Operators Conference in Santa Fe, NM on June 25, 2010.

This document, **Compliance Summary**, is the first part of the report. The entire report consists of the following documents placed on compact disks (except the certification) for submission to the EPA:

- Report certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
- CD #3 – Illicit Discharge Detection and Elimination
- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
- CD #5 – Pollution Prevention/Good Housekeeping for Municipal Operations
- CD #6 – Appendices

For purposes of posting the report online and binding the report for public review, the report documents will be in modules under the above titles.

## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.:	NMR04L003
MS4 Permittee Name:	Doña Ana County
Address:	845 N. Motel Blvd, Las Cruces, NM 88007



Point of Contact: Henry K. Corneles, PE, Engineer Supervisor  
Phone Number: 575-525-6162  
Fax Number: 575-525-6179  
E-mail: henryco@donaanacounty.org

The parts of Doña Ana County's MS4 that are authorized to discharge storm water under the General Permit for Small MS4s are located in the unincorporated portions of the Las Cruces and El Paso Urbanized Areas. For the past year, these portions of the urbanized areas included the Census Designated Places of Doña Ana, Santa Teresa, Berino and Anthony. There were no changes to the boundary of the MS4 last year; however, the boundary will change for the permit year starting July 1, 2010. Refer to Section 4.0 Proposed SWMP Changes for more information.

### **3.0 COMPLIANCE STATUS**

During the past year, Doña Ana County's NOI and SWMP were reviewed by the EPA and deemed administratively and technically complete. EPA then posted the NOI and SWMP for public comment at [www.epa.gov/region6/water/npdes/sw/sms4/sms4noi.htm](http://www.epa.gov/region6/water/npdes/sw/sms4/sms4noi.htm). Comments were due by December 7, 2009. After no comments were received, the EPA authorized the County to discharge storm water under the General Permit for Small MS4s. The County has implemented its SWMP and is in compliance with the conditions of the permit at the time of this annual report.

### **3.1 POLLUTANT REDUCTION GOALS AND SCHEDULE**

The County's SWMP is designed to achieve the statutory goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). The EPA has defined MEP for a Small MS4 to be effectively implementing six Minimum Control Measures (MCMs). The six MCMs are:

- Public Education and Outreach on Storm Water Impacts
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Control
- Post-Construction Storm Water Management in New Development and Redevelopment
- Pollution Prevention/Good Housekeeping for Municipal Operations

Effective implementation is defined by accomplishing measurable goals for each of the MCMs. Tables 1 – 6 summarize the County's progress made toward the measurable goals this past year. The tables also contain a schedule of activities planned for next year. A full assessment of the BMPs and their effectiveness is in the MCM sections of the annual report.



**Table 1. Public Education and Outreach**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
1-1	Public Education with Printed Material	Public Information	Develop or obtain one educational item and track distribution	Completed	Develop or obtain one educational item and track distribution
1-2	Public Education by Radio	Public Information	Quarterly address storm water issues on a County radio show  Broadcast one PSA in Spanish	In progress  Delayed	Quarterly address storm water issues on a County radio show  Broadcast two PSAs in Spanish, one as scheduled and one to make up for Year 3
1-3	Storm Water Mgmt Webpage	Public Information	Review and update the webpage, and track the number of "hits"	Completed	Review and update the webpage, and track the number of "hits"
1-4	Pollution Prevention Information for Animal Owners	Public Info. and Sheriff's Office/Animal Control	No activity scheduled for year 3	Not applicable	Develop fact sheet or brochure, and track distribution
1-5	Pollution Prevention Information for Auto Repair Shops and Recyclers	DPW and Comm. Dev.	No activity scheduled for year 3	Not applicable	No activity scheduled
1-6	Pet Waste Signs at Parks	DPW	No activity scheduled for year 3	Not applicable	Install signs at 2 parks
1-7	Elementary School Presentations with City of Las Cruces	DPW	Meet with the City of Las Cruces and discuss opportunities to assist with presentations	Completed	Meet with the City of Las Cruces and discuss opportunities to assist with presentations
1-8	Watershed-based Education on Bacteria Sources	DPW	Document efforts to work with other MS4 operators, Paso Del Norte Watershed Council, Doña Ana Soil Conservation District, and others	Delayed	Participate in a minimum of four Paso Del Norte Council's activities for its Section 319(h) Watershed Restoration Grant
1-9	Outreach to Gadsden ISD	DPW	No activity scheduled for year 3	Ahead of schedule: Contacted superintendent's office	Continue discussion with Gadsden ISD and determine feasibility of outreach program



**Table 2. Public Involvement/Participation**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
2-1	Presentations to the Board of County Commissioners (BOCC)	DPW	Present information on the SWMP with opportunity for public comment	Completed	Present the 2009-2010 Annual Report to the BOCC
2-2	NOI and SWMP on Storm Water Webpage	Public Information	Maintain link and update after EPA approves SWMP	Completed	Add link to Annual Report
2-3	Webpage Comment Form for the SWMP	Public Information	Track number of forms received	Completed	Track number of forms received and the County's response
2-4	Maintain a Copy of the NOI and SWMP for Public Viewing	DPW	Keep a log of people who view the NOI and SWMP	Completed	Place a copy of the annual report with the SWMP for public viewing
2-5	Public Comment Log	DPW	Maintain a record of public comments on the SWMP and how they are addressed	Completed	Continue to maintain the record
2-6	Storm Water Pollution Report Line	DPW, Utilities and Sheriff's Office/Codes	No activity scheduled for year 3	Ahead of schedule: Report phone number established	Establish procedures for documenting, tracking, processing, and responding to the calls; track number and types of calls
2-7	Volunteer Cleanup Activities	DPW, Utilities and Sheriff's Office/Codes	Track the number of cleanup activities and amount of trash collected	Completed	Track the number of clean-up activities and amount of trash collected



**Table 3. Illicit Discharge Detection and Elimination**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
3-1	Public Information on Trash and HHW Disposal	Public Information	No activity scheduled for year 3	Not applicable	Develop fact sheet or brochure; place in dispensers at County buildings; track distribution
3-2	HHW Disposal Guidance on the Website	Public Information	Maintain information about HHW disposal on website, and track number of "hits"	Completed	Maintain information about HHW disposal on website, and track number of "hits"
3-3	Illegal Dumping Enforcement	Sheriff's Office/Codes	Track number of citations issued	Completed	Track number of citations issued
3-4	Storm Water Pollution Control Ordinance	DPW	No activity scheduled for year 3	Ahead of schedule: Completed	Track illicit discharge enforcement actions
3-5	Illicit Discharge Training	DPW, Sheriff's Office and Comm. Dev.	Train inspectors in illicit discharge identification and response procedures	Delayed to year 4 when ordinance defining illicit discharges was advanced to year 3 (BMP3-4)	Train illicit discharge inspectors
3-6	Wastewater Collection for Areas with On-site Systems	Utilities	Maintain a five year Infrastructure CIP program, and track the number of lots with existing structures that are connected to sewer in the urbanized area	Completed	Maintain a five year Infrastructure CIP, and track the number of lots with existing structures that are connected to sewer in the urbanized area
3-7	MS4 Map	Comm. Dev./G.I.S.	Map the Las Cruces Urbanized Area	Ahead of schedule: Mapped outfalls in the Las Cruces and El Paso Urbanized Area, plus other outfalls in the Rio Grande valley	Map additional outfalls in the urbanized areas as they are found or constructed
3-8	Dry Weather Outfall Screening	DPW	No activity scheduled for year 3	Ahead of schedule: Screened 125 outfalls	No activity scheduled



**Table 4. Construction Site Storm Water Runoff Control**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
4-1	Construction Waste Enforcement under the Solid Waste Ordinance	Comm. Dev.	Track the number and types of enforcement actions for construction waste	Not met	No further activities; superseded by BMP4-7 after adoption of Storm Water Mgmt Ordinance
4-2	Construction Plan Review	DPW and Comm. Dev.	Track number of Erosion Control Plans reviewed	Completed	No further activities; superseded by BMP4-6 after adoption of Storm Water Mgmt Ordinance
4-3	Storm Water Management Ordinance	DPW and Comm. Dev.	No activity scheduled for year 3	Ahead of schedule: Completed	Track construction enforcement actions
4-4	SWPPP and BMP Training for Plan Reviewers	DPW	No activity scheduled for year 3	Ahead of schedule: Completed	Train new reviewers and reviewers that missed year 3 training
4-5	Erosion and Sediment Control Training for Inspectors	DPW and Comm. Dev.	Develop an Erosion Control Plan inspection protocol and train inspectors	In-progress	Develop a written SWPPP inspection protocol
4-6	SWPPP Review	DPW and Comm. Dev.	No activity scheduled for year 3	Not applicable	Require County review and acceptance of SWPPP for regulated sites before issuing County permits
4-7	Construction Site SWPPP Inspections	DPW and Comm. Dev.	No activity scheduled for year 3	Not applicable	Inspect regulated construction sites within the urbanized areas at least once during construction
4-8	Construction SWPPP Education	DPW and Comm. Dev.	No activity scheduled for year 3	Not applicable	Develop hand-out of SWPPP requirements for contractors and developers; track distribution
4-9	Construction SWPPP Information on Webpage	Public Information	Maintain information on webpage, and track the number of "hits"	Delayed to year 4 when ordinance requiring SWPPPs was advanced to year 3 (BMP3-4)	Maintain information on webpage, and track the number of "hits"



**Table 5. Post-Construction Storm Water Management**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
5-1	Vision 2040 Regional Plan	Comm. Dev.	Document activities related to Vision 2040	Completed	Document activities related to Vision 2040
5-2	Evaluation of Existing Ordinances	Comm. Dev. And DPW	No activity scheduled for year 3	Not applicable	No activity scheduled for year 4
5-3	LID Information on Webpage	Public Information	No activity scheduled for year 3	Ahead of schedule: Link to EPA's LID website placed on storm water webpage	Maintain information; track number of "hits"
5-4	LID Education	Comm. Dev. and DPW	No activity scheduled for year 3	Ahead of schedule: Participated in planning GI/LID conference with City of Las Cruces	GI/LID conference on August 26, 2010
5-5	Post-Construction BMP Training for Plan Reviewers	Comm. Dev. and DPW	Train each employee who reviews grading and drainage plans	Completed	No activity scheduled in year 4
5-6	Plan Review for Compliance with Development Design Standards	Comm. Dev. and DPW	No activity scheduled for year 3	Not applicable	Review development plans in urbanized areas to verify they contain post-construction BMPs; track number and type of BMPs
5-7	Construction Inspection for Compliance with Development Plans	Comm. Dev. and DPW	No activity scheduled for year 3	Not applicable	Track number of inspections and enforcement actions within urbanized areas
5-8	Maintenance Agreement for Private Drainage Structures	Comm. Dev.	Signed maintenance agreement before approval of final plat for developments with private structures in the urbanized areas	Completed	Signed maintenance agreement before approval of final plat for developments with private structures in the urbanized areas
5-9	LID Principles in Designs for New County Facilities	DPW	No activity scheduled for year 3	Not applicable	No activity scheduled in year 4



**Table 6. Pollution Prevention/Good Housekeeping for Municipal Operations**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
6-1	Roadway Cleaning	DPW	Track lane miles swept within urbanized areas and amount of debris collected	Completed	Track lane miles swept within urbanized areas and amount of debris collected
6-2	Road Culvert Maintenance	DPW	Track number of culverts inspected in urbanized areas and amount of debris collected	Completed	Track number of culverts inspected in urbanized areas and amount of debris collected
6-3	Storm Inlet/Outlet Maintenance	DPW	Track number of inlet/outlet structures inspected within the urbanized areas and amount of debris removed	Completed	Track number of inlet/outlet structures inspected within the urbanized areas and amount of debris removed
6-4	Storm Drain Pipe Maintenance	DPW	Track linear feet of pipes inspected and cleaned within the urbanized areas and amount of debris removed	Completed	Track linear feet of pipes inspected and cleaned within the urbanized areas and amount of debris removed
6-5	Waste Management	DPW	No activity scheduled for year 3	Not applicable	No activity scheduled for year 4
6-6	Licensing of County Applicators	DPW	No activity scheduled for year 3	Not applicable	License/certify all County applicators
6-7	Xeriscaping	DPW	Where appropriate, new or replacement landscaping at County facilities is native and adapted plants	Completed	Where appropriate, new or replacement landscaping at County facilities is native and adapted plants
6-8	Trash Pick-up at Park Facilities	DPW	Maintain regular trash collection, and track the volume collected	Completed	Maintain regular trash collection, and track the volume collected
6-9	Spill Cleanup Kits	DPW	Maintain spill cleanup kit in each County maintenance facility	Completed	Maintain spill cleanup kit in each County maintenance facility
6-10	Drip Pan Usage	DPW	Daily inspection and use of drip pans under vehicles awaiting repair at maintenance facilities	Completed	Daily inspection and use of drip pans under vehicles awaiting repair at maintenance facilities



BMP NO.	BMP DESCRIPTION	RESPONSIBLE DEPARTMENT	MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)	PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)	PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)
6-11	Good Housekeeping for Vehicle Maint. Facilities	DPW	No activity scheduled for year 3	Ahead of schedule: SWPPP developed for vehicle maintenance facilities	Revise SWPPP as needed based on results of BMP6-12
6-12	Inspection of Vehicle Maint. Facilities	DPW	No activity scheduled for year 3	Not applicable	Develop an inspection form, and perform quarterly inspections of the vehicle maintenance facilities
6-13	Minimization of Material Exposure	DPW	Maintain an inventory of County materials stored outside	Delayed	Develop and maintain an inventory of County materials stored outside
6-14	Good Housekeeping for County Operations	DPW	No activity scheduled for year 3	Not applicable	Prepare and implement written good housekeeping procedures for materials stored outside
6-15	Storm Water Pollution Prevention Training	DPW, Utilities, Comm. Dev., and Sheriff's office	No activity scheduled for year 3	Not applicable	Train all employees who work outside
6-16	Facility BMP Training	DPW and Utilities	No activity scheduled for year 3	Not applicable	Maintain a training log-in sheet showing that employees who are responsible for implementing BMPs are trained annually
6-17	SWPPPs for County Projects	DPW and Utilities	Develop, implement, and inspect SWPPPs for County construction projects covered by the CGP	Completed	Develop, implement, and inspect SWPPPs for County projects covered by the CGP
6-18	Water Quality Criteria for County Flood Control and Drainage Projects	DPW	No activity scheduled for year 3	Not applicable	Include requirement in engineering services contracts to do a downstream assessment for erosion potential and evaluate water quality improvements before design reaches 50%



### 3.2 TOTAL MAXIMUM DAILY LOADS

Portions of the County’s MS4 discharge to the Main Stem of the Lower Rio Grande, which is on the State of New Mexico’s Clean Water Act Section 303(d) list of impaired waters due to bacteria. On June 11, 2007, an EPA-Approved Total Maximum Daily Load (TMDL) was issued for the Main Stem of the Lower Rio Grande. The New Mexico Environment Department used the indicator organism *Escherichia coli* (*E. coli*) to establish the TMDL and Waste Load Allocations (WLA). The allocation for storm water discharges was based on the percent jurisdictional area approach, resulting in two percent of the WLA being allocated to Small MS4s.

Control of bacterial pollutants is a water quality priority for Doña Ana County. The County’s SWMP contains several BMPs to address sources of bacteria (BMP1-4, BMP1-6, BMP1-8, and BMP3-6). At this time, additional BMPs are not needed to comply with the TMDL. In the next permit year, the County will implement a monitoring program, as described in its Monitoring/Assessment Plan, to collect data on the MS4 contribution to the bacteria load. BMPs will be modified in the future, if necessary, based on results of the monitoring.

### 3.3 COMPLIANCE SUMMARY

Table 7 summarizes the County’s status in complying with its SWMP’s measurable goals and schedule last year.

**Table 7. Summary of BMP Implementation**

DESCRIPTION	RESULT
BMPs Completed or On Schedule	43
BMPs Delayed or In Progress but Behind Schedule	6
BMPs Not Completed	1
BMPs Completed Ahead of Schedule	10
BMPs Added (Additional Activities Not in SWMP)	2
<b>TOTAL</b>	<b>62</b>

As the County started to implement the SWMP, it realized that a few BMPs scheduled for later permit years had a greater potential to improve water quality than some of the ones scheduled for last year. Because of their importance, the County made a decision to complete the following BMPs ahead of schedule:

- Adoption of the Storm Water Management Ordinance (BMP3-4 and BMP4-3)
- Mapping of outfalls in both the Las Cruces and El Paso Urbanized Areas (BMP3-7)
- Dry weather screening of mapped outfalls (BMP3-8)
- SWPPP and BMP Training for Plan Reviewers (BMP4-4)

The County also made unscheduled purchases to improve the effectiveness and hasten the implementation of its SWMP. The County spent approximately \$113,500 to acquire:

- CBI Systems’ MS4 Permit Manager Version 6.0 software
- iWorQ asset management software
- Skid loader with excavator attachment
- Trailer for skid loader



- Ford F-350 truck
- Three grate lifters and cases

Since the County focused its efforts on completing the above BMPs ahead of schedule and acquiring the listed resources, a few lesser important BMPs fell behind schedule (e.g. BMP1-2 Public Education by Radio). The County also purposely delayed illicit discharge training (BMP3-5) and the construction site inspection protocol portion of BMP4-5, because they would be more effective after adoption of the Storm Water Management Ordinance. The delayed BMPs are still in progress and will be completed in the next permit year.

The one BMP that was not completed is BMP4-1. This BMP was schedule to be implemented last year. It was based on using the County's Solid Waste Ordinance to enforce controls on wastes at construction sites until a storm water ordinance could be adopted. The BMP was not implemented last year.

With adoption of the County's Storm Water Management Ordinance last year, BMP4-1 is no longer needed. Enforcing the new ordinance's requirement for waste controls at construction sites is more effective than trying to enforce the general solid waste ordinance. BMP4-1 is superseded by BMP4-7, which relies on construction site inspections to enforce the waste controls in Storm Water Pollution Prevention Plans required by the new ordinance.

The County initiated two activities (BMPs) last year that are in addition to the BMPs in the EPA-approved SWMP. The activities are:

- Storm drain inlet markers for public education
- Coconut fiber filters to reduce pollutants entering storm drain inlets

These additional activities are discussed in more detail in the Public Education and Municipal Operations portions of the annual report, respectively.

The following items are reported in the MCM sections of the annual report:

- Assessment of the effectiveness of BMPs
- Analysis of monitoring data
- Summary of inspection and enforcement actions

#### **4.0 PROPOSED SWMP CHANGES**

The changes in this section are proposed according to Part 5.5.2 of the General Permit for Small MS4s. EPA is hereby notified of the proposed changes, which the permit allows to be implemented 60 days after submitting this report unless denied in writing by the EPA.

#### **4.1 MS4 BOUNDARY CHANGES**

On January 5, 2010, the residents of Anthony, a Census Designated Place in the year 2000, voted to incorporate. Elections were held on April 13, 2010 for Mayor, Municipal Judge, and Municipal Trustees. The City of Anthony officially started operations on July 1, 2010. The portion of the El Paso Urbanized Area within the City of Anthony is no longer within the County's MS4 and will not be included in the County's future SWMP activities and reports. The City of



Anthony will be responsible for developing its own Storm Water Management Program and submitting a Notice of Intent to the EPA as an MS4 operator. Refer to BMP3-7, Outfall Exhibit 6, in Appendix C, for the limits of the County's MS4 in relation to the new City of Anthony limits.

#### **4.2 PUBLIC EDUCATION BMP1-8**

The Lower Rio Grande is currently on the EPA-approved, Clean Water Act 303(d) list as impaired due to bacteria. Since the County's MS4 discharges to this segment of the Rio Grande, the General Permit for Small MS4s requires the County to address bacterial sources of storm water pollution. BM1-8 is one of the activities in the County's SWMP intended to address bacteria sources.

At the time the SWMP was developed, BMP1-8 was written very broadly as: "*Pursue opportunities for a watershed-based education program on bacteria sources.*" The County was unsure of how this would be accomplished, so it set a goal of: "*Document activities and efforts to work with other MS4 operators, the Paso Del Norte Watershed Council, Doña Ana Soil Conservation District, and other regional initiatives.*" With this annual report, the County is proposing to more effectively focus its activities under this BMP.

The Paso Del Norte Watershed Council received an EPA Clean Water Act Section 319(h) Watershed Restoration Grant last year to address sources of bacterial pollution in the Lower Rio Grande watershed. The grant includes a public education component. The County proposes to change the measurable goal of BMP1-8 to focus its efforts on participating in and assisting with the Council's water quality subcommittee activities. The new goal will be: "*Participate in a minimum of four Paso Del Norte Council's subcommittee meetings and/or activities related to its CWA Section 319(h) Watershed Restoration Grant.*"

#### **4.3 CONSTRUCTION BMP4-1 AND BMP4-2**

BMP4-1 is the use of the County's existing Solid Waste Ordinance to require the containment of waste on construction sites until the County adopts a Storm Water Management Ordinance (SWMO). BMP4-2 is review of Erosion Control Plans required by the County's existing Erosion Control Regulation until the County adopts a SWMO that requires Storm Water Pollution Prevention Plans. The SWMP scheduled the SWMO to be adopted at the end of permit year 4; therefore, these two BMPs were scheduled to continue next year.

Since the Storm Water Management Ordinance (BMP4-3) was adopted ahead of schedule last year, the County proposes to terminate BMP4-1 and BMP4-2 a year early. They will be replaced with BMP4-6 and BMP4-7, both of which will be implemented a year ahead of schedule. These BMPs enforce requirements of the new ordinance and are more effective for controlling erosion, sediment and wastes on construction sites.

#### **5.0 PUBLIC REVIEW AND COMMENT**

Doña Ana County made a public notice that the draft of this annual report was available for public review at least 30 days before the annual report is submitted to the EPA. The notice was published in the Las Cruces Sun-News on August 31, 2010. Documentation of the public notice is inserted into Appendix H. No public comments were received.

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**SEPTEMBER 2010**



**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2009 – JUNE 30, 2010**

**PUBLIC EDUCATION AND OUTREACH (MCM #1)**  
**PUBLIC INVOLVEMENT/PARTICIPATION (MCM #2)**





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## 1.0 INTRODUCTION

Doña Ana County is authorized by the NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) to discharge storm water from its MS4 in the Las Cruces and El Paso Urbanized Areas. The authorization is dependent on the County complying with the conditions of the permit. Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA.

This document reports on the County's progress towards meeting the goals of the first and second Minimum Control Measures (MCM) required by the permit: **Public Education and Outreach and Public Involvement/Participation**. The entire report consists of the following documents placed on compact disks (CDs) for submission to the EPA:

- Report certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
- CD #3 – Illicit Discharge Detection and Elimination
- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
- CD #5 – Pollution Prevention/Good Housekeeping for Municipal Operations
- CD #6 – Appendices

## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.:	NMR04L003
MS4 Permittee Name:	Doña Ana County
Address:	845 N. Motel Blvd, Las Cruces, NM 88007
Point of Contact:	Henry K. Corneles, PE, Engineer Supervisor
Phone Number:	575-525-6162
Fax Number:	575-525-6179
E-mail:	henryco@donaanacounty.org

## 3.0 ASSESSMENT OF BEST MANAGEMENT PRACTICES

### 3.1 PUBLIC EDUCATION AND OUTREACH

During the past year, the County's most significant accomplishments in public education and outreach were:

- Printing and distributing an educational brochure;
- Establishing a Storm Water Management Webpage on the County's website; and
- Purchasing storm drain inlet markers.

Table 1 summarizes the status of the County's BMPs for public education and outreach. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 1\*. Public Education and Outreach**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
1-1	Public Education with Printed Material	Public Information	Develop or obtain one educational item and track distribution	Completed	Develop or obtain one educational item and track distribution
1-2	Public Education by Radio	Public Information	Quarterly address storm water issues on a County radio show  Broadcast one PSA in Spanish	In progress  Delayed	Quarterly address storm water issues on a County radio show  Broadcast two PSAs in Spanish, one as scheduled and one to make up for Year 3
1-3	Storm Water Mgmt Webpage	Public Information	Review and update the webpage, and track the number of "hits"	Completed	Review and update the webpage, and track the number of "hits"
1-4	Pollution Prevention Information for Animal Owners	Public Info. and Sheriff's Office/Animal Control	No activity scheduled for year 3	Not applicable	Develop fact sheet or brochure, and track distribution
1-5	Pollution Prevention Information for Auto Repair Shops and Recyclers	DPW and Comm. Dev.	No activity scheduled for year 3	Not applicable	No activity scheduled
1-6	Pet Waste Signs at Parks	DPW	No activity scheduled for year 3	Not applicable	Install signs at 2 parks
1-7	Elementary School Presentations with City of Las Cruces	DPW	Meet with the City of Las Cruces and discuss opportunities to assist with presentations	Completed	Meet with the City of Las Cruces and discuss opportunities to assist with presentations
1-8	Watershed-based Education on Bacteria Sources	DPW	Document efforts to work with other MS4 operators, Paso Del Norte Watershed Council, Doña Ana Soil Conservation District, and others	Delayed	Participate in a minimum of four Paso Del Norte Council's activities for its Section 319(h) Watershed Restoration Grant
1-9	Outreach to Gadsden ISD	DPW	No activity scheduled for year 3	Ahead of schedule: Contacted superintendent's office	Continue discussions with Gadsden ISD and determine feasibility of outreach program

\*Table 1 is the same as Table 1 in the Annual Report Compliance Summary.



### **3.1.1 Public Education with Printed Material (BMP1-1)**

The goal of this BMP is to use printed materials to inform the residents of Doña Ana County of the ways they affect storm water quality and to encourage them to change their behavior. One printed item is scheduled to be developed or purchased by the County each year. To complete this goal in the third permit year, the County purchased EPA 833-B-03-002, "*After the Storm: A Citizen's Guide to Understanding Stormwater.*" The brochure was personalized for the County as shown in Appendix A.

On June 21-22, 2009, approximately 500 copies of the brochure were distributed to four locations in the County Government Center and the following community centers around the County: Anthony, Betty McKnight, Butterfield, Chaparral, Del Cerro, Dolores Wright, Doña Ana County Center, La Mesa, Mesquite, Organ, Placitas, Radium Springs, and Rincon. The County will track how many of the brochures are picked-up by citizens during the next year.

The County is scheduled to develop or obtain a second educational item for distribution during the next permit year. It will focus on proper disposal of trash and household hazardous waste as discussed in BMP3-1.

### **3.1.2 Public Education by Radio (BMP1-2)**

Educational information by radio is intended to reach a residential audience and commuters between the two urbanized areas within the County. The Director of Public Information provides weekly updates of County news on KVLC 101-Gold Radio, HOT FM 103.1's *Morning Show*, and the *KGRT Morning Country Show* on KGRT 103.9. The BMP goal for the year was to quarterly provide information about the SWMP during these broadcasts. In the first quarter of the year, the County announced on the radio shows that the SWMP was posted on the County's website. During the remainder of the year, the County's SWMP activities were focused on other BMPs, and no additional information was provided by radio. Similarly, a scheduled Spanish language Public Service Announcement (PSA) was delayed until the next permit year.

Public education by radio will resume in the fourth permit year. The County's Public Information Office requires technical information for the radio shows to be provided by the County department responsible for the technical activity. During the fourth permit year, the SWMP Coordinator will quarterly provide an item of interest related to the SWMP for inclusion on the weekly radio shows.

To make up for the missed PSA, two PSAs will be broadcast in Spanish during the next permit year, instead of one as scheduled in the SWMP. The SWMP Coordinator will provide the information for the PSAs, and the Public Information Office will be responsible for preparing/recording the PSAs in Spanish and broadcasting them.

### **3.1.3 Storm Water Management Webpage (BMP1-3)**

Another source of information for the public is the County's website. A link to the website was provided on the "*After the Storm*" brochure (BMP1-1). Within the County's website, a storm water webpage was created in May 2010. A copy of the webpage is in Appendix A.



The storm water webpage provides links to the SWMP and a place to comment on the SWMP, as well as links with information about disposal of Household Hazardous Waste and Low Impact Development. Since its inception, the webpage has been accessed 19 times. The webpage was last updated on June 30, 2010. The County will continue to update the webpage during the next permit year.

#### **3.1.4 Pollution Prevention Information for Animal Owners (BMP1-4)**

No activities were scheduled for this BMP during the past year. After information is given to the general public during the third permit year (BMPs 1-1, 1-2, and 1-3), the County's goal is to reach several target audiences. During the fourth permit year, the target audience is animal owners. Pet waste and waste from personal livestock are target pollutants, since they are potential bacteria sources contributing to impairment of water quality in the Lower Rio Grande. The County is on schedule to purchase or develop a fact sheet about animal waste and track its distribution in the fourth permit year.

#### **3.1.5 Pollution Prevention Information for Auto Repair Shops and Recyclers (BMP1-5)**

During permit year 5, the County will target auto repair shops and auto recyclers. These commercial activities are a potential source of pollutants in the unincorporated areas of the County. The County will develop or purchase a fact sheet addressing pollutants discharged by these commercial activities. New businesses will be given the fact sheet when they receive their business certificate. No activities were scheduled for this BMP during the past year.

#### **3.1.6 Pet Waste Signs at Parks (BMP1-6)**

Beginning in permit year 4, and in conjunction with BMP1-4, the County will place signs in parks used by animal owners. Signs will be placed in two parks each year until all parks in the County have signs. The signs will encourage pet owners to clean up after their pets. No activities were scheduled for this BMP during the past year.

#### **3.1.7 Elementary School Presentations with City of Las Cruces (BMP1-7)**

For several years, the City of Las Cruces has presented a hydrologic cycle and storm water pollution prevention program to students at elementary schools in the Las Cruces Public School District. Henry Corneles, the County's point of contact for public education, met with Peter Bennett of the City of Las Cruces on July 7, 2009 to discuss ways that the two MS4 operators could cooperate on school presentations and other SWMP activities. Later in the year, Mr. Corneles also met with Loretta Reyes, the City's Engineering Services Administrator, to continue the discussion. An opportunity for the County to participate in school presentations did not present itself during the reporting period. The County will continue meeting with the City to develop opportunities for cooperation on school presentations next year.



### **3.1.8 Watershed-based Education on Bacteria Sources (BMP1-8)**

During the past year, the County planned to work with other MS4 operators and regional groups to address bacteria sources on a watershed basis. Bacteria is of concern to the entire region because the Lower Rio Grande is impaired due bacteria. This BMP was delayed as the County diverted its resources to performing other BMPs ahead of schedule.

The County will seek opportunities to work with others for a regional, watershed based approach to bacteria sources during next year. The most likely opportunity is the Paso Del Norte Watershed Council, which last year received a Clean Water Act Section 319(h) grant to address the bacteria sources causing impairment of the Lower Rio Grande. The grant includes a public education component. During the next permit year, the County will participate in a minimum of four of the Council's subcommittee meetings and/or activities related to its CWA Section 319(h) Watershed Restoration Grant.

### **3.1.9 Outreach to Gadsden ISD (BMP1-9)**

Although no activities were scheduled for this BMP last year, the County contacted the Gadsden ISD superintendent's office. The County offered to talk with students about the SWMP and why it's important to the students. The Gadsden ISD was interested, but nothing could be arranged before the end of the last school year. The County will follow-up with them next year.

### **3.1.10 Other Activities**

During permit year three, the County decided to add inlet markers to its public education activities. The markers are intended to inform residents of the connection between storm drain inlets and natural waterways. The markers will hopefully discourage dumping into the inlets. The County purchased 100 Ultra Drain Markers that say "No Dumping – Drains to Waterways." The catalogue sheet and other information related to the markers are in Appendix A. The markers will be installed starting in the permit year four.

## **3.2 PUBLIC INVOLVEMENT/PARTICIPATION**

During the past year, the County's most significant accomplishments in public involvement and participation were:

- Two public hearings on the County's Storm Water Management Ordinance;
- Storm water pollution report line established ahead of schedule; and
- Over 2,300 people participating in volunteer cleanup activities.

Table 2 summarizes the status of the County's BMPs for public involvement/participation. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 2\*. Public Involvement/Participation**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
2-1	Presentations to the Board of County Commissioners (BOCC)	DPW	Present information on the SWMP with opportunity for public comment	Completed	Present the 2009-2010 Annual Report to the BOCC
2-2	NOI and SWMP on Storm Water Webpage	Public Information	Maintain link and update after EPA approves SWMP	Completed	Add link to Annual Report
2-3	Webpage Comment Form for the SWMP	Public Information	Track number of forms received	Completed	Track number of forms received and the County's response
2-4	Maintain a Copy of the NOI and SWMP for Public Viewing	DPW	Keep a log of people who view the NOI and SWMP	Completed	Place a copy of the annual report with the SWMP for public viewing
2-5	Public Comment Log	DPW	Maintain a record of public comments on the SWMP and how they are addressed	Completed	Continue to maintain the record
2-6	Storm Water Pollution Report Line	DPW, Utilities and Sheriff's Office/Codes	No activity scheduled for year 3	Ahead of schedule: Report phone number established	Establish procedures for documenting, tracking, processing, and responding to the calls; track number and types of calls
2-7	Volunteer Cleanup Activities	DPW, Utilities and Sheriff's Office/Codes	Track the number of clean-up activities and amount of trash collected	Completed	Track the number of clean-up activities and amount of trash collected

\*Table 2 is the same as Table 2 in the Annual Report Compliance Summary.



### **3.2.1 Presentations to County Commissioners (BMP2-1)**

This BMP was developed with the intent of presenting the Small MS4 Annual Report to the Board of County Commissioners (BOCC), thus giving them and the general public a chance to comment on SWMP activities. The County submitted its NOI to the EPA during the first month of the past permit year (July 2009) and received its permit authorization later in the year. Therefore, this report is the first annual report submitted by the County. There was no report to present to the BOCC last year.

Instead of presenting the annual report to the BOCC, the County's new Storm Water Management Ordinance was presented for public comment and adoption by the commissioners. Presentation of the ordinance included discussion of the SWMP's requirements for control of illicit and construction site discharges into the MS4 and the effects that these discharges have on water quality.

The Storm Water Management Ordinance was first discussed as agenda item 4 on March 23, 2010 during the public hearing portion of the meeting. The ordinance was again discussed on April 13, 2010 during public hearing. It was adopted by the BOCC on the same day. Copies of the BOCC Agendas are available in Appendix B.

### **3.2.2 NOI and SWMP on Storm Water Management Webpage (BMP2-2)**

Easy public access to information is important for public involvement. Both the NOI and SWMP were posted on the County's website in September 2009. In May 2010, the County developed a storm water management webpage within the County's website. The NOI and SWMP were moved to the new webpage. A copy of the webpage showing the link to the NOI and SWMP is in Appendix B.

### **3.2.3 Webpage Comment Form for the SWMP (BMP2-3)**

The County's storm water management webpage includes a form where the public can provide comments and feedback on the SWMP. A copy of the form is in Appendix B. The form was posted with the new webpage in May 2010 (BMP2-2). No comments were submitted via the webpage before June 30, 2010. The County will track and respond to comments received during the next permit year.

### **3.2.4 Maintain a Copy of the NOI and SWMP for Public Viewing (BMP2-4)**

In addition to the NOI and SWMP posted on the County's website, the County maintained copies of both documents for public viewing at the Building Information Front Counter. There were no requests to view the NOI or SWMP during the past year. The County will place a copy of this annual report at the counter to be available for viewing with the SWMP.

During the next permit year, the County will consider opportunities to promote public review of the SWMP; however, the County believes most people will view the SWMP on-line. The number of people viewing the hard copy of the SWMP will be compared to the number of people viewing the SWMP on the County's website to compare effectiveness in reaching the public.



### 3.2.5 Public Comment Log (BMP2-5)

The public comment log is intended to be a master set of all comments received on the SWMP during the five year term of the MS4 general permit. The County received no public comments on its SWMP during the reporting period.

### 3.2.6 Storm Water Pollution Report Line (BMP2-6)

Although no activity was scheduled for this BMP during the reporting period, the County established the Engineering Department phone number (575-525-6164) for the public to report storm water pollution. The number was posted on the storm water management webpage. A copy of the web posting is in Appendix B. During the next year, the County will establish procedures for documenting, tracking, processing, and responding to the calls based on the type of pollution report and level of urgency.

### 3.2.7 Volunteer Cleanup Activities (BMP2-7)

The goals of volunteer cleanup activities are to involve residents in implementing the SWMP and to develop their sense of ownership for water quality in the region. In the third permit year, Doña Ana County provided several opportunities for residents to participate in litter cleanups.

Trek for Trash and the Great American Cleanup are two specific programs the County uses for litter cleanup. Many volunteer organizations in the County also offer their time for litter cleanup. Detailed information for the Trek for Trash and the Great American Cleanup are provided in Appendix B. Totals for litter cleanup in the County are presented in Table 3.

**Table 3. Litter Cleanup Activities**

TYPE OF ACTIVITY	LITTER COLLECTED (POUNDS)	NUMBER OF VOLUNTEERS
Great American Cleanup	31,250	679
Trek For Trash	32,525	428
Volunteer Organizations	107,970	1,196
<b>TOTALS</b>	<b>171,745</b>	<b>2,303</b>

## 4.0 ANALYSIS OF MONITORING DATA

### 4.1 PUBLIC EDUCATION AND OUTREACH

The Monitoring/Assessment Plan for public education and outreach did not schedule any monitoring data to be collected during the past year. During the permit year that started July 1, 2010, the County is scheduled to collect the following data to monitor the effectiveness of the public education component of its SWMP:



- Results of an on-line questionnaire to monitor the public's knowledge of storm water pollution prevention; and
- Amount of floatable (trash) collected quarterly at one public drainage structure in each urbanized area.

#### **4.2 PUBLIC INVOLVEMENT/PARTICIPATION**

The Monitoring/Assessment Plan for public involvement/participation did not schedule any monitoring data to be collected for the past year. Starting July 1, 2010, the County is scheduled to collect the following data to monitor the effectiveness of the public involvement component of its SWMP:

- Number of storm water pollution reports received from the public; and
- Number of people commenting on the SWMP.

Although monitoring was not scheduled to start until the next permit year, the SWMP was available for people to review last year. The lack of people viewing and commenting on the SWMP may be indicative of a need for greater emphasis on publicizing the availability of these documents, their importance, and the reasons why the public should become involved with them.

**DOÑA ANA COUNTY**  
**NPDES SMALL MS4 ANNUAL REPORT**  
**SEPTEMBER 2010**



**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2009 – JUNE 30, 2010**

**ILLICIT DISCHARGE DETECTION AND ELIMINATION**  
**(MCM #3)**





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## 1.0 INTRODUCTION

Doña Ana County is authorized by the NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer System (MS4) to discharge storm water from its MS4 in the Las Cruces and El Paso Urbanized Areas. The authorization is dependent on the County complying with the conditions of the permit. Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA.

This document reports on the County's progress towards meeting the goals of the third Minimum Control Measure (MCM) required by the permit: **Illicit Discharge Detection and Elimination**. The entire report consists of the following documents placed on compact disks (CDs) for submission to the EPA:

- Report certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
- CD #3 – Illicit Discharge Detection and Elimination
- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
- CD #5 – Pollution Prevention/Good Housekeeping for Municipal Operations
- CD #6 – Appendices

## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.: NMR04L003  
MS4 Permittee Name: Doña Ana County  
Address: 845 N. Motel Blvd, Las Cruces, NM 88007

Point of Contact: Henry K. Corneles, PE, Engineer Supervisor  
Phone Number: 575-525-6162  
Fax Number: 575-525-6179  
E-mail: henryco@donaanacounty.org

## 3.0 ASSESSMENT OF BEST MANAGEMENT PRACTICES

During the past year, the County's most significant accomplishments in illicit discharge detection and elimination were:

- Adopting a Storm Water Management Ordinance ahead of schedule;
- Transferring approximately 212 lots from an on-site wastewater system to a wastewater collection system; and
- Performing dry weather screening of 125 newly mapped outfalls ahead of schedule.

Table 1 summarizes the status of the County's BMPs for illicit discharge detection and elimination. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 1\*. Illicit Discharge Detection and Elimination**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
3-1	Public Information on Trash and HHW Disposal	Public Information	No activity scheduled for year 3	Not applicable	Develop fact sheet or brochure; place in dispensers at County buildings; track distribution
3-2	HHW Disposal Guidance on the Website	Public Information	Maintain information about HHW disposal on website, and track number of "hits"	Completed	Maintain information about HHW disposal on website, and track number of "hits"
3-3	Illegal Dumping Enforcement	Sheriff's Office/Codes	Track number of citations issued	Completed	Track number of citations issued
3-4	Storm Water Pollution Control Ordinance	DPW	No activity scheduled for year 3	Ahead of schedule: Completed	Track illicit discharge enforcement actions
3-5	Illicit Discharge Training	DPW, Sheriff's Office and Comm. Dev.	Train inspectors in illicit discharge identification and response procedures	Delayed to year 4 when ordinance defining illicit discharges was advanced to year 3 (BMP3-4)	Train illicit discharge inspectors
3-6	Wastewater Collection for Areas with On-site Systems	Utilities	Maintain a five year Infrastructure CIP program, and track the number of lots with existing structures that are connected to sewer in the urbanized area	Completed	Maintain a five year Infrastructure CIP, and track the number of lots with existing structures that are connected to sewer in the urbanized area
3-7	MS4 Map	Comm. Dev./G.I.S.	Map the Las Cruces Urbanized Area	Ahead of schedule: Mapped outfalls in the Las Cruces and El Paso Urbanized Area, plus other outfalls in the Rio Grande valley	Map additional outfalls in the urbanized areas as they are found or constructed
3-8	Dry Weather Outfall Screening	DPW	No activity scheduled for year 3	Ahead of schedule: Screened 125 outfalls	No activity scheduled

\*Table 1 is the same as Table 3 in the Annual Report Compliance Summary.



### **3.1 Public Information on Trash and HHW Disposal (BMP3-1)**

This BMP is in conjunction with BMP1-1, which states that one printed item is scheduled to be developed or purchased for public education each year. In permit year four, the printed item will focus on proper disposal of trash and household hazardous waste to prevent them from becoming illicit discharges. The County will also track the distribution of the information. No activities were scheduled for this BMP during the past year.

### **3.2 HHW Disposal Guidance on the Website (BMP3-2)**

Proper disposal of household hazardous waste is of concern in the unincorporated areas of Doña Ana County where curbside collection is not a government function. The County's storm water webpage includes a link to the "*List of Products in the Virtual House*" copyrighted by Purdue Research Foundation. The site provides a room by room listing of household hazardous wastes and proper disposal procedures. A copy of this information is in Appendix C. The County received five hits on this link in the third permit year.

### **3.3 Illegal Dumping Enforcement (BMP3-3)**

In permit year three, twenty-eight citations were issued by the County for illegal dumping. Other illegal dumping sites were discovered in the County, but the source of the dumping could not be identified. These sites were referred to the County's Keep America Beautiful program for cleanup. In permit year four, the County will continue to enforce the ordinances that prohibit illegal dumping and track the number of citations issued.

### **3.4 Storm Water Management Ordinance (BMP3-4)**

No activity was scheduled for this BMP during the past year. However, believing that an effective ordinance was essential to implementing the SWMP, Doña Ana County decided to adopt an ordinance as quickly as possible. County staff developed the ordinance last year and presented it to the Board of County Commissioners for public hearing, approval and adoption. The Board adopted the ordinance on April 27, 2010.

Appendix G contains a copy of the final ordinance. The ordinance prohibits illicit discharges. It also gives the County authority to take enforcement action to stop illicit discharges. Table 2 summarizes the sections of the ordinance that address illicit discharges.



**Table 2. Illicit Discharge Sections of the Storm Water Management Ordinance**

ORDINANCE SECTION NUMBER	DESCRIPTION OF ORDINANCE SECTION	NPDES SMALL MS4 GENERAL PERMIT REFERENCE PART AND REQUIREMENT
5.B.38	Defines illicit discharge	Part 7: Definitions
6.A	Provides a general prohibition of discharges that are not composed entirely of storm water	Part 5.2.3.3: Prohibit non-storm water discharges into the storm sewer system
6.B	Authorizes an affirmative defense (exception to the general prohibition) for categories of non-storm water discharges that the County has determined to not be significant contributors of pollutants	Part 5.2.3.6: Address certain categories of non-storm water discharges or flows only if the small MS4 identifies them as significant contributors of pollutants
7	Prohibits specific types of discharges	Part 5.2.3.3: Prohibit non-storm water discharges into the storm sewer system
10-12	Authorizes issuance of Administrative, Criminal, and Other Remedies	Part 5.2.3.3: Implement appropriate enforcement procedures and actions (including enforcement escalation procedures for recalcitrant or repeat offenders)

**3.5 Illicit Discharge Training (BMP3-5)**

When the SWMP was developed, the County scheduled generic training about illicit discharges for this past year, followed by more specific training after an ordinance was adopted in future years. When development of the ordinance was advanced to year 3 of the permit, the County delayed employee training until after the ordinance was adopted. Employees will be trained annually starting in the fourth permit year. With the new ordinance in place, the training will be specific to illicit discharges as defined by the ordinance and the County’s response procedures to eliminate the discharges.

**3.6 Wastewater Collection for Areas with On-site Systems (BMP3-6)**

The County maintains a five-year Capital Improvement Program to extend wastewater collection and treatment services to development that is currently using on-site systems. Property owners are required by County Ordinance No. 201-02 to connect to the wastewater system when it is extended to within 300 ft of buildings or other facilities.

During the past year, the County completed the first phase of a project to extend wastewater collection services to the community of Chaparral. Although Chaparral is not within the urbanized portion of the County, it has a high potential to affect surface water quality due to the large number of facilities on septic systems. Upon the completion of



Phase I (November 2009), the County connected approximately 150 lots to the wastewater collection service. In May 2010, when Phase IB was completed, another 62 lots were connected to the wastewater collection service. During permit year four, the County plans to install sewer lines on two additional streets in Chaparral.

### 3.7 MS4 Map (BMP3-7)

Last year the County was scheduled to map the outfalls for the portion of its MS4 that is within the Las Cruces Urbanized Area. To the best of its knowledge, all the outfalls in this area were located and mapped. The County also mapped outfalls in the El Paso Urbanized Area that were not scheduled to be mapped until next year.

Storm water discharges have the potential to affect water quality regardless of whether they are in an urbanized area. Therefore, the County expanded its mapping efforts to include all its MS4 outfalls that are within the Rio Grande watershed, south of the community of Doña Ana.

Last year the County located and mapped a total of 125 MS4 outfalls. Exhibits showing the locations of the outfalls are in Appendix C. Table 3 summarizes the locations of the outfalls.

**Table 3. MS4 Outfalls Mapped**

URBANIZED AREA	INCORPORATION	NUMBER OF OUTFALLS
Las Cruces	County, unincorporated	36
Las Cruces	City of Las Cruces	1
El Paso	County unincorporated	10
El Paso	City of Anthony	1
Not applicable (outside of UA)	County, unincorporated	77
<b>TOTAL MAPPED</b>		<b>125</b>

### 3.8 Dry Weather Outfall Screening (BMP3-8)

The County was not scheduled to perform dry weather outfall screening until the last year of its permit, after all the outfalls were mapped. During the past year, the County decided to field-verify its MS4 outfalls during mapping instead of mapping them solely from engineering plans. The County performed dry weather screening while they were in the field verifying the outfalls.

The County's form for outfall verification and screening is included in Appendix C. The form is followed by an example of a completed form for verifying an outfall and documenting that there was no flow. The County screened 125 outfalls last year, all of which had no flow and therefore no illicit discharge.

Outfall screening will continue whenever a new outfall is field-verified for mapping. The County will maintain a schedule to screen every mapped outfall at least once during each five-year permit term.



#### 4.0 ANALYSIS OF MONITORING DATA

The Monitoring/Assessment Plan for illicit discharge detection and elimination did not schedule any monitoring data to be collected during the past year. However, the County started dry weather screening a year earlier than scheduled. Table 4 summarizes the collected data.

**Table 4. Dry Weather Screening Data**

DESCRIPTION	RESULT
Number of Outfalls Screened	125
Number of Outfalls with Flow	0
Number of Outfalls without Flow	125
Number of Outfalls with Evidence of Illicit Discharges	0

The above data implies that illicit discharges may not be a significant source of pollutants for the County's MS4.

The County was not scheduled to begin collecting data to monitor effectiveness of the illicit discharge detection and elimination component of its SMWP until the fifth permit year. The reason for waiting until the fifth year was to allow for adoption of an ordinance in the fourth permit year. Since the ordinance was adopted ahead of schedule (BMP3-4), the County will begin monitoring of this MCM ahead of schedule. Starting July 1, 2010, the County will collect the following data:

- Dry weather screening data for outfalls mapped during the year;
- Number of County enforcement actions for each type of enforcement authorized by the Storm Water Management Ordinance; and
- Percentage of ordinance enforcement actions that result in elimination of the illicit discharge.

#### 5.0 INSPECTION AND ENFORCEMENT ACTIONS

During the past year, the County established its public report line for illicit discharges. No reports were received last year, resulting in no enforcement actions. The dry weather screening (BMP3-8) yielded no illicit discharges requiring inspection or enforcement.

The only ordinance that the County had in place last year to enforce a prohibition on illicit discharges was County Ordinance No. 230-07 Residential and Commercial Solid Waste Collection and Disposal, which prohibits illegal dumping. Table 5 summarizes the enforcement actions under that ordinance. In future years, the summary will include enforcement action under both it and the new Storm Water Management Ordinance.

**Table 5. Summary of Enforcement Actions**

TYPE OF ACTION	NUMBER
Warning Notice	0
Notice of Violation	0
Compliance Order	0
Remediation, Abatement and Restoration Order	0
Citation	28

**DOÑA ANA COUNTY**  
**NPDES SMALL MS4 ANNUAL REPORT**  
**SEPTEMBER 2010**



**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2009 – JUNE 30, 2010**

**CONSTRUCTION SITE STORM WATER RUNOFF**  
**CONTROL (MCM #4)**

**POST-CONSTRUCTION STORM WATER**  
**MANAGEMENT (MCM #5)**





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## 1.0 INTRODUCTION

Doña Ana County is authorized by the NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer System (MS4) to discharge storm water from its MS4 in the Las Cruces and El Paso Urbanized Areas. The authorization is dependent on the County complying with the conditions of the permit. Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA.

This document reports on the County's progress towards meeting the goals of the fourth and fifth Minimum Control Measures (MCM) required by the permit: **Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New Development and Redevelopment**. The entire report consists of the following documents placed on compact disks (CDs) for submission to the EPA:

- Report certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
- CD #3 – Illicit Discharge Detection and Elimination
- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
- CD #5 – Pollution Prevention/Good Housekeeping for Municipal Operations
- CD #6 – Appendices

## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.:	NMR04L003
MS4 Permittee Name:	Doña Ana County
Address:	845 N. Motel Blvd, Las Cruces, NM 88007
Point of Contact:	Henry K. Corneles, PE, Engineer Supervisor
Phone Number:	575-525-6162
Fax Number:	575-525-6179
E-mail:	henryco@donaanacounty.org

## 3.0 ASSESSMENT OF BEST MANAGEMENT PRACTICES

### 3.1 CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

During the past year, the County's most significant accomplishments in construction site water runoff control were:

- Adoption of a Storm Water Management Ordinance ahead of schedule; and
- Training for SWPPP reviewers and inspectors.

Table 1 summarizes the status of the County's BMPs for construction site storm water runoff control. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 1\*. Construction Site Storm Water Runoff Control**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
4-1	Construction Waste Enforcement under the Solid Waste Ordinance	Comm. Dev.	Track the number and types of enforcement actions for construction waste	Not met	No further activities; superseded by BMP4-7 after adoption of Storm Water Mgmt Ordinance
4-2	Construction Plan Review	DPW and Comm. Dev.	Track number of Erosion Control Plans reviewed	Completed	No further activities; superseded by BMP4-6 after adoption of Storm Water Mgmt Ordinance
4-3	Storm Water Management Ordinance	DPW and Comm. Dev.	No activity scheduled for year 3	Ahead of schedule: Completed	Track construction enforcement actions
4-4	SWPPP and BMP Training for Plan Reviewers	DPW	No activity scheduled for year 3	Ahead of schedule: Completed	Train new reviewers and reviewers that missed year 3 training
4-5	Erosion and Sediment Control Training for Inspectors	DPW and Comm. Dev.	Develop an Erosion Control Plan inspection protocol and train inspectors	In-progress	Develop a written SWPPP inspection protocol
4-6	SWPPP Review	DPW and Comm. Dev.	No activity scheduled for year 3	Not applicable	Require County review and acceptance of SWPPP for regulated sites before issuing County permits
4-7	Construction Site SWPPP Inspections	DPW and Comm. Dev.	No activity scheduled for year 3	Not applicable	Inspect regulated construction sites within the urbanized areas at least once during construction
4-8	Construction SWPPP Education	DPW and Comm. Dev.	No activity scheduled for year 3	Not applicable	Develop hand-out of SWPPP requirements for contractors and developers; track distribution
4-9	Construction SWPPP Information on Webpage	Public Information	Maintain information on webpage, and track the number of "hits"	Delayed to year 4 when ordinance requiring SWPPPs was advanced to year 3 (BMP3-4)	Maintain information on webpage, and track the number of "hits"

\*Table 1 is the same as Table 4 in the Annual Report Compliance Summary.



### **3.1.1 Construction Waste Enforcement under the Solid Waste Ordinance (BMP4-1)**

The intent of this BMP was to use the Solid Waste Ordinance to require controls on construction site wastes until the County adopted a Storm Water Management Ordinance with specific requirements for construction site controls. The County checked for containment of construction wastes while doing building inspections last year but did not meet the goal of tracking the number and types of enforcement actions issues for construction waste.

With the Storm Water Management Ordinance adopted ahead of schedule last year (BMP4-3), this BMP is superseded. Starting July 1, 2010, the County will inspect for waste controls as part of the construction site SWPPP inspections (BMP4-7).

### **3.1.2 Construction Plan Review (BMP4-2)**

To ensure controls are properly designed to reduce pollutants from construction sites, the County reviews Erosion Control Plans (ECP) submitted with development plans. In permit year three, the County reviewed ten ECPs for commercial and subdivision developments. During permit year four, the County will switch to reviewing Storm Water Pollution Prevention Plans (BMP4-6) instead of ECPs, which are superseded by the SWPPPs required in the new Storm Water Management Ordinance.

### **3.1.3 Storm Water Management Ordinance (BMP4-3)**

No activity was scheduled for this BMP during the past year. However, believing that an effective ordinance was essential to implementing the SWMP, Doña Ana County decided to adopt an ordinance as quickly as possible. County staff developed the ordinance last year and presented it to the Board of County Commissioners for public hearing, approval and adoption. The Board adopted the ordinance on April 27, 2010.

Appendix G contains a copy of the new ordinance. The ordinance includes the following for construction activities:

- Erosion and sediment control requirements;
- Construction waste control requirements;
- Requirements to submit construction plans for review; and
- MS4 enforcement authority.

Table 2 summarizes the sections of the ordinance that address construction site discharges.



**Table 2. Construction Sections of the Storm Water Management Ordinance**

ORDINANCE SECTION NUMBER	DESCRIPTION OF ORDINANCE SECTION	NPDES SMALL MS4 GENERAL PERMIT REFERENCE PART AND REQUIREMENT
9	Requires operators of a construction activity to prepare a SWPPP and submit it to the County for review and approval a minimum of 30 days before any land disturbance	Part 5.2.4.3: Before ground is broken, review all site plans for potential water quality impacts, erosion and sediment control, control of other wastes, and any other impacts
9.A	Requires the SWPPP to include erosion, sediment and waste controls	Part 5.2.4.2: Require construction site operators to practice erosion and sediment control and to control waste
10-12	Authorizes issuance of Administrative, Criminal, and Other Remedies	Part 5.2.4.4: Develop procedures for enforcement of control measures (including enforcement escalation procedures for recalcitrant or repeat offenders)

The construction discharge requirements of the County's ordinance incorporate by reference the requirements of the NPDES General Permit for Storm Water Discharges from Construction Activities. In addition, the ordinance extends the requirement for a SWPPP down to disturbances of 5000 SF or more for non-residential development by definition of a construction activity (Section 5.B.13.c).

Doña Ana County is in an arid region of the country. Due to the difficulties with stabilization in arid regions, the ordinance goes beyond the NPDES General Permit in specifying criteria that must be evaluated when designing stabilization measures (Section 9.D).

Section 9.F of the County's ordinance requires construction site operators to submit a copy of their signed Notice of Intent (NOI) and EPA's acknowledgement of its receipt at least seven days before starting construction. The County will use the NOIs that it receives to track the number of active construction sites within its urbanized area and scheduled inspections (BMP4-7).

**3.1.4 SWPPP and BMP Training for Plan Reviewers (BMP4-4)**

No activity was scheduled for BMP4-4 last year; however, the City of Las Cruces offered the County an opportunity to cost-share in a day of SWPPP preparation and review training. The training was held in the Doña Ana County Government Center on June 7, 2010. Katrina M. Martich, PE, CPESC, of Martich Professional Services, PLLC provided the training. The training outline is in Appendix D. The training included requirements for the contents of a SWPPP and design criteria for erosion, sediment and waste BMPs.



As part of the training, each of the County's plan reviewers received a reference binder to use when reviewing SWPPPs for development or preparing SWPPPs for County projects. The reference binder includes:

- Copies of training presentation slides;
- Sample Delegation of Authority Form from EPA SWPPP Template, September 17, 2007;
- Sample SWPPP Inspection Report and Corrective Action Log;
- Modification to 2008 NPDES General Permit for Storm Water Discharges Associated with Construction Activities, Federal Register Vol. 75., No. 18, January 28, 2010, pages 4554-4557;
- NPDES General Permit for Storm Water Discharges from Construction Activities, effective June 30, 2008;
- EPA Low Erosivity Waiver Certification; EPA Form 7500-620 (Rev. 11/08);
- Storm Water Phase II Final Rule Fact Sheet 3.1, Construction Rainfall Erosivity Waiver, EPA 833-F-00-014, January 2001;
- NPDES General Permit for Storm Water Discharges from Construction Activities Fact Sheet – as modified effective January 21, 2005;
- Doña Ana County Ordinance No. 248-2010, adopted April 27, 2010, requiring SWPPPs for construction activities within the County;
- Construction and Development Effluent Guidelines, Federal Register Vol. 74. No. 229, December 1, 2009, pages 63057-10439; and
- EPA 821-F-09-004 Fact Sheet, Final Rule: Effluent Guidelines for Discharges from the Construction and Development Industry, November 2009.

### **3.1.5 Erosion and Sediment Control Training for Inspectors (BMP4-5)**

Development of an inspection protocol for erosion and sediment controls and training of County inspectors were scheduled to be phased in over a two year period. During the last permit year, the County was scheduled to develop the protocol and train inspectors based on Doña Ana County Ordinance No. 194-2000 Erosion Control Regulations. During the next permit year, the County was scheduled to adopt a new ordinance, and then update the protocol and training.

Since the Storm Water Management Ordinance was adopted last year, ahead of schedule, the County skipped the step of developing a protocol and training inspectors based on the old ordinance. Training was held last year, but it was focused on inspecting for complete SWPPP compliance as required by the new ordinance (not just erosion and sediment controls). County inspectors were trained at the Doña Ana County Government Center on June 8, 2010. Katrina M. Martich, PE, CPESC, of Martich Professional Services, PLLC provided the training. The training outline is in Appendix D. The training included procedures for inspecting SWPPP documentation, checking for off-site discharges, and inspecting erosion, sediment and material and waste controls. The training consisted of 5 hours of classroom training and 3 hours of an example site inspection.

Development of an inspection protocol has been delayed until the next permit year. The protocol will consist of written procedures to ensure consistent inspection of construction sites. It will also contain guidance for enforcement escalation.



### **3.1.6 SWPPP Review (BMP4-6)**

Since the completion of this BMP is dependent on the County adopting a Storm Water Pollution Control Ordinance (BMP4-3), no SWPPP review activities were scheduled in permit year three or four. However, the County adopted an ordinance one year ahead of schedule. Activities scheduled for this BMP for permit year five will be moved up to permit year four. Starting next year, the County will require operators of all construction activities that are one acre and larger (or part of a common plan of development) to submit a SWPPP to the County for review and acceptance before issuing any permits.

### **3.1.7 Construction Site SWPPP Inspections (BMP4-7)**

Completion of this BMP is also dependent on the adoption of a Storm Water Pollution Control Ordinance. No activities were scheduled for the third or fourth permit year. With the early adoption of the ordinance, the activities for this BMP have been moved up one year. Beginning in permit year four, all construction sites that are one acre and larger and smaller sites that are part of a common plan of development within the urbanized areas of the County will be inspected at least once during construction.

### **3.1.8 Construction SWPPP Education (BMP4-8)**

No activity was scheduled for this BMP during permit year three. In permit year four, the County will develop a hand-out for developers and contractors to inform them of SWPPP requirements. Distribution of these hand-outs will be tracked in permit years four and five.

### **3.1.9 Construction SWPPP Information on Webpage (BMP4-9)**

This BMP consists of posting information about preparing a construction SWPPP on the County's storm water webpage (BMP1-3). It was scheduled to be accomplished last year when the webpage was developed; however, it was not accomplished. Instead, information on Low Impact Development was posted (BMP5-3) on the webpage ahead of schedule, due to the County's focus on the Green Infrastructure Conference being planned with the City of Las Cruces. The County will post the construction SWPPP information on the webpage next year.

## **3.2 POST-CONSTRUCTION STORM WATER MANAGEMENT**

During the past year, the County's most significant accomplishments in post-construction stormwater management were:

- Planning an Green Infrastructure Conference (including Low Impact Development) with the City of Las Cruces ahead of schedule; and
- Posting LID information on the Storm Water Management Webpage ahead of schedule.

Table 3 summarizes the status of the County's BMPs for post-construction storm water management. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 3\*. Post-Construction Storm Water Management**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
5-1	Vision 2040 Regional Plan	Comm. Dev.	Document activities related to Vision 2040	Completed	Document activities related to Vision 2040
5-2	Evaluation of Existing Ordinances	Comm. Dev. And DPW	No activity scheduled for year 3	Not applicable	No activity scheduled for year 4
5-3	LID Information on Webpage	Public Information	No activity scheduled for year 3	Ahead of schedule: Link to EPA's LID website placed on storm water webpage	Maintain information; track number of "hits"
5-4	LID Education	Comm. Dev. and DPW	No activity scheduled for year 3	Ahead of schedule: Participated in planning GI/LID conference with City of Las Cruces	GI/LID conference on August 26, 2010
5-5	Post-Construction BMP Training for Plan Reviewers	Comm. Dev. and DPW	Train each employee who reviews grading and drainage plans	Completed	No activity scheduled in year 4
5-6	Plan Review for Compliance with Development Design Standards	Comm. Dev. and DPW	No activity scheduled for year 3	Not applicable	Review development plans in urbanized areas to verify they contain post-construction BMPs; track number and type of BMPs
5-7	Construction Inspection for Compliance with Development Plans	Comm. Dev. and DPW	No activity scheduled for year 3	Not applicable	Track number of inspections and enforcement actions within urbanized areas
5-8	Maintenance Agreement for Private Drainage Structures	Comm. Dev.	Signed maintenance agreement before approval of final plat for developments with private structures in the urbanized areas	Completed	Signed maintenance agreement before approval of final plat for developments with private structures in the urbanized areas
5-9	LID Principles in Designs for New County Facilities	DPW	No activity scheduled for year 3	Not applicable	No activity scheduled in year 4

\*Table 3 is the same as Table 5 in the Annual Report Compliance Summary.



### **3.2.1 Vision 2040 Regional Plan (BMP5-1)**

Vision 2040 is a Regional Comprehensive Plan that is being developed jointly by Doña Ana County and the City of Las Cruces with their consultant Peter J. Smith & Company, Inc. Vision 2040 will result in policy recommendations intended to guide development in the region. This BMP tracks the County's involvement in Vision 2040. Through its involvement, the County intends to influence the final plan to include recommendations that will have a positive effect on water quality. Current information on Vision 2040 is available at <http://vision2040.las-cruces.org/>.

Representatives of the County attended the following Vision 2040 activities last year:

- Advisory Committee Meeting, October 19, 2009;
- Joint Work Session with the City of Las Cruces, January 14, 2010;
- Joint Work Session with the City of Las Cruces, April 15, 2010; and
- Advisory Committee Meeting, June 10, 2010.

Henry Corneles, the County's point of contact for its SWMP, is the Chair of the Las Cruces Metropolitan Planning Organization (MPO) Technical Advisory Committee. In this capacity, he provides input to and participates in review and approval of Vision 2040 documents. Vision 2040 documents were on the agenda for at least six of the MPO Technical Advisory Committee meetings last year.

On May 25, 2010, the Board of County Commissioners endorsed by Resolution No. 2010-47 the Preliminary Vision Statement for the Vision 2040 Regional Plan. A copy of the resolution and statement is included in Appendix E. One of the principles listed in support of the preliminary vision statement is: "*We respect our mountains, desert environment and river.*"

Doña Ana County will continue its participation in the Vision 2040 Regional Plan during the next year.

### **3.2.2 Evaluation of Existing Ordinances (BMP5-2)**

After the Vision 2040 Regional Plan is finished, the County will review its planning, zoning, and development ordinances to identify needed changes based on the Vision 2040 recommendations. The changes to the ordinances will address post-construction BMPs based on the recommendations and community priorities in Vision 2040. This activity is not scheduled to start until year 5.

### **3.2.3 LID Information on Webpage (BMP5-3)**

The County developed a storm water webpage in May 2009 (BMP1-3). The goal of BMP5-3 is to include information on the County's webpage about Low Impact Development (LID) and to include a link to EPA's LID webpage. These activities, scheduled for permit year four, were completed one year ahead of schedule. A copy of the information on the webpage is in Appendix E. During permit year four, the County will maintain the LID information and track the number of "hits" on the webpage.



### **3.2.4 LID Education (BMP5-4)**

No activity was scheduled for this BMP last year. The County moved the BMP forward in the schedule when the City of Las Cruces asked the County to participate in a regional Green Infrastructure Conference. The County became a Gold Level sponsor for the conference by committing \$1000 in support. A copy of the conference registration information with the County listed as a sponsor is in Appendix E.

The Green Infrastructure Conference is scheduled for August 26, 2010. County staff will attend the conference and participate in a 90 minute panel discussion about GI/LID and Local Governments.

### **3.2.5 Post-Construction BMP Training for Plan Reviewers (BMP5-5)**

For this BMP, plan reviewers were scheduled to be trained in post-construction storm water controls last year. On June 7, 2010, the County's plan reviewers attended construction SWPPP training (BMP4-4). A module of the training was dedicated to the water quality function and importance of post-construction storm water controls.

This BMP is completed. There are no further activities scheduled; however, the County will take advantage of future opportunities, as they become available, to educate plan reviewers about post-construction BMPs.

### **3.2.6 Plan Review for Compliance with Development Design Standards (BMP5-6)**

The purpose of this BMP is to ensure that post-construction storm water controls are included in development plans as required by Doña Ana County Ordinance No. 236.08 Development Design Standards. No activities were scheduled for last year. Starting with the next permit year, the County's plans reviewers will verify that developments within the urbanized areas include post-construction controls for water quality. The County will track the number and types of controls being used.

### **3.2.7 Construction Inspection for Compliance with Development Plans (BMP5-7)**

Related to the proceeding BMP, no activity was scheduled for this BMP last year. Starting next year, the County's development inspectors will start inspecting to ensure that the post-construction controls approved by the reviewers (BMP5-6) are constructed according to the approved plans. The County will track the number of these inspections made within the urbanized areas and any enforcement actions taken as a result of the inspections.

### **3.2.8 Maintenance Agreement for Private Drainage Structures (BMP5-8)**

To ensure that development plans address the long-term impacts of development on storm water runoff, the County will require maintenance agreements for developments with private ponds and other drainage structures within the urbanized areas of the County. In permit year three, two such maintenance agreements were signed. The owner Anthony Apartments on 4<sup>th</sup> Street signed an agreement to maintain the sediment



pond that collects its storm water runoff. The second agreement was signed by the owner of Desert Shadows Phase 5, who agreed to maintain the drainage channel on its property.

### **3.2.9 LID Principles in Designs for New County Facilities (BMP5-9)**

No activity is scheduled for this BMP in permit years three and four. In permit year five, the County will include a clause in professional services contracts that requires architects and engineers to evaluate the feasibility of LID features when designing County facilities. A list will be maintained of LID features as they are implemented in designs for new County facilities.

## **4.0 ANALYSIS OF MONITORING DATA**

### **4.1 CONSTRUCTION SITE STORM WATER RUNOFF CONTROL**

The Monitoring/Assessment Plan for construction site storm water runoff control did not schedule any monitoring data to be collected during the past year. In addition, the County was not scheduled to begin collecting data for this MCM until the fifth permit year. The reason for waiting until the fifth year was to allow for adoption of an ordinance in the fourth permit year. Since the ordinance was adopted ahead of schedule (BMP4-3), the County will begin monitoring of this MCM ahead of schedule. Starting July 1, 2010, the County will collect the following data:

- Number of active construction sites in urbanized areas based on NOIs received;
- Number of County inspections for SWPPP compliance; and
- Number of the above inspections that result in an enforcement action.

The County will then determine the percentage of inspections that result in an enforcement action.

### **4.2 POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT**

The Monitoring/Assessment Plan for post-construction storm water management did not schedule any monitoring data to be collected during the past year. Starting July 1, 2010, the County is scheduled to initiate the following data collection to monitor the effectiveness of the post-construction component of its SWMP:

- Number of development plans reviewed;
- Number of the above plans that include a post-construction BMP that will improve water quality; and
- Total number and location of post-construction BMPs installed in the urbanized areas.

## **5.0 INSPECTION AND ENFORCEMENT ACTIONS**

Construction site inspections (BMP4-7), and thus enforcement, were not scheduled for last year, since the County did not have an ordinance that authorized SWPPP inspection and enforcement. With the adoption of the new Storm Water Management Ordinance (BMP4-3), the



County will initiate inspections and enforcements. The numbers of inspections and types of enforcement actions will be reported in the next annual report.

Inspections for compliance with development plans that include post-construction BMPs (BMP5-7) are also scheduled to start next year. The numbers of inspections and types of enforcement actions will be reported in the next annual report.

**DOÑA ANA COUNTY**  
**NPDES SMALL MS4 ANNUAL REPORT**  
**SEPTEMBER 2010**



**NPDES TRACKING NO. NMR04L003**  
**JULY 1, 2009 – JUNE 30, 2010**

**POLLUTION PREVENTION/GOOD HOUSEKEEPING**  
**FOR MUNICIPAL OPERATIONS (MCM #6)**





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## 1.0 INTRODUCTION

Doña Ana County is authorized by the NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer System (MS4) to discharge storm water from its MS4 in the Las Cruces and El Paso Urbanized Areas. The authorization is dependent on the County complying with the conditions of the permit. Part 5.8 of the General Permit for Small MS4s requires the County to submit an annual report to the EPA.

This document reports on the County's progress towards meeting the goals of the last Minimum Control Measure (MCM) required by the permit: **Pollution Prevention/Good Housekeeping for Municipal Operations**. The entire report consists of the following documents placed on compact disks (CDs) for submission to the EPA:

- Report certification
- CD #1 – Compliance Summary
- CD #2 – Public Education and Outreach and Public Involvement/Participation
- CD #3 – Illicit Discharge Detection and Elimination
- CD #4 – Construction Site Storm Water Runoff Control and Post-Construction Storm Water Management in New and Redevelopment
- CD #5 – Pollution Prevention/Good Housekeeping for Municipal Operations
- CD #6 – Appendices

## 2.0 MS4 INFORMATION

The following information is provided for EPA's tracking purposes.

NPDES Tracking No.:	NMR04L003
MS4 Permittee Name:	Doña Ana County
Address:	845 N. Motel Blvd, Las Cruces, NM 88007
Point of Contact:	Henry K. Corneles, PE, Engineer Supervisor
Phone Number:	575-525-6162
Fax Number:	575-525-6179
E-mail:	henryco@donaanacounty.org

## 3.0 ASSESSMENT OF BEST MANAGEMENT PRACTICES

During the past year, the County's most significant accomplishments in pollution prevention and good housekeeping for municipal operations were:

- Removing 15 tons of trash and debris from the MS4 by culvert maintenance;
- Developing a SWPPP for the vehicle maintenance facility ahead of schedule; and
- Purchasing over \$101,000 of equipment for the programs operations.

Table 1 summarizes the status of the County's BMPs for pollution prevention and good housekeeping for municipal operations. It is followed by subsections that describe the status of each BMP in greater detail.



**Table 1\*. Pollution Prevention/Good Housekeeping for Municipal Operations**

<b>BMP NO.</b>	<b>BMP DESCRIPTION</b>	<b>RESPONSIBLE DEPARTMENT</b>	<b>MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)</b>	<b>PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)</b>
6-1	Roadway Cleaning	DPW	Track lane miles swept within urbanized areas and amount of debris collected	Completed	Track lane miles swept within urbanized areas and amount of debris collected
6-2	Road Culvert Maintenance	DPW	Track number of culverts inspected in urbanized areas and amount of debris collected	Completed	Track number of culverts inspected in urbanized areas and amount of debris collected
6-3	Storm Inlet/Outlet Maintenance	DPW	Track number of inlet/outlet structures inspected within the urbanized areas and amount of debris removed	Completed	Track number of inlet/outlet structures inspected within the urbanized areas and amount of debris removed
6-4	Storm Drain Pipe Maintenance	DPW	Track linear feet of pipes inspected and cleaned within the urbanized areas and amount of debris removed	Completed	Track linear feet of pipes inspected and cleaned within the urbanized areas and amount of debris removed
6-5	Waste Management	DPW	No activity scheduled for year 3	Not applicable	No activity scheduled for year 4
6-6	Licensing of County Applicators	DPW	No activity scheduled for year 3	Not applicable	License/certify all County applicators
6-7	Xeriscaping	DPW	Where appropriate, new or replacement landscaping at County facilities is native and adapted plants	Completed	Where appropriate, new or replacement landscaping at County facilities is native and adapted plants
6-8	Trash Pick-up at Park Facilities	DPW	Maintain regular trash collection, and track the volume collected	Completed	Maintain regular trash collection, and track the volume collected
6-9	Spill Cleanup Kits	DPW	Maintain spill cleanup kit in each County maintenance facility	Completed	Maintain spill cleanup kit in each County maintenance facility
6-10	Drip Pan Usage	DPW	Daily inspection and use of drip pans under vehicles awaiting repair at maintenance facilities	Completed	Daily inspection and use of drip pans under vehicles awaiting repair at maintenance facilities



BMP NO.	BMP DESCRIPTION	RESPONSIBLE DEPARTMENT	MEASURABLE GOALS PERMIT YEAR 3 (2009 - 2010)	PROGRESS ON GOALS PERMIT YEAR 3 (2009 - 2010)	PLANNED ACTIVITIES PERMIT YEAR 4 (2010 - 2011)
6-11	Good Housekeeping for Vehicle Maint. Facilities	DPW	No activity scheduled for year 3	Ahead of schedule: SWPPP developed for vehicle maintenance facilities	Revise SWPPP as needed based on results of BMP6-12
6-12	Inspection of Vehicle Maint. Facilities	DPW	No activity scheduled for year 3	Not applicable	Develop an inspection form, and perform quarterly inspections of the vehicle maintenance facilities
6-13	Minimization of Material Exposure	DPW	Maintain an inventory of County materials stored outside	Delayed	Develop and maintain an inventory of County materials stored outside
6-14	Good Housekeeping for County Operations	DPW	No activity scheduled for year 3	Not applicable	Prepare and implement written good housekeeping procedures for materials stored outside
6-15	Storm Water Pollution Prevention Training	DPW, Utilities, Comm. Dev., and Sheriff's office	No activity scheduled for year 3	Not applicable	Train all employees who work outside
6-16	Facility BMP Training	DPW and Utilities	No activity scheduled for year 3	Not applicable	Maintain a training log-in sheet showing that employees who are responsible for implementing BMPs are trained annually
6-17	SWPPPs for County Projects	DPW and Utilities	Develop, implement, and inspect SWPPPs for County construction projects covered by the CGP	Completed	Develop, implement, and inspect SWPPPs for County projects covered by the CGP
6-18	Water Quality Criteria for County Flood Control and Drainage Projects	DPW	No activity scheduled for year 3	Not applicable	Include requirement in engineering services contracts to do a downstream assessment for erosion potential and evaluate water quality improvements before design reaches 50%

\*Table 1 is the same as Table 6 in the Annual Report Compliance Summary.



### **3.1 Roadway Cleaning (BMP6-1)**

County roads are swept regularly to minimize the amount of trash and loose debris that could potentially be transported by storm water into storm drains. In permit year three, approximately 150 lane miles of roads were swept. The amount of debris collected during the past year was not tracked. The County will continue to sweep roads in permit year four and begin tracking the amount of debris collected.

### **3.2 Road Culvert Maintenance (BMP6-2)**

Keeping road culverts clear of trash and debris reduces the amount of trash and debris that is washed into receiving water with storm water. The County inspected approximately 300 culverts in the past year. Fifteen tons of debris were removed from the culverts. In permit year four, the County will continue to inspect road culverts within the urbanized areas and track the amount of debris that is removed.

### **3.3 Storm Inlet/Outlet Maintenance (BMP6-3)**

Proper maintenance of storm inlets and outlets also provides an opportunity to remove pollutants from the MS4. The County inspected 600 drainage inlets and outlets in the past year. The amount of debris removed from these structures was not tracked during permit year three. In permit year four, the County will continue to inspect and maintain the storm inlets and outlets and will begin to track the amount of debris removed from the structures.

### **3.4 Storm Drain Pipe Maintenance (BMP6-4)**

In permit year three, the County cleaned approximately one thousand linear feet of storm drain pipe within the urbanized area. The amount of debris removed from these pipes was not tracked. Beginning in permit year four, the County will track the amount of debris removed as the storm drain pipes are cleaned.

### **3.5 Waste Management (BMP6-5)**

The goal of this BMP is to ensure that the material removed from the MS4 by BMPs 6-1 through 6-4 is managed and disposed of in a manner that minimizes the potential for it to discharge pollutants back into the MS4. No activities are scheduled for this BMP in permit years three or four. In the fifth permit year, the County is scheduled to develop written Standard Operating Procedures for storage, hauling and disposal of sediment and debris removed from the streets and drainage system.

### **3.6 Licensing of County Applicators (BMP6-6)**

Proper application of pesticides and herbicides will minimize the pollutants that could potentially enter storm water runoff from these operations. This BMP is intended to ensure that County employees applying a pesticide or herbicide to County property are properly trained. Obtaining an applicator's license or certification will be used as evidence of the proper training.



No activity was scheduled for this BMP last year. Beginning in the fourth permit year, the County will maintain documentation showing that employees have the appropriate license or certification.

### **3.7 Xeriscaping (BMP6-7)**

Native and adapted plants require less water, pesticides, and fertilizers, which reduces the amount of pollutants that could potentially enter storm water runoff from landscaping. Where appropriate, the County will use native or adapted plants in new or replacement landscaping. No landscaping projects were undertaken by the County in the third permit year. The County will look for opportunities in the future to landscape with native and adapted plants.

### **3.8 Trash Pick-up at Park Facilities (BMP6-8)**

Keeping the County's parks free of litter and debris reduces the amount of floatables that could potentially enter storm water. During the third permit year, trash was collected from the County's parks twice a week. Approximately 16 tons of trash were collected and taken to the South Central Solid Waste Authority Transfer Station. Weight tickets for each load are maintained at the County's Parks Department office. Regular trash collection based on park usage will continue at the County's parks for permit years four and five.

### **3.9 Spill Cleanup Kits (BMP6-9)**

Availability and proper use of spill cleanup kits reduce the amount of pollutants that could potentially enter storm water runoff at County maintenance facilities. In permit year three, the County had one spill cleanup kit in its vehicle maintenance facility. The County identified the need for more spill kits last year, but they had to delay the purchase until the new fiscal year on July 1, 2010 due to budget constraints. The spill kits were purchased July 21, 2010. A copy of the receipt for this purchase is in Appendix F. The County is also considering the purchase of an oil vacuum during permit year four.

### **3.10 Drip Pan Usage (BMP6-10)**

Leaking vehicles awaiting repair at the County's vehicle maintenance facility are a potential source of storm water pollutants. The vehicles are inspected daily to determine if they are leaking. When evidence of leaks is found, drip pans are placed under the vehicles.

As with BMP6-9, budget issues delayed the purchase of additional drip pans. On July 16, 2010, the County purchased three large (five-gallon) drain pans and one small (fifteen-quart) drain pan. As needed, these pans are placed under leaking vehicles. Copies of receipts for the purchase of these drain pans are in Appendix F. The County will continue its practice of daily inspections for leaking vehicles and the use of drip pans at its vehicle maintenance facility in permit years four and five.



### **3.11 Good Housekeeping for Vehicle Maintenance Facilities (BMP6-11)**

Although no activity was scheduled for this BMP in the past year, the County acted ahead of schedule. The Fleet Department developed a Storm Water Pollution Prevention Plan for its vehicle maintenance facility. A copy of this document is in Appendix F. No other activities are scheduled for this BMP during permit years four or five. The Fleet Department's plan will be revised as needed in future years based on results of the inspections in BMP6-12.

### **3.12 Inspection of Vehicle Maintenance Facilities (BMP6-12)**

No activity was scheduled for this BMP in permit year three. The BMP was not scheduled to be implemented until permit year five. However, since BMP6-11 was completed ahead of schedule, implementation of BMP6-12 will be advanced to the fourth permit year. The County will develop an inspection form to quarterly inspect the vehicle maintenance facility. The purpose of the inspections will be to check for potential storm water pollutants and ensure compliance with the SWPPP that was developed for BMP6-11.

### **3.13 Minimization of Material Exposure (BMP6-13)**

The intent of this BMP was to develop an inventory of the County's materials that are stored outside, so good housekeeping procedures could be developed (BMP6-14). Because there were no activities scheduled for BMP6-14 until permit year four, the County delayed the completion of this BMP until next permit year.

### **3.14 Good Housekeeping for County Operations (BMP6-14)**

Materials stored outside can contribute pollutants to storm water pollution. Good housekeeping procedures are intended to reduce the amount of pollutants that enter storm water from material storage areas. No activity was scheduled for this BMP in permit year three. In permit year four, the County will prepare and implement written good housekeeping procedures for materials stored outside. Particular attention will be given to good housekeeping procedures for sand and salt storage areas.

### **3.15 Storm Water Pollution Prevention Training (BMP6-15)**

Employees who work outside have the potential to generate storm water pollution as they perform daily tasks. The goal of this BMP is to make employees aware of how their activities can contribute to storm water pollution. The training will also encourage them to make changes to help reduce the amount of pollutants exposed to storm water.

No activity was scheduled for this BMP in permit year three. Beginning in permit year four, the County will present general storm water pollution prevention training to all employees who work outside. Training will be provided annually.



### **3.16 Facility BMP Training (BMP6-16)**

No activity was scheduled for this BMP in permit year three. Beginning in permit year four, all employees who are responsible for implementing municipal operations BMPs will be trained annually. At a minimum, training will be held for the following:

- Employees who inspect, clean and maintain the MS4 infrastructure;
- Vehicle maintenance facility employees; and
- Employees who work in areas where materials are stored outside.

The County will maintain a training log-in sheet for each training event.

### **3.17 SWPPP for County Projects (BMP6-17)**

Implementing a SWPPP on County construction projects minimizes pollutant discharges from the construction activities and ensures the County maintains compliance with the NPDES General Permit for Storm Water Discharges from Construction Activities. The County had two construction projects that disturbed one acre or more last year: East Berino Road Reconstruction and Chaparral Wastewater Collection System Phase 1B. A SWPPP was prepared for each of these projects. For the former, the County included the SWPPP in its solicitation documents. For the latter, the County required the Contractor to prepare the SWPPP. Copies of the electronic Notices of Intent are included in Appendix F as documentation of these projects.

### **3.18 Water Quality Criteria for County Flood Control and Drainage Projects (BMP6-18)**

The purpose of this BMP is to consider water quality impacts when the County designs new flood control and drainage projects. The BMP is scheduled to be implemented next year; therefore, the County has nothing to report for last year. Starting July 1, 2010, the County will include the following criteria in the scope of its engineering services contracts for design of flood control and drainage projects:

- Evaluate downstream flow conditions to ensure the project does not increase downstream erosion; and
- Evaluate the feasibility of incorporating design features to improve water quality.

The County will require that the above evaluations be performed before the project design is 50 percent completed.

### **3.19 Other Activities**

#### **3.19.1 Resource Acquisition**

Realizing the need for resources to implement and monitor the SWMP, the County made the following acquisitions last year:

- CBI Systems' MS4 Permit Manager Version 6.0 software;
- iWorQ asset management software;



- Skid loader with excavator attachment;
- Trailer for skid loader;
- Ford F-350 truck; and
- Three grate lifters and cases.

Receipts for the above purchases are in Appendix F. The total cost was approximately \$113,500. The new software and equipment are dedicated to the storm water program.

### **3.19.2 Storm Drain Filters**

In an effort to reduce the amount of trash and floatables entering the MS4, the County purchased ten boxes of coconut fiber filters to install on grated storm drain inlets. Technical information about the filters is in Appendix F. The fiber mats zip-tie onto inlet grates. The County will install and test these filters in the next permit year to determine their long-term feasibility as a BMP in their MS4 operations.

## **4.0 ANALYSIS OF MONITORING DATA**

The Monitoring/Assessment Plan for municipal operations did not schedule any monitoring data to be collected during the past year. Starting July 1, 2010, the County is scheduled to initiate the following data collection to monitor the effectiveness of the municipal operations component of its SWMP:

- Amount of material removed by cleaning of the MS4 in the urbanized areas;
- Number of employees applying a pesticide or herbicide to County property, and the percentage of those employees that have the appropriate applicator's license to do so;
- Number of sites where County material is stored outside, and the percentage of those sites where controls are in place to minimize exposure to storm water; and
- Number of County flood control and drainage projects designed, and the percentage that incorporate a permanent feature to provide post-construction control of storm water quality.