

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

PERMIT No: MN R 040000

**MINNESOTA POLLUTION CONTROL AGENCY
520 LAFAYETTE ROAD NORTH
ST. PAUL, MN 55155-4194**

June 1, 2006

**STORM WATER POLLUTION PREVENTION PROGRAM
FOR
THE CITY OF BLOOMINGTON, MINNESOTA**

PREPARED BY

**Scott M. Anderson, P.E., Civil Engineer
Steven W. Segar, P.E., Civil Engineer**

**City of Bloomington
Department of Public Works
Engineering Division
1700 West 98th Street
Bloomington, MN 55431
952-563-4870**

TABLE OF CONTENTS

i.	TABLE OF CONTENTS	
ii.	LIST OF TABLES, FIGURES, & APPENDICES	
I.	BACKGROUND.....	1
	CURRENT RULEMAKING.....	1
	MUNICIPAL SEPARATE STORM SEWER SYSTEM.....	2
	WHAT’S REQUIRED UNDER PHASE II.....	3
	REGULATORY FLEXIBILITY IN OBTAINING COVERAGE.....	3
II.	MS4 GENERAL PERMIT.....	9
III.	INTRODUCTION.....	43
	STORM WATER POLLUTION PREVENTION PROGRAM.....	43
	GOALS.....	43
	COVERAGE.....	44
	SECTION 303(d) TOTAL MAXIMUM DAILY LOAD (TMDL).....	46
	NONDEGRADATION FO SELECTED MS4S.....	47
IV.	NOTICE OF INTENT.....	51
	RECORD RETENTION/PUBLIC AVAILABILITY.....	51
	MODIFICATIONS.....	51
	ANNUAL REPORTING.....	51
	PUBLIC NOTICE.....	52
	APPLICATON.....	53
V.	ENVIRONMENT.....	63
	GUIDEPLAN PROCESS.....	63
VI.	EDUCATION PROGRAM.....	69
	PUBLIC EDUCATION/OUTREACH.....	69
	PUBLIC PARTICIPATION/INVOLVEMENT.....	71
	ILLICIT DISCHARGE DETECTION/ELIMINATION.....	72
	CONSTRUCTION SITE STORM WATER MANAGEMENT.....	73
	POST CONSTRUCTION STORM WATER MANAGEMENT.....	74
	POLLUTION PREVENTION/GOOD HOUSEKEEPING.....	76
	COORDINATION.....	76
	EDUCATION ACTIVITY IMPLEMENTATION PLAN.....	77
VII.	BEST MANAGEMENT PRACTICES.....	104
VIII.	BEST MANAGEMETN PRACTICES SUMMARY SHEETS.....	154

LIST OF TABLES, FIGURES, & APPENDICES

TABLES

TABLE I-1 – 2000 CENSUS MANDATORY MS4 LIST.....	6
TABLE VII-1 – BMP MASTER LIST.....	105

FIGURES

FIGURE I-1 – 2000 CENSUS URBAN AREA MAP.....	5
FIGURE III-1 – MPCA SPECIAL WATERS AND IMPAIRED WATERS SEARCH MAP.....	49
FIGURE III-2 – CITY OF BLOOMINGTON DWSMA MN-00007.....	50
FIGURE V-1 – CITY OF BLOOMINGTON ORGANIZATIONAL CHART.....	67
FIGURE V-2 – CITY OF BLOOMINGTON MS4.....	68

APPENDICES

APPENDIX A – GLOSSARY.....	191
APPENDIX B – ACRONYMS.....	197
APPENDIX C – REFERENCES.....	198

SECTION I BACKGROUND

BACKGROUND

In 1972 the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act) was amended by Congress to provide that the discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The 1987 amendments to the CWA added section 402(p) which established a framework for regulating storm water discharges under the NPDES Program. Subsequently, in 1990, the United States Environmental Protection Agency (EPA) promulgated regulations for permitting storm water discharges from industrial sites (including construction sites that disturb five acres or more) and from municipal separate storm sewer systems (MS4s) serving a population of 100,000 people or more. These regulations, known as the Phase I regulations, require operators of medium and large Municipal Separate Storm Sewer Systems (MS4s) to obtain storm water permits. On December 8, 1999, the EPA promulgated regulations known as Phase II, requiring permits for storm water discharges from Small MS4s and from construction sites disturbing between 1 and 5 acres. This General Permit regulates storm water discharges from the City of Bloomington's MS4.

On June 25, 2002, the Minnesota Pollution Control Agency (MPCA) issued the NPDES/SDS Phase II General Permit No. MNR040000 for small MS4s. The Permit was appealed to the Minnesota Court of Appeals by the Minnesota Center for Environmental Advocacy and subsequently the Court held that:

1. The Storm Water Pollution Prevention Program required under the Permit should be publicly noticed;
2. The Permit violated Minnesota nondegradation requirements; and
3. The MPCA should change the word "minimize" to "reduce" in the Permit.

On February 28, 2005, the MPCA issued a public notice of intent to issue the Permit with modifications to address the Minnesota Court of Appeals decision. The MPCA received numerous comments and made revisions to the modified permit language and requirements.

On February 28, 2006, the MPCA authorized issuance of the NPDES/SDS General Permit No. MNR040000 – issued March 3, 2006, effective June 1, 2006, expiring on May 31, 2011.

The City of Bloomington originally obtained coverage under Phase II of the NPDES/SDS General Permit No. MNR040000 on March 10, 2003 and submitted two ensuing annual reports in compliance with the Permit. The third annual report (for calendar year 2005) will be submitted by June 30, 2006 as directed by the MPCA.

CURRENT RULEMAKING

The Army Corps of Engineers and Environmental Protection Agency undertook an advance notice of proposed rulemaking (ANPRM) in order to obtain comment on issues associated with the scope of waters that are subject to the Clean Water Act (CWA) in

SECTION I BACKGROUND

light of the Supreme Court decision in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, 531 U.S. 159 (2001) (SWANCC).

This ANPRM sought input on the implications of the SWANCC decision for jurisdictional decisions under the CWA. The goal of the agencies is to develop proposed regulations that will further clarify what waters are subject to CWA jurisdiction and affording full protection to these waters. Responses to the ANPRM will be used to determine the issues to be addressed and substantive approach for a future proposed rulemaking addressing the scope of CWA jurisdiction.

Additionally, the United States Supreme Court is currently hearing two cases that could further affect or redefine jurisdiction of the CWA from the current broad scope of waters, including those that are non-navigable, to waters that are, have been, or could reasonably be made navigable in fact. Additional definitions or clarifications to definitions for “adjacent” waters and “tributary” waters are expected.

This Permit and Storm Water Pollution Prevention Program (SWPPP) for the City of Bloomington are designed to obtain coverage and maintain compliance as outlined in the General Permit issued by the Minnesota Pollution Control Agency. The Permit application and SWPPP are being submitted on a voluntary basis. Should future rulemaking or alterations to the jurisdiction of the Clean Water Act or this permit become evident, the City of Bloomington reserves the right to alter or discontinue this SWPPP as necessary.

MUNICIPAL SEPARATE STORM SEWER SYSTEM

A MS4 does not solely refer to municipally owned storm sewer systems, but rather is much broader and can refer to state departments of transportation, universities, local sewer districts, hospitals, military bases, prisons, or any other entity that owns a storm water conveyance system. An MS4 also is not limited to storm sewer pipes and inlets, but can include roads, gutters and ditches. The regulatory definition is described in 40 CFR 122.26(b)(16) and summarized below.

MS4 means a municipal separate storm sewer system, which is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curb and gutter, ditches, man-made channels, or storm drains):

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

SECTION I BACKGROUND

A small MS4 is defined as an MS4 that is not a permitted MS4 under the Phase I regulations located in an urbanized area as defined by the Bureau of the Census (unless waived by the NPDES permitting authority), and on a case by case basis those MS4s located outside of an urbanized area that the permitting authority designates.

The Bureau of the Census determines urbanized areas by applying a detailed set of published criteria to the latest decennial census data. In general, an urbanized area is a land area comprising one or more places – central places – and the adjacent densely settled surrounding area – urban fringe – that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile.

WHAT'S REQUIRED UNDER PHASE II

The Phase II Rules can be divided into three main components, each with distinct requirements:

1. Regulated small MS4s;
2. Small construction activity; and
3. Industrial activity.

This Permit and Storm Water Pollution Prevention Program (SWPPP) will cover only the regulated small MS4 owned by the City of Bloomington. The Permit requires that the MS4 operator implement programs and practices to control storm water runoff from the jurisdiction serviced by the MS4. Under this Permit, the operator should design its storm water management program to satisfy applicable CWA water quality requirements and technology standards. The program must include the development and implementation of best management practices (BMPs) and measurable goals for the following six minimum control measures:

1. Public education and outreach;
2. Public participation/involvement;
3. Illicit discharge detection and elimination;
4. Construction site runoff control;
5. Post-construction runoff control; and
6. Pollution prevention/good housekeeping for municipal operations.

The implementation of all best management practices and measurable goals for each minimum control measure shall be executed to the Maximum Extent Practicable (MEP).

MEP is the technology based standard established by Congress in CWA section 402(p)(3)(B)(iii) that municipal dischargers of storm water must meet. Technology based standards establish the level of pollutant reductions that discharges must achieve. MEP is generally a result of emphasizing pollution prevention and source control BMPs as the first lines of defense in combination with treatment methods where appropriate serving as additional lines of defense. The MEP approach is ever evolving, flexible and advancing.

SECTION I BACKGROUND

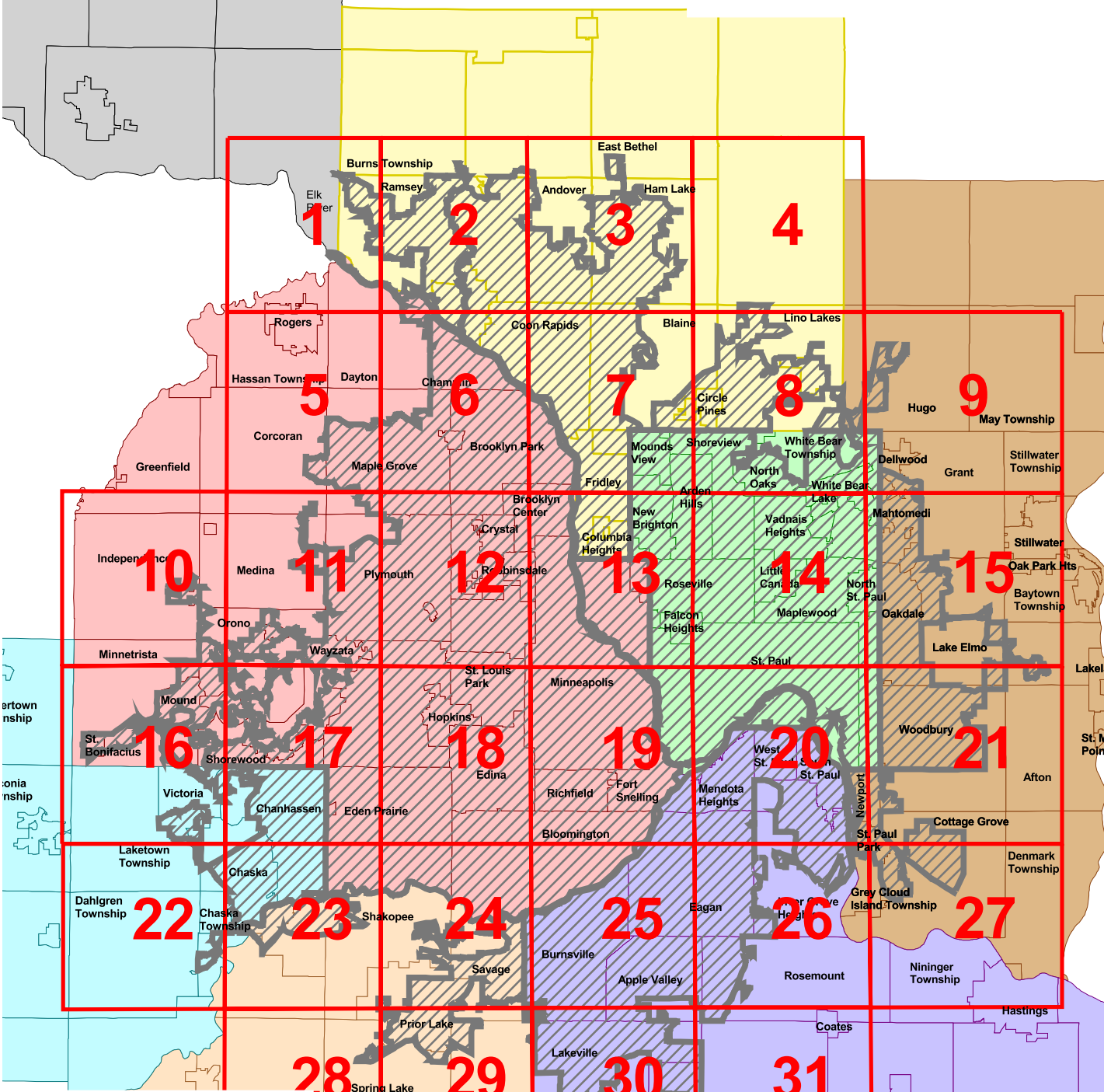
REGULATORY FLEXIBILITY IN OBTAINING COVERAGE

In promulgating the NPDES Phase II program, the EPA examined regulatory flexibility issues and intended to provide additional flexibility for small local governments. By doing this, the EPA include several programmatic options and potential waivers for small governments.

The Phase II rule allows for flexibility by providing various options for obtaining permit coverage and satisfying the required minimum control measures. The Minnesota Pollution Control Agency (MPCA), as the permitting authority, was allowed to create a general permit for small MS4's to obtain coverage. In addition, a regulated small MS4 can participate in the storm water management program of adjoining MS4's or other agencies or organizations to implement best management practices for each of the minimum control measures.

This permit and SWPPP specifically utilizes BMPs, activities, programs, and procedures managed by entities other than the City of Bloomington in addition to BMPs and activities managed by the City, to meet the permit requirements for each minimum control measure. These BMPs and responsible parties are listed in the BMP summary pages and individually on each BMP page in Section VII.

2000 Census Urban Area Minneapolis-St. Paul, MN



2000 Census Urban Areas

- 2000 Census Urban Areas
- Anoka County
- Carver County
- Dakota County
- Hennepin County
- Ramsey County
- Scott County
- Sherburne County
- Washington County

Data Sources
 2000 Urban Areas: US Census Bureau
 County Boundary: 2000 Census Bureau



Minnesota Pollution Control Agency
 July, 2002

List of Minnesota’s Mandatory Small MS4s

updated 12/13/05

Andover City MS4	Edina City MS4
Anoka City MS4	Elk River City MS4
Anoka County MS4	Empire Township MS4
Apple Valley City MS4	Excelsior City MS4
Arden Hills City MS4	Falcon Heights City MS4
Benton County Public Works MS4	Farmington City MS4
Birchwood Village City MS4	Fridley City MS4
Blaine City MS4	Gem Lake City MS4
Bloomington City MS4	Golden Valley City MS4
Brockway Township MS4	Grant City MS4
Brooklyn Center City MS4	Greenwood City MS4
Brooklyn Park City MS4	Ham Lake City MS4
Burns Township MS4	Haven Township MS4
Burnsville City MS4	Haverhill Township MS4
Carver City MS4	Hennepin County MS4
Carver County Government Center MS4	Hermantown City MS4
Cascade Township MS4	Hilltop City MS4
Centerville City MS4	Hopkins City MS4
Century College East Campus MS4	Houston County MS4
Champlin City MS4	Hugo City MS4
Chanassen City MS4	Independence City MS4
Chaska City MS4	Inver Grove Heights City MS4
Circle Pines City MS4	Jackson Township MS4
Clay County MS4	La Crescent City MS4
Columbia Heights City MS4	Lake Elmo City MS4
Coon Creek WSD MS4	Laketown Township MS4
Coon Rapids City MS4	Lakeville City MS4
Corcoran City MS4	Landfall City MS4
Cottage Grove City MS4	Lauderdale City MS4
Credit River Township MS4	Le Sauk Township MS4
Crystal City MS4	Lexington City MS4
Dakota County Soil/Water Conservation District	
Dayton City MS4	Lilydale City MS4
Deephaven City MS4	Lino Lakes City MS4
Dellwood City MS4	Little Canada City MS4
Dilworth City MS4	Long Lake City MS4
Duluth City MS4	Loretto City MS4
Duluth Township MS4	Louisville Township MS4
Eagan City MS4	Mn/DOT District #3 - Baxter/Brainerd - St. Cloud
East Bethel City MS4	Mn/DOT District #1 - Duluth
East Grand Forks City MS4	Mn/DOT District #2A - Bemidji
Eden Prairie City MS4	Mn/DOT District #4A/B - Detroit Lakes
	Mn/DOT District # 6A - Rochester

Mn/DOT Metro District	Red Lake Watershed District MS4
Mahtomedi City MS4	Rice Creek Watershed District MS4
Maple Grove City MS4	Rice Lake Township MS4
Maple Plain City MS4	Richfield City MS4
Maplewood City MS4	Riley Purgatory Bluff Creek WSD MS4
Marion Township MS4	Robbinsdale City MS4
Medicine Lake City MS4	Rochester City MS4
Medina City MS4	Rochester Township MS4
Mendota City MS4	Rosemount City MS4
Mendota Heights City MS4	Roseville City MS4
Midway Township MS4	Sartell City MS4
Minden Township MS4	Sauk Rapids City MS4
Minnehaha Creek Watershed District MS4	Sauk Rapids Township MS4
Minnesota Correctional - Lino Lakes MS4	Savage City MS4
Minnesota Correctional - St. Cloud	Scott County MS4
Minnesota State University Moorhead MS4	Shakopee City MS4
Minnetonka Beach City MS4	Sherburne County Govt Center MS4
Minnetonka City MS4	Shoreview City MS4
Minnetrista City MS4	Shorewood City MS4
Moorhead City MS4	South St Paul City MS4
Moorhead Township MS4	South Washington Watershed District MS4
Mound City MS4	Spring Lake Park City MS4
Mounds View City MS4	Spring Lake Township MS4
New Brighton City MS4	Spring Park City MS4
New Hope City MS4	Stearns County MS4
Newport City MS4	St Anthony Village MS4
Nine Mile Creek WSD MS4	St Bonifacius City MS4
North Oaks City MS4	St Cloud City MS4
North St. Paul City MS4	St Cloud State University MS4
Oak Grove City MS4	St Joseph City MS4
Oakdale City MS4	St. Joseph Township MS4
Oakport Township MS4	St Louis County MS4
Olmsted County MS4	St Louis Park City MS4
Orono City MS4	St Paul Park City MS4
Osseo City MS4	Sunfish Lake City MS4
Pine Springs City MS4	Tonka Bay City MS4
Plymouth City MS4	U of M - Duluth MS4
Polk County MS4	U of M -Twin Cities Campus MS4
Prior Lake City MS4	Vadnais Heights City MS4
Prior Lake-Spring Lake WSD MS4	Valley Branch Watershed District MS4
Proctor City MS4	Victoria City MS4
Ramsey - Washington Metro WSD MS4	Waite Park City MS4
Ramsey City MS4	Washington County Dept of Trans MS4
Ramsey County MS4	Watab Township MS4
Ramsey County Public Works MS4	Wayzata City MS4

West Lakeland Township MS4
West St Paul City MS4
White Bear Lake City MS4
White Bear Township MS4
Willernie City MS4
Woodbury City MS4
Woodland City MS4
Castle Rock Township
Grey Cloud Island Township
Arnold City
Lower Minnesota River Watershed District MS4
Capitol Region Watershed District MS4
Lower St. Croix Valley Watershed District MS4
Brown's Creek Watershed District MS4
Fort Snelling