

SECTION IV NOTICE OF INTENT

NOTICE OF INTENT

The City of Bloomington is the owner and operator of a regulated small municipal separate storm sewer system as designated in 40 CFR 122.32 and is required to obtain coverage under the NPDES permit by June 1, 2006. Coverage was originally obtained under Permit No. MN R 040000 on March 10, 2003.

The application for coverage is completed in accordance with the General Storm Water Permit MN R 040000 Application for Small Municipal Separate Storm Sewer Systems.

The application is to be submitted by June 1, 2006 to the Commissioner at:

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

RECORD RETENTION / PUBLIC AVAILABILITY

All records required by the NPDES permit will be maintained for a minimum of three years beyond the date of permit expiration. Records will be submitted to the Commissioner upon request.

All records required by the NPDES permit, including the Storm Water Pollution Prevention Program will be available to the public at reasonable times during regular business hours. Advance notice and charges may be involved for duplication of any record. Record availability may be limited by the confidentiality provision in 40 CFR 122.7.

MODIFICATIONS

Any modifications to the Storm Water Pollution Prevention Program will be done according to Part V.H. The Commissioner will be notified of any modification in the annual report for the year the modification is made.

ANNUAL REPORTING

An annual report will be submitted by June 30th of each year beginning in 2006. The annual report will summarize the status of compliance with permit conditions including:

1. An assessment of the appropriateness of identified BMPs and progress toward achieving the outlined measurable goals;
2. BMPs and activities planned during the next reporting cycle;
3. Any changes in BMPs or measurable goals; and
4. Notice of coordination with other entities to execute any BMPs or other permit obligations (if applicable).

SECTION IV NOTICE OF INTENT

The annual report will be submitted to the MPCA by June 30 of each year beginning in 2006 and continuing for the duration of the permit as required. Reports will be submitted to:

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

PUBLIC NOTICE

The City of Bloomington will comply with all applicable public notice requirements of Part II.C.3. of General Permit MN R 040000 requiring the Commissioner to provide public notice.

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

The Municipal Separate Storm Sewer System (MS4) Permit requires that you develop, implement and enforce a Stormwater Pollution Prevention Program (SWPPP) designed to reduce the discharge of pollutants from your small MS4 to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act to the Maximum Extent Practicable (MEP).

What the Application Means

Submission of this application is notice that you, as the owner and/or operator identified on the application, intend to comply with National Pollutant Discharge Elimination System (NPDES) Permit Number MN R 040000 (Permit). This Permit is issued for stormwater discharges associated with operation of a MS4 in the State of Minnesota. The application provides a certification to ensure that the owner/operator has completed the Permit application requirements—and accompanying SWPPP—and will comply with the terms of the MS4 Permit. (In Minnesota, the MPCA Permit application is equivalent to the United States Environmental Protection Agency Notice of Intent.)

Starting the Process

The general stormwater Permit for your MS4 is the start of a five-year process to develop and implement a plan to control, reduce and minimize the discharge of pollutants from your MS4. The Minnesota Pollution Control Agency (MPCA) requires that you implement Best Management Practices (BMP) including educational programs. During this five-year process, you will evaluate and receive public input on the BMPs to improve their effectiveness. The evaluation and input process will lead to more effective programs, which will ultimately result in improved water quality in the receiving waters.

Special Situations

If your MS4 discharges to a Prohibited Water, a Restricted Water, a Trout Water, Lake Trout Lake, a Scientific and Natural Area, or a Calcareous Fen, you must include a map outlining all outfalls to such waters. A mapping tool to locate these waters is available at the MPCA Web site at <http://www.pca.state.mn.us/water/stormwater/stormwater-ms4.html>. Refer to this map when you complete Section IV of the application.

Format of the Application

The application form is available in two formats: (1) a Microsoft Word document that can be filled out electronically or by hand; and (2) a PDF document. If you choose the Microsoft Word document, the necessary fields will expand automatically as you enter information without changing the format of the document. Additional pages can be added as necessary. If you choose to fill out the application by hand, please type or print clearly. Illegible or incomplete applications will be returned.

I. MS4 Information

(See Part I of the Permit Application)

A. Application Type

- Check the “New applicant” check box if your MS4 has no previous application for MS4 coverage on file at MPCA.
- Check the “Application for re-issuance of coverage” check box if your MS4 applied for coverage in 2003

B. MS4 Owner

- The MS4 owner can be a city, county, community, municipality, government agency, college or university, or another party/entity having ownership or operational responsibility, or control of the MS4.

- Provide the name and address of the MS4 owner or operator. Include the county in which the MS4 is located.
- Include your Federal and State Tax Identification numbers on the application. The MPCA is requesting this information to assist us in reducing duplicate records. Also, should the MPCA collect a future fee from MS4s, this will facilitate the fee process.

C. General Contact

- General contact is the person you want the MPCA to communicate with regarding Permit compliance issues. This person may be the same as the person with overall Stormwater Pollution Prevention Program (SWPPP) implementation responsibility or someone else assigned to this role. Generally, the contact person should be the owner’s representative in charge of stormwater Permit compliance for the MS4 (for example, Sandy Smith, Director of Public Works; Joe Johnson, Project Manager; etc.).
- Provide the street address, city, state, ZIP code, and telephone number, including area code, of the person with official status representing the owner of the MS4, or other entity, which has operational control of the MS4. For example, the owner is the city; the representative is the party the MPCA will contact regarding the SWPPP. Preferably, this person has overall coordination of the SWPPP’s operations. Include an e-mail address if available.

II. Certification of the Stormwater Pollution Prevention Program (SWPPP)

(See Part II of the Permit Application)

A. Stormwater Pollution Prevention Program (SWPPP)

- You must certify to the specific requirements of the Permit that pertain to Stormwater Pollution Prevention Programs (SWPPPs) by checking the appropriate box next to question.
- By checking the box “Yes,” you are certifying that you have developed a SWPPP; and that you will implement and enforce your SWPPP including the educational components, Best Management Practices (BMP) and measurable goals, within the five-year timeframe of the Permit. By not checking the box, you are certifying that you have not completed a SWPPP for your MS4. Under this circumstance, you are submitting an incomplete application and it will be returned.

B. Minimum Control Measure

- The Permit requires that you address all 6 of the defined Minimum Control Measures (MCMs) in your SWPPP. By checking the “yes” box, you are certifying that this has been done.

C. BMP Summary Sheets

- It is required that you attach a BMP Summary Sheet for each of the required BMP, as defined by the Permit. Checking the “Yes” box indicates that you have included all thirty-four (34) BMP Summary Sheets.
- You must use the numbering system established by the MPCA for numbering your BMP on the BMP Summary Sheets. Please see specific instructions for completing the BMP Summary Sheets for additional information.

III. Reporting and Record Keeping

(See Part III of the Permit Application)

A. Evaluating, Recordkeeping, and Reporting

- By checking the box “Yes,” you are certifying that you have read and understand Part VI of the MS4 Permit (Evaluating, Recordkeeping, and Reporting), and you intend to comply with the applicable requirements in addition to the Permit as a whole.

- You must include in your SWPPP the process for which you will maintain your records to remain in compliance with the requirements of the Permit.

B. Public Availability of the SWPPP

- It is required that you make your SWPPP available to the public for review. Indicate the exact location of the SWPPP, the hours that it is available, and who can be contacted to receive a copy of the SWPPP for review.
- Include electronic (Web) location of your SWPPP. The MPCA strongly encourages Web access to your SWPPP.

IV. Limitations of Coverage

(See Part IV of the Permit Application)

A. Limitations on Coverage and Appendix C

By checking the box “Yes,” you are certifying that you have read Part II of the MS4 Permit (Limitations on Coverage), and Appendix C and that you intend to comply with the applicable requirements of Part II and Appendix C.

B. Outstanding Resource Value Waters (ORVW)

If this MS4 is located on a Prohibited Water, a Restricted Water, a Trout Water, Lake Trout Lake, a Scientific and Natural Area, or a Calcareous Fen, a map was included with the Permit application. Use this map to complete this section of the application. Also, lists of Prohibited Waters, Restricted Waters, and Trout Waters, can be found in the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)*. The list of Prohibited Waters and Restricted Waters is found in Attachment 4. The list of Trout Waters is found in Attachment 2 (lakes) and Attachment 3 (streams). The guidance manual and associated attachments can be found on the MPCA’s Web site at www.pca.state.mn.us/water/stormwater/stormwater-ms4.html.

Wetlands are also discussed in Attachment 4 to the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)*.

Will your MS4 have the following discharges?

- 1. Discharges to Waters with Prohibited Discharges.** This Permit does not authorize new or expanded discharges to waters where the water quality standards prohibit new or expanded discharges as described in Minn. R. 7050.0180 subp. 3, 4, and 5. Any new or expanded discharges to these waters must be avoided.
- 2. Discharges to Waters with Restricted Discharges.** These waters must be listed on the application. The Permit requires steps to be taken over the life of the Permit such as a plan to address prudent and feasible alternatives to discharge, and the measures taken to ensure protection of the values that made these waters outstanding resources. See Part IX Appendix C Item B numbers 1-5 of the Permit for further information.

Identify all discharges to ORVWs from your MS4. You must fill in the table on the application with information pertaining to all ORVW discharges; include the name and type of each water body. If you do have any such discharges, you must also provide a map that outlines them. This map must, at a minimum, include the DNR minor sub-watersheds in your jurisdiction with any discharges to Prohibited or Restricted Waters. An interactive map is available on the MPCA website that identifies Special Waters:

<http://pca-gis04.pca.state.mn.us>.

C. Special Waters

- 1. Discharges to Trout Waters.** This Permit does not authorize new or expanded discharges to trout waters without additional requirements. At a minimum, you must make the determinations required by the Permit in Part IX, Appendix C, item C, numbers 1 and 2. You must document the rationale for your conclusions.

Best management practices must address how to avoid or minimize raising the temperature, as well as other impacts.

2. Discharges to Wetlands. This Permit does not authorize physical alterations, including new or expanded discharges to wetlands, if the alteration will have a significant adverse impact to the designated uses of a wetland. Any physical alteration to wetlands that will cause a potential for a significant adverse impact to a designated use must be mitigated as required in Minn. R. 7050.0186 and/or other applicable rules.

The mitigation process for wetlands is to avoid, minimize, and mitigate impacts to wetlands. This Permit expects the Permittee to follow this process and obtain applicable Permits.

3. Discharges Requiring Environmental Review. This Permit does not replace or satisfy any environmental review requirements, including those under the Minnesota Environmental Policy Act (MEPA) or the National Environmental Policy Act (NEPA). You must complete any environmental review required by law, including any required Environmental Assessment Work Sheets or Environmental Impact Statements, Federal environmental review, or another required review.

This Permit does not cover discharges that have not conducted the required environmental review. Discharges that have not conducted required reviews are discharges without a Permit. Environmental review includes Environmental Impact Statements, Environmental Assessment Work Sheets, or other environmental documents that are required to be completed before Permits can be issued. For the purpose of this Permit, a process may be an individual or position assigned to meet this requirement.

4. Discharges Affecting Endangered or Threatened Species. This Permit does not replace or satisfy any review requirements for endangered or threatened species, from new or expanded discharges whose direct, indirect, interrelated, interconnected, or independent impacts would jeopardize a listed endangered or threatened species or adversely modify a designated critical habitat. You must conduct any required review and coordinate with appropriate agencies for any project with the potential of affecting threatened or endangered species, or their critical habitat. Endangered species coordination must be conducted when required by law. This Permit does not cover any discharge where such coordination is required unless the coordination has been conducted. For the purpose of this Permit, a process may be an individual or position assigned to meet this requirement.

5. Discharges Affecting Historic Places or Archeological Sites. This Permit does not replace or satisfy any review requirements for historic places or archeological sites, from new or expanded discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. You must be in compliance with the National Historic Preservation Act and conduct all required review and coordination related to historic preservation, including significant anthropological sites and any burial sites, with the Minnesota Historic Preservation Officer. Where it is determined that historic or archeological coordination is required, the appropriate processes must be completed before this Permit can be in effect for those discharges. For the purpose of this Permit, a process may be an individual or position assigned to meet this requirement.

6. Discharges Affecting Source Water Protection Areas. Indicate if the MS4 has any discharges that may affect drinking water sources due to infiltration or surface water discharges.

V. Owner or Operator Certification

[\(See Part V of the Permit Application\)](#)

After completing this application, the person with overall authority for ensuring implementation of the Stormwater Pollution Prevention Program must sign the form. The signature can be from either a principal executive officer, (for example, mayor, designated public works director, president of the university, city or county engineer, administrator or manager), or a ranking elected official (mayor, manager, etc.). For additional

information on “signatures” and who is required to sign a Permit application form, please see Minn. R. 7001.0060.

Print or type the name of the individual signing the application. Include their title, and date of signature in the appropriate spaces. Include an e-mail address if available. If you have questions about the application or preparation of your SWPPP, please contact the MPCA’s Keith Cherryholmes at (651) 296-6945, Scott Fox at (651) 296-9433, or call the MPCA Customer Assistance Center toll-free at (800) 646-6247.



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

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

NO FEE

Application deadline: **June 1, 2006**

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

I. MS4 Information

A. Application Type

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

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

City of Bloomington

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

1800 West Old Shakopee Road

Mailing Address

Bloomington MN 55431

City State Zip Code

Hennepin

County

41-6004990 8020679

Federal Tax ID State Tax ID

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

Anderson Scott Sr Civil Eng

Last Name First Name Title

1800 West Old Shakopee Road

Mailing Address

Bloomington MN 55431

City State Zip Code

952-563-4867 smanderson@ci.bloomington.mn.us

Telephone (include area code) E-mail Address

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

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

III. Reporting and Recordkeeping

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

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

City of Bloomington Public Works

ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/waterres/mgmtplan/swppp/swppp.htm

Name of Location

If your SWPPP is available electronically, indicate location

1700 West 98th Street

Street Address

Bloomington

MN

55431

City

State

ZIP Code

Scott Anderson

952-563-4867

Contact Name

Contact Phone Number

7:30a.m.-4:30p.m. Monday-Friday

Hours of Availability

IV. Limitations of Coverage

A. Part II Limitations on Coverage and Appendix C

I have read and understand Part II *Coverage Under This Permit* and Appendix C *Limitations on Coverage* of the MS4 General Permit and certify that we intend to comply with the applicable requirements of those sections as well as the Permit as a whole.

Yes

B. Outstanding Resource Value Waters (ORVWs)

Please refer to the *Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4s)* to complete this section. An interactive map is available on the MPCA Web site that identifies Special Waters: <http://pca-gis04.pca.state.mn.us>

1. Prohibited Waters

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

Yes No

2. Restricted Discharge

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

Yes No

3. Prohibited or Restricted Waters

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

N/A Yes No

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

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

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

Name: N/A Position: N/A Phone: N/A

C. Special Waters

1. Trout Waters

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

Yes No

2. Wetlands

Does the MS4 discharge into **Wetlands** as defined in Minn. R. 7050.0130, subp. F?

Yes No

3. Environmental Review

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

Yes No

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

Name: Scott Anderson Position: Senior Civil Engineer Phone: 952-563-4867

4. Endangered or Threatened Species

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

Yes No

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

Name: Scott Anderson Position: Senior Civil Engineer Phone: 952-563-4867

5. Historic Places and Archeological Sites

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

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

Name: Scott Anderson Position: Senior Civil Engineer Phone: 952-563-4867

6. Drinking Water Sources

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

If "yes," does the MS4 have BMPs incorporated into the SWPPP to protect drinking water **N/A** Yes No sources that the MS4 discharge may affect?

V. Owner or Operator Certification

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

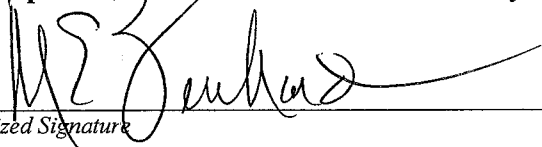
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons, who manage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

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

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

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

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

X  _____
Authorized Signature Date 06-01-06

Bernhardson Mark City Manager
Last Name First Name Title

1800 West Old Shakopee Road
Mailing Address

Bloomington MN 55431
City State ZIP Code

952-563-8784 mbernhardson@ci.bloomington..mn.us
Telephone (include area code) E-mail Address