

## City of Holladay SWMP Amendments Log

Rev#	Date	SOP/Program #	Revision Description	Why
1	04/02/20	ALL SOPs	Renumber SOPs & Table of Contents	To allow additional SOPs to be inserted between sections in future without having other sections renumbered.
2	04/02/20	Minimum Control Measures	Section 3.3.3 - Old: Inspect 20% of MS4 priority areas each year New: Inspect 100% of MS4 priority areas each year	Part of regulatory requirements effective February 26, 2020.
3	04/02/20	Minimum Control Measures	Section 3.3.4 - Old: Inspect 20% of MS4 outfalls each year New: Inspect 100% of MS4 outfalls once during the 5-year permit term	Part of regulatory requirements effective February 26, 2020.
4	04/02/20	2. Construction Site Storm Water Runoff Control	Renamed Section Old: Construction Site Run-Off Controls New: Construction Site Storm Water Runoff Control	To match description used by the Minimum Control Measures
5	04/02/20	2. Construction Site Run-Off Controls Section SOP - SWPPP (General)	Combined the two SOPs into one document Old: SOP - Pre-Construction, Pre-SWPP & SWPPP Review SOP - Site Inspections & Enforcement Response New: Pre-Construction, Pre-SWPP & SWPPP Review and Site Inspections & Enforcement Response	To eliminate duplicate information.
6	04/02/20	2. Construction Site Run-Off Controls Section SOP - Pre-Construction, Pre-SWPP & SWPPP Review and Site Inspections & Enforcement Response	Revised bulleted points in Purpose Section.	Part of regulatory requirements effective February 26, 2020.
7	04/02/20	3. Post Construction Stormwater Controls Section	Renamed Section Old: Post Construction Stormwater Controls New: Post-Construction Storm Water Management	To match description used by the Minimum Control Measures
8	04/02/20	4. Illicit Discharge Detection and Elimination (IDDE) Section SOP - IDDE (All)	Added: SOP - Oufall Inspections SOP - Priority Area Inspections SOP - Tracing Illicit Discharges SOP - Ceasing and Removing Illicit Discharges SOP - Employee Training on Identifying Illicit Discharges	To increase depth at the steps the City of Holladay will take for illicit discharges.
9	04/02/20	Appendix D: Illicit Discharge Detection Elimination Plan	New section is added as part of the City of Holladay Storm Water Management Program. Added as an appendix.	Section to describe City's approach and response to addressing illicit discharge.
10	04/02/20	Appendix A	Remove and Replace new UPDES Permit	State renewed MS4 Permit

Rev#1  
SOP - Table of Contents

# City of Holladay

## Standard Operating Procedures

### **Section 1 - Pollution Prevention and Good Housekeeping for Municipal Operations**

1. Buildings – Dumpsters/Garbage Storage/Trash Piles
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Rev#2 & #3  
Minimum Control Measures

**TABLE 3**  
**MCM 3 PROGRAMS - ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)**

ID	Program	Permit Part	Audience	Target Pollutant	Objective	Measurable Goal	Milestone Date	Description	Reasons for Selection	Person Responsible	Measure of Success	Documentation
3.1	Waterways Mapping	4.2.3.1 4.2.3.3.2 4.2.5.7 4.2.5.7.1 4.2.5.7.2	All Audiences	All pollutants	Update and maintain a current storm water facilities map	1) Map all outfalls	Mar-20	All outfalls will be located by 1) reviewing existing storm water system mapping, 2) walking along the receiving water body to identify any new unknown outfalls, and 3) updating map of outfalls using GIS.	Knowing the location of the storm water system and the type of development near them is the first step in protecting the storm water system and receiving water bodies from pollution sources.	City Engineer, GIS Technician	Update and maintain storm water system facilities map with latest revision date and status of mapping	GIS waterways map
						2) Map all city-owned or operated storm drains and stormwater conveyance structures	Dec-20	Map all city-owned or operated storm drains and stormwater conveyance structures information into the City's GIS mapping.				
3.2	City Ordinances	4.2.3.2 4.2.3.2.1	Engineers, Construction Contractors, Developers, Planners, and MS4 Personnel	All pollutants	Adopt ordinances that prohibiting non-storm water discharges into the MS4, including appropriate enforcement procedures and actions	Revise and adopt ordinances	Jan-20	Holladay has an ordinance in place which is Title 17, Storm Water Drainage and Flood Control Development. The City will review the existing storm water ordinance and other pertinent ordinances and make necessary revisions to conform to the permit requirements in order to effectively prohibit non-storm water discharges, require removal of such discharges, and implement appropriate enforcement procedures and actions.	Ordinance specifically for MS4 regulations is necessary to create and enforce the programs.	City Engineer, City Planner	Updated ordinances that conform with permit requirements	City ordinances
3.3	Storm Water Monitoring	4.2.3.3 4.2.3.3.1 4.2.3.3.2 4.2.3.4 4.2.3.5 4.2.3.5.1 4.2.3.6 4.2.3.6.1 4.2.3.7 4.2.3.10 5.3 5.4	MS4 Personnel	All non storm water discharges	Reduce storm water pollution by detecting and eliminating pollution sources	1) Develop and implement plan to detect and address non-storm water discharges	Dec-19	Holladay will prepare a plan to detect and address non-storm water discharges, including priority areas and IDDE SOPs. The SOPs will define procedures for tracing illicit discharges, removing illicit discharges, outfall inspections, priority area inspections, and employee training on identifying illicit discharges. Inspections and monitoring to be carried out.	The storm water monitoring program is necessary to maintain standard policies, procedures, and documentation to detect and illuminate pollution sources.	City Engineer, Stormwater Technician	Maintain an inventory of priority receiving waters and areas and inspection points	Stormwater Monitoring Plan
						2) Develop and implement IDDE SOPs	Dec-19					
						3) Inspect 100% of MS4 priority areas each year	Ongoing					
						4) Inspect 100% of MS4 outfalls once during the 5-year permit term						
						5) Track reported illicit discharges						
						6) Track illicit discharge investigations						
		SOPs	SOPs									
		Maintain a log of storm water monitoring	Illicit Discharge Inspections and Tracking									
		Maintain a log of inspected outfalls										
		Maintain a database for mapping, tracking number and type of spills or dumping, and inspections conducted of illicit discharge reports										
		Maintain a log of illicit discharge investigations										

ID	Program	Permit Part	Audience	Target Pollutant	Objective	Measurable Goal	Milestone Date	Description	Reasons for Selection	Person Responsible	Measure of Success	Documentation
3.4	Emergency Spill or Illegal Dumping	4.2.3.9 4.2.3.9.1 4.2.3.10 5.3 5.4	All Audiences	All non storm water discharges	Publicize hotline and implement online reporting of spills and other illicit discharges and respond to reports	1) Provide SLCo's Health Department Hotline for reporting illicit discharges on City's stormwater web page 2) Set up link to SLCo's Health Department for reporting illicit discharges online	Nov-19	Post the hotline number and email on Holladay's stormwater web page.	SLCo Public Health has the resources and expertise required for tracking and investigating emergency spills and illegal dumping.	Website Administrator	Maintain log of reporting calls and reports referred to the City.	Webpage with hotline number and link for online reporting
3.5	Household Hazardous Waste and Disposal	4.2.3.8	All Audiences	All non storm water discharges	Promote collection of household hazardous waste.	Provide information on City's stormwater page to direct residents to appropriate disposal facility for antifreeze, batteries, motor oil, and paint.	Nov-19	Holladay promotes the collection of household hazardous waste at Trans- Jordan Landfill and Salt Lake Valley Landfill. Other relevant drop off locations and event collection information will be provided.	Trans- Jordan Landfill and Salt Lake Valley Landfill are the landfills within the proximity of Holladay.	Website Administrator	Information for disposal facilities on the City's website	Webpage with referral information

Rev#4  
Construction Site Storm Water Runoff Control  
(renamed title each page)



## Construction Site Storm Water Runoff Control

### Chip Seal

### Standard Operating Procedure #40

#### PURPOSE:

To protect storm water by protecting storm water controls from chip seal pollutants entering the storm drain system.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Clean and dry areas where materials are to be applied.
  - b. Apply temporary covers to manholes and catch basins, as needed, to prevent oil and materials from getting inside of them.
  
3. Process:
  - a. Apply chip seal.
  
4. Clean-up:
  - a. All loose aggregate is removed from the roadway by sweeping it up (see SOP Street Sweeping).
  - b. Excessive asphalt applications and spills are removed with shovels and scraping tools.
  - c. Remove the temporary covers from manholes and catch basins. If it appears that any chip seal materials have entered the inlet boxes, remove the material according to the SOP for catch basin cleaning (See SOP Catch Basin Cleaning).
  - d. Properly dispose of, or recycle, any waste material that has been swept and scraped up by taking it to the landfill, or other designated location.



## Construction Site Storm Water Runoff Control

### Crack Seal

### Standard Operating Procedure #41

#### PURPOSE:

To protect storm water by protecting storm water controls from crack seal pollutants entering the storm drain system.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Cover manholes, catch basins and valves, as needed, to prevent oil and materials from getting inside the structures or system.
  - b. Remove weeds from the road.
  - c. Ensure that surface is clean and dry.
  
3. Process:
  - a. Apply crack seal
  
4. Clean-up:
  - a. Use shovels and/or scrapers to remove excessive sealant application or spills and dispose of them properly.
  - b. Sweep all loose debris from the pavement and dispose of it in the local landfill.



## Construction Site Storm Water Runoff Control

### Curb/Pavement Markings

### Standard Operating Procedure #42

#### PURPOSE:

To protect storm water by properly storing, using, and disposing of paint and preparation materials. For public Right-of-Way curb/pavement markings, see Public Works, Operations Division SOPs.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. See SOP Painting.
  - b. Use water-based paints whenever possible.
  - c. Determine whether the wastes will be hazardous or not and designate the proper disposal of said wastes.
  - d. Determine locations of storm drain inlets and sewer inlets that may need to be protected.
  - e. Prepare surfaces to be painted without generating wastewater by scraping.
  - f. Thoroughly sweep up all paint scrapings and place them in the appropriate solid waste containers.
  - g. If paint stripping is needed, use a citrus-based paint remover whenever possible because it is less toxic than chemical strippers.
  - h. If wastewater will be generated, use curb, dyke, etc. around the activity to collect the filter and collect the debris.
  
3. Process:
  - a. Paint curb/pavement.
  - b. Prevent over-spraying of paints and/or excessive sandblasting.
  - c. Use drip pans and drop clothes in areas of mixing paints and painting.
  - d. Store latex paint rollers and brushes in air tight bags to be reused later.
  - e. Have available absorbent material and other BMP's ready for an accidental paint spill.
  
4. Clean-up:
  - a. Paint out brushes and rollers as much as possible. Squeeze excess paint from brushes and rollers back into the containers prior to cleaning them.
  - b. Pour excess paint from trays and buckets back into the paint can containers and wipe with cloth or paper towels. Dispose of the towels according to the recommendations on the paint being used.
  - c. Rinse water-based paint brushes in the sink after pre-cleaning. Never pour excess paint or wastewater from cleanup of paint in the storm drain.



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## **Construction Site Storm Water Runoff Control**

- d. Upon completion of the painting project, a five-gallon bucket of clean water is used to clean the paint sprayer until the water comes out clear. The mixture of sprayed water/paint is directed at a pile of waste material. The material is allowed to dry before it is taken to the landfill.



## Construction Site Storm Water Runoff Control

### Painting

### Standard Operating Procedure #43

#### PURPOSE:

To protect storm water by properly storing, using and disposing of paint and preparation materials.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Always:
  - a. Store waste paints, brushes, solvents, and rags in sealed containers.
  - b. Perform abrasive blasting and spray painting in accordance with regulations.
  - c. Properly clean, store, and dispose of paint and associated waste materials.
  - d. Train employees on Best Management Practices concerning painting activities, cleanup, and disposal.
  
3. Whenever Possible:
  - a. Replace solvent-based paint with less toxic paints such as latex or water-based paints.
  - b. Practice "source reduction" – buy only the paint that is needed.
  - c. Use up, donate or recycle unused paint. Dispose of unusable paint at the HHW facility.
  - d. Use drop cloths under any painting or preparation activity such as scraping or sandblasting.
  - e. Use techniques such as brushing and rolling to avoid overspray.
  - f. Use vacuum sanders to collect paint dust.
  - g. Perform abrasive blasting and spray painting in an enclosed or covered area that is safe for personnel.
  - h. If solvent is used to clean equipment, dispose of at the HHW facility.
  
4. Never:
  - a. Never dispose of paint or waste paint products into the storm drain system, a water body, or onto the ground.
  - b. Never dispose of paint or waste paint products into the garbage unless paint is dry, or there is no longer any paint in the can.
  - c. Never clean paint brushes or equipment outside.



## Construction Site Storm Water Runoff Control

### New/Replacement Concrete Work Standard Operating Procedure #44

#### PURPOSE:

To protect storm water from concrete construction activities and resulting waste products.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Store dry and wet materials under cover, away from drainage areas.
  - b. Remove any damaged concrete that may need to be replaced.
  - c. Prepare and compact sub-base.
  - d. Set forms and place any reinforcing steel that may be required.
  - e. Determine how much new concrete will be needed.
  - f. Locate or construct approved concrete washout facility.
  - g. Install inlet protection as needed.
  
3. Process:
  - a. Pour concrete
  
4. Clean-up:
  - a. Perform washout of concrete trucks and equipment in designated concrete washout areas only.
  - b. Ensure that cement and concrete dust from grinding activities is swept up and removed from the site.
  - c. Sweep dirt or debris from street and gutter and dispose of in appropriate solid waste facilities.



## Construction Site Storm Water Runoff Control

### Overlays and Patching

### Standard Operating Procedure #45

#### PURPOSE:

To protect storm water by utilizing proper techniques and controls during overlay and patching activities.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Check weather conditions and avoid working in rain or any precipitation.
  - b. Measure and mark locations of manholes and valves on the curb.
  - c. Manholes and catch basins are to be covered as needed to prevent oil and materials from getting inside the structures or system.
  - d. If milling is required, install inlet protection as needed.
  
3. Process:
  - a. Place asphalt
  
4. Clean-up:
  - a. Covering should be removed as soon as the threat of imported materials entering the system is reduced and prior to a storm event.
  - b. After pavement has cooled, sweep gutters to remove loose aggregate.



## Construction Site Storm Water Runoff Control

### Shouldering and Mowing

### Standard Operating Procedure #46

#### PURPOSE:

To prevent pollution of storm water from shouldering and mowing activities.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Locate all storm drain collection structures and inlets in the right-of-way.
  - b. Place import material as needed and perform grading to achieve proper drainage.
  - c. Mulch clippings to help reduce the amount of supplemental fertilizer required.
  - d. Install temporary catch basin protection as required.
  
3. Clean-up:
  - a. Clean any loose material off asphalt or gutter in order to prevent material from entering the storm drain.
  - b. Transport to and dispose of materials at approved facility.
  - c. Wash equipment in approved wash station.



## Construction Site Storm Water Runoff Control

### Slurry Seal

### Standard Operating Procedure #47

#### PURPOSE:

To prevent pollution of storm water from slurry sealing activities.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
2. Preparation:
  - a. Remove weeds from the roads. Sweep areas where materials are to be applied, and allow drying, if necessary.
  - b. Cover/protect catch basins, manholes, and valves as needed.
3. Process:
  - a. Apply materials in a smooth and uniform manner. Slurry material should not run onto adjacent pavement surface, curb and gutter or waterway.
4. Clean-up:
  - a. If loose aggregate is remaining in street or curb, sweep it up.
  - b. Ensure that excess emulsion materials are removed from the site and stored for later use in an area or container that is not exposed to the weather.
  - c. Remove covers/protection from catch basins, manholes and valves etc.



## Construction Site Storm Water Runoff Control

### Transporting Equipment

### Standard Operating Procedure #48

#### PURPOSE:

To prevent pollution of storm water by ensuring proper transporting methods.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Determine equipment needed for transport and method (trailer, truck bed) needed to transport equipment.
  - b. Conduct pre-trip inspection of equipment to ensure any loose material is removed, that there are no leaking fluids and all equipment is secure.
  - c. Make sure dirt and debris that may fall from equipment is removed before transport.
  
3. Process:
  - a. Load and secure equipment on trailer or truck.
  - b. Load and secure fuel containers for equipment usage.
  
4. Clean-up:
  - a. Store equipment and trailer in proper location.
  - b. If equipment needs to be washed, conduct cleaning according to manufacturer's SOP, and only in an approved area with a sanitary sewer connection.



## Construction Site Storm Water Runoff Control

### Transporting Soil and Gravel

### Standard Operating Procedure #49

#### PURPOSE:

To prevent pollution of storm water by ensuring proper transporting methods.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Utilize truck with proper containment of materials.
  - b. Dry out wet materials before transporting or use water tight truck bed.
  - c. Determine disposal site of excavated materials.
  - d. Determine the path of travel to and from disposal site.
  - e. Spray down dusty materials to minimize blowing.
  - f. Make sure you know and understand the SWPPP requirements of the site where work will be performed.
  - g. Determine the location where the truck and other equipment will be cleaned afterwards.
  - h. Check vehicle tailgate to make sure it seals and latches properly.
  
3. Process:
  - a. Load.
  - b. Check truck after loading for possible spillage.
  - c. Cover truck bed with a secured tarp before transporting.
  - d. Make sure not to overfill materials when loading trucks.
  - e. Transport in manner to eliminate spillage & tracking.
  - f. Utilize one route for transporting.
  - g. Use a stabilized construction entrance to access or leave the site where materials are being transported to/from.
  - h. Follow the SWPPP requirements for the specific site to/from which the materials are being hauled.
  
4. Clean-up:
  - a. Clean loading area.
  - b. Clean transporting route.
  - c. Use sweeper to clean up any materials tracked out on the roads from site.
  - d. Wash out truck and other equipment when needed in properly designated vehicle wash areas.

Rev#5  
Construction Site Runoff Controls Section  
SOP - SWPPP  
(combined two SOPs into one)

Rev#6  
Construction Site Runoff Controls Section  
SOP - Pre-construction, Pre-SWPPP Review and Site  
Inspections & Enforcement Response



## Construction Site Storm Water Runoff Control

### Pre-Construction, Pre-SWPPP & SWPPP Review and Site Inspections & Enforcement Response Standard Operating Procedure #50

#### PURPOSE:

Outline the procedures and responsibilities for meeting the construction sediment and erosion control requirements in Holladay's storm water discharge permit for city personnel. The storm water permit requirements apply for construction activities that:

1. Any land disturbance activity greater than 100 square feet within 50 feet of a stream, creek or canal, measured from the disturbance limit to the edge of the normal water surface elevation;
2. Construction sites with a land disturbance of greater than or equal to one acre, including projects that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre.
3. Land disturbance on a steep slope of 70% (35 degrees) or more with an elevation change on the slope of 10 feet or more (at any point during the time of construction, not including stock piles).

#### PROCEDURE:

1. Permit Application
  - a. Owner must obtain a UPDES Storm Water General Permit for Construction Activities from the UDEQ. The UDEQ construction permit application and related guidance are on the UDEQ website at: [Storm Water Discharge Permit Associated with Construction Activities](#), Permit UTRC00000. Owner must have State Login and obtain online.
  - b. Owner must complete and submit a City of Holladay Building Permit Application to the City. The City permit application and related information are on the City's website at: [cityofholladay.com](http://cityofholladay.com). The application must be completed at city hall.
  - c. The application must designate the parties responsible for complying with the City requirements. The Owner will submit a signed copy of UDEQ NOI permit with Building Permit Application.
  - d. Owner must prepare and submit a SWPPP that includes site plans and construction details for proposed BMPs to be used for erosion and sediment control on the site during construction. The State of Utah Department of Environmental Quality construction permit application and SWPPP requirements are on the State of Utah DEQ website at: <http://www.deq.utah.gov/Permits/water/updes/stormwatercon.htm>. Applicant must have State Login and be obtained online.
2. SWPPP Review and Approval
  - a. City of Holladay (RSI or equivalent) shall review the SWPPP and associated information for compliance with the Jordan Valley Municipal MS4 permit UTS0000001 and City of Holladay standards and construction specifications by making a site visit during the planning application review process to evaluate the site and the proposed construction.
  - b. City of Holladay (RSI or equivalent) shall complete the pre-construction SWPPP review, which includes evaluation of the site design, the planned operation at the construction



## Construction Site Storm Water Runoff Control

site, planned BMP's during the construction phase, and the planned BMP's to be used to manage runoff created after development. Considerations for potential water quality impact shall be included in the review procedures; the use of LID and Green Infrastructure should be encouraged. Identify the priority construction sites (i.e. those which discharge directly into waters of the State), and implement the use of the SWPPP check list.

- c. The City's Registered Storm Water Inspector (RSI) or City Engineer shall inform the applicant in writing of any deficiencies in the SWPPP through the permit review process and ensure that the applicant responds to and addresses those deficiencies before the SWPPP is approved and any permits are issued for the construction.
  - d. The City Engineer, shall verify that the ownership and maintenance responsibilities for permanent (long-term) BMPs are understood by the owner. They shall be recorded against the property in a document required by city ordinance, known as a Long-Term Storm Water Management Agreement, as part of the subdivision or other required approval being recorded and prior to permits being issued for construction.
3. Permit approval and issuance
- a. Once the SWPPP is reviewed and meets the City's requirements, the City Engineer shall stamp & sign the SWPPP and Grading Plan for approval.
  - b. Administrative staff shall confirm approval using the current computer permit software (IWORQ) program, then collect the applicable fees, and issue the relevant City Permit.
4. Pre-Construction inspection: An inspection shall be held on-site after BMP's are observed and implemented, and prior to groundbreaking.
- a. Required Attendees
    - i. Owners Construction Inspector
    - ii. Owner/Applicant
    - iii. Owners Construction Supervisor and Foreman
    - iv. City Inspector, RSI
    - v. City Building Inspection Supervisor (if deemed necessary)
  - b. At the meeting, the owner shall provide evidence that the person responsible for supervising and inspecting installation and maintenance of BMPs for the duration of the project is a RSI (or equivalent) that has been trained in a program acceptable to the City.
  - c. At the meeting, the owner shall provide documentation that SWPPP has been approved by the City (to be maintained on site).
  - d. At the meeting, the owner shall provide copies of storm water permits for construction issued by the State of Utah DEQ and the City of Holladay (permits shall be maintained on site).
  - e. At the meeting, the City Storm water Inspector shall explain the storm water requirements which include but are not limited to:
    - i. Expectations and requirements for erosion and sediment control practices and Enforcement consequences in accordance with City of Holladay ordinances.



## Construction Site Storm Water Runoff Control

- ii. Assurance that the SWPPP shall remain an approved SWPPP. These assurances are contingent on the owner/operator updating the SWPPP to reflect any changes in the BMPs if those changes become necessary.
  - iii. Requirements for maintaining a storm water inspector on the project.
  - iv. Enforcement procedures for storm water violations.
  - v. Annual renewal requirements for the State of Utah and City of Holladay Storm Water Discharge Permit.
  - vi. The State of Utah inspection checklist that shall be used by City.
  - vii. Any additional documents that maybe required before the issuance of the City's permit (if the permit has not been issued), such as 404 permits, wetland or floodplain permits, etc.
  - viii. Requirements and forms for the transfer of ownership and Notice of Termination of permit.
5. Inspections
- a. The owner shall install and maintain all BMPs as specified in the approved SWPPP.
  - b. The owner shall inspect all BMPs every fourteen (14) days and immediately after any significant rainfall (0.5 or greater) and snowfall and snowmelt or as required by SWPPP.
  - c. The City's Storm Water Inspector will conduct compliance inspections as deemed necessary and shall report all corrective actions to the owner.
  - e. Enforcement actions will be taken if necessary, in accordance with City ordinances.
  - f. The City will respond to storm water related requests and complaints submitted by the public. The subsequent complaints are entered and tracked by the City and, if deemed necessary, will issue a notice for corrective action to the owner.
6. Change of Ownership/Transfer of Permit
- a. The Owner shall submit transfer of ownership forms to City of Holladay and the State of Utah DEQ when there is a change in ownership of the site or project.
  - b. The City Inspector shall insure that transfer of ownership application and Notice of Termination (NOT) forms are submitted by the Owner. He will sign the forms submitted, complete field inspections and report to the Construction Inspection Supervisor, findings of NOT inspection.
  - c. City of Holladay Inspector or Engineer shall record changes or project inactivation or Termination on the State of Utah DEQ Administration Access Storm Water Permits page.
7. Project Closeout
- a. The Owner shall submit NOT forms to the City of Holladay and UDEQ when the project is complete (95% Stabilized).
  - b. The Owner shall provide evidence that the NOT application has been submitted to UDEQ.



## **Construction Site Storm Water Runoff Control**

- c. The site project manager and City shall inspect the permanent BMPs and final stabilization prior to deactivation of the permits and before an occupancy permit is issued.
  - d. The City's Storm Water Inspector shall submit the NOT, verbal or written, to the City Engineer.
8. Violations and Enforcement
- a. The City's Storm Water Inspector shall notify the City Engineer in response to actual or potential waste or sediment discharges to the storm drain system.
  - b. The City shall issue NOVs, penalty assessments or take other actions per city ordinance or forward the violation to the City Attorney.

Rev#7  
Post Construction Stormwater Controls  
(renamed title)



## Post-Construction Storm Water Management

### Catch Basin Cleaning

### Standard Operating Procedure #60

#### PURPOSE:

To protect stormwater by maintaining the ability of catch basins to trap sediments, organic matter and litter. This reduces clogging in the storm drain system as well as the transport of sediments and pollutants into receiving water bodies.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Always inspect catch basins for evidence of illicit discharges. If gross contamination is present (sewage or oil) stop cleaning and report to supervisor for follow-up and Health Department at (801) 580-6681.
  - b. Remove accumulated trash and sediment from the grate.
  - c. Conduct visual inspection on outside of grate.
  - d. Conduct inside visual inspection to verify what needs to be cleaned.
  
3. Process:
  - a. Contact Facilities Manager if drain appears to be clogged or in need of service. Facilities Manager will give direction to follow the procedures below or arrange with Public Works to service the system.
  - b. Clean using a high-powered vacuum.
  - c. Use a high-pressure washer to break up any remaining material in the catch basin, while capturing the slurry with the vacuum. Sweep parking areas, as needed, or as directed.
  - d. After catch basin is clean, clean out any sediment that might have entered the pipe.
  - e. Systematically clean catch basins per maintenance plan.
  - f. If cleaning by hand (shovel etc.), stockpile and cover catch basin residuals on an impermeable surface until it can be properly disposed.
  - g. Dispose solids in a sealed waste container that will be transferred to a permitted, lined solid waste landfill or other solid waste treatment facility. Fluids collected during catch basin cleaning shall be discharged to a sanitary sewer, or buffered detention area.
  
4. Clean-up:
  - a. When the vacuum truck is full of sediment, take it to the designated location to dump all sediment out of truck and into a drying bed.



## **Post-Construction Storm Water Management**

5. Documentation:
  - a. Keep records of number of catch basins cleaned, date cleaned, where, and any other issues resolved.



## Post-Construction Storm Water Management

### Detention Pond Cleaning

### Standard Operating Procedure #61

#### PURPOSE:

To protect stormwater by removing trash and debris from detention ponds.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Schedule the pond cleaning work for a time when dry weather is expected.
  - b. Remove any sediment and trash from grates, placing it in a truck for disposal.
  - c. Conduct a visual inspection to make sure any grates, structures, manholes, boxes, and pipes are in good working order. Remove manhole covers and grates as necessary for inspecting.
  
3. Process:
  - a. Provide outlet protection where feasible to minimize the amount of debris that might leave basin during cleaning process.
  - b. Clean basin by using backhoe or front-end loader to remove debris and sediment from the bottom.
  - c. Continue cleaning structures and pond bottom as necessary by sweeping and shoveling.
  - d. Put all material removed from the pond into a dump truck.
  - e. Some structures may require use of a vacuum truck. If so, use the same procedures described for cleaning catch basins.
  
4. Clean-up:
  - a. After cleaning basins, clean off the concrete pads using dry methods (sweeping and shoveling).
  - b. Take the material that was removed to the landfill, or other designated area, for final disposal.



## Post-Construction Storm Water Management

### Mowing and Trimming

### Standard Operating Procedure #62

#### PURPOSE:

To protect stormwater by properly sweeping, cleaning, and disposing of grass clippings.

#### PROCEDURE:

1. Preparation:
  - a. Review the overall process with all employees.
  
2. Process:
  - a. Protect catch basins where applicable.
  - b. Use eye and hearing protection.
  - c. Mow and trim the lawn.
  - d. Sweep or blow clippings to grass areas.
  
3. Clean-up:
  - a. Wash equipment in approved wash station.



## Post-Construction Storm Water Management

### Ditch Management

### Standard Operating Procedure #63

#### PURPOSE:

To protect stormwater by removing trash and debris from ditches and canals.

#### PROCEDURE:

1. Preparation:
  - a. Monitor ditches and grates on a regular basis.
  - b. Maintain access to ditch channels wherever possible.
  
2. Process:
  - a. Identify areas requiring maintenance and determine responsible party/agency.
  - b. Determine method of maintenance that will be least damaging to the channel and adjacent properties or utilities.
  - c. Remove trash and debris
  
3. Clean-up:
  - a. Stabilize all disturbed soils.
  - b. Remove all tracking from paved surfaces near maintenance site, if applicable.
  - c. Haul all debris or sediment removed from area to approved dumping site.



## Post-Construction Storm Water Management

### Street Sweeping

### Standard Operating Procedure #64

#### PURPOSE:

To prevent pollution of stormwater by establishing effective street sweeping procedures.

#### PROCEDURE:

1. Review:
  - a. Review SOP with contractor prior to authorizing work.
  
2. Preparation:
  - a. Prioritize cleaning routes with the highest frequency usage and in areas with the highest pollutant loading.
  - b. Increase sweeping frequency just before the rainy season.
  - c. Perform preventative maintenance and services on sweepers to increase and maintain their efficiency.
  - d. Streets are to be swept as needed or specified by the City. Street maps will be used to ensure all streets are swept at a specified interval.
  
3. Process:
  - a. Drive street sweeper safely and pick up debris.
  - b. When full, take the sweeper to an approved street sweeper cleaning station.
  
4. Clean-up:
  - a. Street sweepers are to be cleaned in a manner that does not allow debris to enter the storm drain system.
  - b. Street sweeping cleaning stations will separate the solids from the liquids.
  - c. Once solids have dried, haul them to the local landfill.
  - d. Decant water is to be collected and routed to an approved wastewater collection system area only.
  - e. Haul all dumped material to the landfill.
  
5. Documentation:
  - a. Keep accurate logs to track streets swept and streets still requiring sweeping.
  - b. Log the amount of debris collected and hauled off.



## Post-Construction Storm Water Management

### Inspection Reporting Post Construction Private Stormwater BMP Standard Operating Procedure #65

#### PURPOSE:

Maintain log of post-construction maintenance and inspections of storm water facilities performed by owner of private residential, commercial, and industrial properties. Develop standard procedures for completing inspections of storm water facilities of private residential, commercial, and industrial properties to ensure that the Post-Construction Storm Water Maintenance Plan is followed and pollutants are contained and managed.

#### PROCEDURE:

1. Preparation:
  - a. Send letter to owner/manager of private residential, commercial, or industrial property to inform the individual of the scheduled inspection.
  - b. Bring copy of Post-Construction Maintenance Plan for quick referral.
  - c. Take any necessary equipment for measuring.
  - d. Be sure to have personal protection equipment.
2. Tracking of Post-Construction Maintenance and Inspection by owner:
  - a. Once the Maintenance Agreement is recorded and, the City will add information for the property (owner name and contact information) into IWORQ for tracking of the post-construction inspection and maintenance performed by the owner.
  - b. Manage IWORQ database to confirm that property owners are completing required maintenance and inspections
3. Process:
  - a. Evaluate the site and document inspection findings using the Post-Construction Inspection Form in IWORQ.
  - b. Communicate with owner/manager regarding any noncompliance items.
4. Enforcement Action:
  - a. Follow procedures in city ordinance for storm enforcement if needed.
5. Documentation:
  - a. Inspections and maintenance performed by owner are to be documented in IWORQ and inspections performed by the City are to be completed using IWORQ.

Rev#8  
Illicit Discharge Detection  
Elimination (IDDE) Section -  
Added SOPs



## Illicit Discharge Detection and Eliminations (IDDE)

### Outfall Inspections

### Standard Operating Procedure #80

#### PURPOSE:

This document will provide information needed for inspecting outfalls.

#### PROCEDURE:

1. Preparation:
  - a. Know the past and present weather conditions. Conduct inspections during dry weather periods.
  - b. Identify each outfall with a consistent and unique identifier. For example, "J1001".
  - c. Gather all necessary equipment including: personal protective equipment, tape measure, clear container, paper forms, flashlight, and camera.
  - d. Obtain maps showing outfall locations and identifiers.
  - e. Obtain outfall description and observations from previous inspections, such that the outfall can be accurately identified, and observations compared.
  
2. Process:
  - a. Perform an inspection of all outfalls every five years.
  - b. Use maps and previous inspection reports to confirm the outfall identity and location.
  - c. If dry weather flow is present at the outfall, then document and evaluate the discharge by completing the following steps:
    - i. Collect field samples for visual observations in a clean, clear container and in a manner that avoids stirring up sediment that might distort the observation.
    - ii. Characterize and record observations on basic sensory and physical indicators (e.g. outfall condition, flow, odor, color, oil sheen) on the Outfall Inspection Form.
    - iii. Compare observations to previous inspections.
    - iv. If the flow does not appear to be an obvious illicit discharge (e.g. flow is clear, odorless, etc.), attempt to identify the source of the flow (groundwater, intermittent stream, etc.).
  - d. If an illicit discharge (such as raw sewage, petroleum products, paint, etc.) is encountered or suspected, follow the procedure of SOP – Tracing Illicit Discharges.
  
3. Action:
  - a. Follow procedures identified in the following SOPs as needed:
    - i. SOP IDDE – Tracing Illicit Discharge
    - ii. SOP IDDE – Ceasing and Removing Illicit Discharge.
  
4. Documentation:
  - a. Outfall inspection is completed and stored in a network folder.



## Illicit Discharge Detection and Eliminations (IDDE)

### Priority Area Inspection

### Standard Operating Procedure #81

#### PURPOSE:

This document will provide information needed for identifying Priority Areas that are likely to have illicit discharges, and the subsequent inspection for, and elimination of those discharges that may affect water quality in receiving waters.

#### PROCEDURE:

1. Preparation:
  - A. Know the past and present weather conditions. Conduct inspections during dry weather periods.
  - B. Identify priority areas and document the basis for the selection of priority areas.
  - C. Identify each inspection point with a consistent and unique identifier. For example, "PA001".
  - D. Gather all necessary equipment including: personal protective equipment, tape measure, clear container, Priority Area Inspection Forms, flashlight, and camera.
  - E. Have maps available showing outfall locations and identifiers (GIS mapping).
  - F. Review inspection point description and observations from previous inspections so the inspection point can be accurately identified and observations compared.
  
2. Process:
  - A. Perform an inspection of all priority areas annually. Whenever possible, use the same personnel for consistency in observations.
  - B. Use maps and previous inspection reports to confirm the inspection point identity and location.
  - C. Set up traffic control as required.
  - D. Pull manhole lid or grate to perform inspection.
  - E. If dry weather flow is present at the inspection point, then document and evaluate the discharge by completing the following steps:
    - i. Collect a field sample for visual observation in a clean, clear container, and in a manner that avoids stirring up sediment that might distort the observation.
    - ii. Complete the Priority Area Inspection Form.
    - iii. Compare observations to previous inspections.
    - iv. If the flow does not appear to be an obvious illicit discharge (e.g., flow is clear, odorless, etc.), attempt to identify the source of the flow (groundwater, intermittent stream, irrigation, etc.)
    - v. Take photo of inspection point structure and collected sample in container (as needed) for inspection report.
    - vi. Save report in network folder.
  - F. If an illicit discharge (such as raw sewage, petroleum products, paint, etc.) is encountered or suspected, follow the procedure of SOP IDDE – Tracing Illicit Discharge.



## **Illicit Discharge Detection and Eliminations (IDDE)**

3. Actions:
  - A. Follow procedures identified in the following SOPs as needed:
    - i. SOP IDDE – Tracing Illicit Discharge
    - ii. SOP IDDE – Ceasing and Removing Illicit Discharge
  
4. Documentation:
  - A. Priority area inspection is completed in a network folder.



## Illicit Discharge Detection and Eliminations (IDDE)

### Tracing Illicit Discharges

### Standard Operating Procedure #82

#### PURPOSE:

This document will provide information needed for identifying the contaminating source of an illicit discharge.

1. Preparation:
  - a. Review/consider information collected when illicit discharge was initially identified and documented (see completed Outfall Inspection Form and Priority Area Inspection Form).
  - b. Review storm drain mapping for the area of the reported illicit discharge (see online GIS mapping).
  - c. Gather all necessary equipment including: personal protective equipment, tape measure, clear container, clipboard with necessary forms, flashlight, and camera.
2. Process:
  - a. Using best judgement, find source of discharge. CCTV, lab tests, and a search of business activities in the area may be necessary.
  - b. If the source is located, follow SOP IDDE – Removing Illicit Discharge.
  - c. If the source cannot be found, continue to monitor and inspect until source is located.
  - d. Record site specific investigation activities.
3. Action:
  - a. Follow procedures identified in SOP IDDE – Ceasing and Removing Illicit Discharge as needed.
  - b. Ideally, several people will be utilized for tracing the discharge in order to verify the source before the pollutant ceases to be observed.
4. Documentation:
  - a. Inspector will document tracing information in a network folder.



## Illicit Discharge Detection and Eliminations (IDDE)

### Ceasing and Removing Illicit Discharges

### Standard Operating Procedure #83

#### PURPOSE:

This document will provide information needed for ceasing, removal and notification of illicit discharges.

#### PROCEDURE:

1. Preparation:
  - a. Obtain available property ownership information for the source of the illicit discharge.
  - b. Acquire appropriate personal protective equipment (PPE).
  
2. Process:
  - a. Characterize the nature of, and the potential public or environmental threat posed by the illicit discharge and follow the Incident Response Flowchart found in the SOP - For Staff Receiving Calls for Incidents.
  - b. Determine who is financially responsible; and follow associated procedures as given below.
  - c. For Private Property Owner:
    - i. Contact owner
    - ii. Issue any enforcement procedures in accordance with City ordinance
    - iii. Determine schedule for removal
  - d. For Municipal Facility:
    - i. Notify appropriate municipal authority or department head
    - ii. Schedule removal
    - iii. Remove illicit connection
  - e. Suspend access to storm drain if threats of serious physical harm to humans or the environment are possible.
  - f. Direct responsible party to initiate repairs/corrections/cleanup. Coordinate with enforcement official for escalating penalties in accordance with the City ordinance and Utah Water Quality Act Civil Penalty Determination.
  - g. Repair/correct cause of discharge if municipality is responsible. Schedule the work through the appropriate municipal authority or department head.
  - h. Seek technical assistance and/or enforcement action from the Salt Lake County Health Department, if needed.
  
3. Clean-Up:
  - a. Confirm illicit discharge is removed or eliminated by follow-up inspections.
  
4. Documentation:
  - a. Maintain records of any enforcement actions.
  - b. Document repairs, correspondence, corrections, and any other actions required.



## Illicit Discharge Detection and Eliminations (IDDE)

### Employee Training on Identifying Illicit Discharges

### Standard Operating Procedure #84

#### PURPOSE:

This document will provide information for the City of Holladay's employees that will need training to detect, remove, and document illicit discharges.

#### PROCEDURE:

1. Process:
  - A. Provide training to relevant employees.
    - i. Training by City Engineer or third-party trainer includes:
      1. Importance of stormwater quality.
      2. General UPDES Program.
      3. All Good House Keeping IDDE SOP's.
      4. Storm Water Enforcement Ordinances.
      5. Additional subject that may change from year to year depending on the focus that is desired for the year.
2. Documentation:
  - A. Employee training that is performed will be documented in a network folder, including: employees in attendance, material presented, and topics covered.



## Illicit Discharge Detection and Eliminations (IDDE)

### For Staff Receiving Calls of Incidents

### Standard Operating Procedure #85

#### PURPOSE:

To follow a procedure for dispatching IDDE incidents to the proper authority so the issue can be quickly identified, traced, ceased, and cleaned to prevent further contamination and protect receiving waters.

#### PROCEDURE:

Incident Report Standard Operating Procedures for office staff receiving a first report phone calls/emails, of an incident:

1. First, using sound judgment, determine whether the call is a serious environmental threat to humans or the environment. If so, have the caller dial 911, or the Salt Lake County Health Department Hotline for Environmental Health Emergency Response **801-580- 6681**. You should also offer to make these calls for them if necessary.

If the call is not an emergency, continue as described below. The call may be referred to the City Engineer or Stormwater Technician.

2. Gather the information below in written form as follows:
  - a. Ask the person if they have taken a picture: Yes/No
  - b. Date of Illicit Discharge:
  - c. Time:
  - d. Duration:
  - e. Address of Discharge:
  - f. Name and phone Number of Caller:
  - g. Chemical name or Identity (any description given) of any substance involved:
  - h. Is the substance hazardous?
  - i. Estimate of Quantity Spilled:
  - j. Did the illicit discharge enter a waterbody (lake/stream/river/creek/canal)?
  - k. Which waterbody (if known)?
  - l. Did the illicit discharge enter the storm drain system (manhole, catch basin)? Yes/No
3. Now, follow the Incident Response Flow chart (see Figure 1 on following page) as follows:
  - a. Did the illicit discharge enter the storm drain system or a waterway? Is it a hazardous material or was there a large amount of material?
  - b. If yes, call the Salt Lake County Health Department 801-580-6681
  - c. If no, call City Engineer or Stormwater Technician and provide the information as directed.



### Illicit Discharge Detection and Eliminations (IDDE)

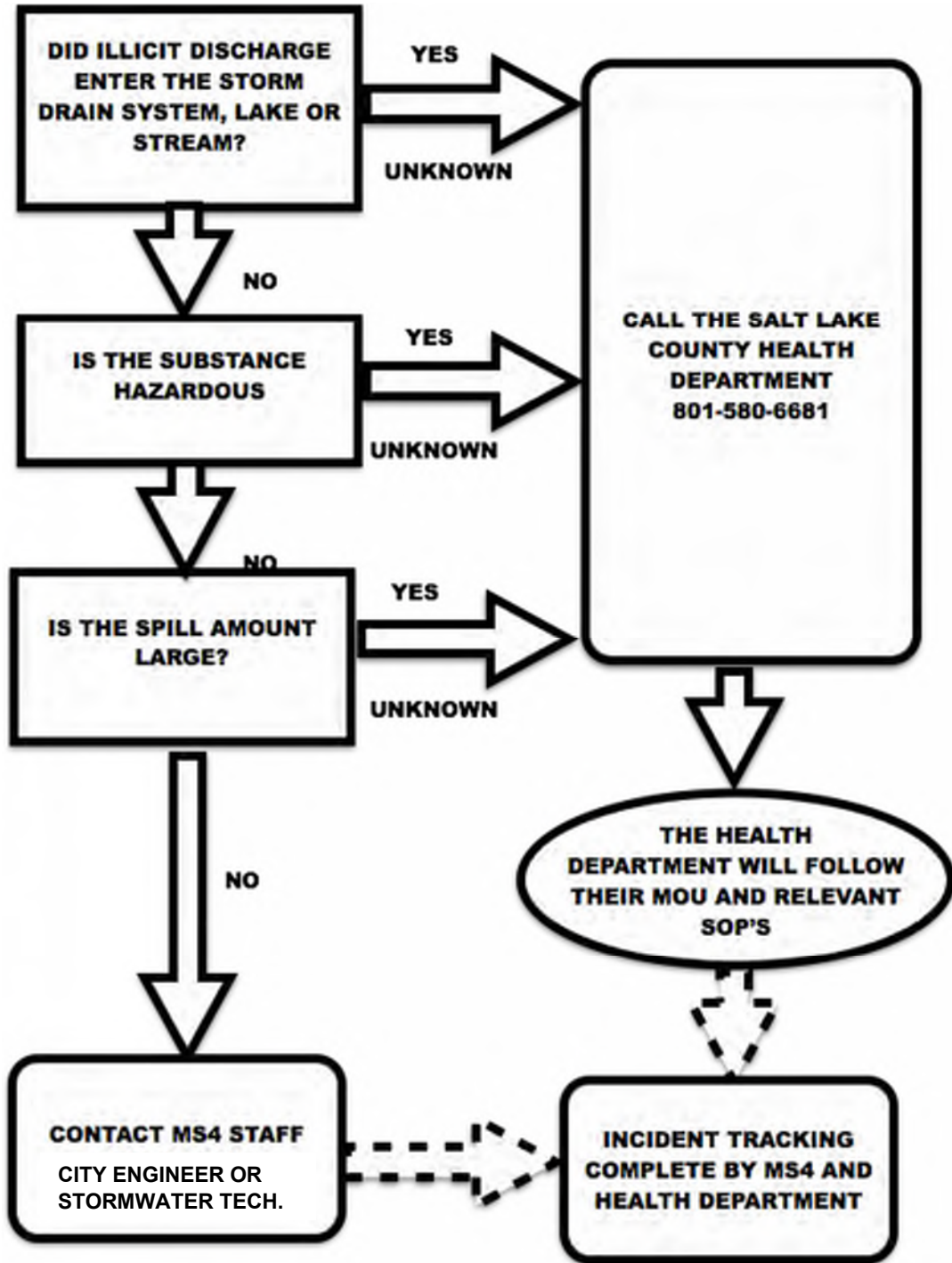


Figure 1: Incident Response Flowchart

Rev#9

Appendix D: Illicit Discharge Detection Elimination Plan



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(801) 272-9450

4580 S. 2300 E. Holladay, UT 84117  
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## **Illicit Discharge Detection and Elimination Plan**

### **Appendix D: Illicit Discharge Detection and Elimination Plan**



## Illicit Discharge Detection and Elimination Plan

The City's Illicit Discharge Detection and Elimination (IDDE) program is focused on preventing and eliminating non-stormwater discharges to the MS4. The IDDE program is governed by the City's ordinance, Title 17 - Storm Drainage and Flood Control Development. The ordinance addresses illicit connections (any man-made conveyance that is connected to a municipal separate storm sewer without a permit excluding roof drains and other permissible connections), illegal dumping or discharges of solid or liquid waste into the City's MS4, and spills of any size into the City's MS4.

### **Identify**

The City of Holladay has hundreds of outfalls discharging storm water into various flowing bodies of water. High Priority areas are outfalls connected to commercially zoned areas, parks, or municipally owned locations. They are a high priority because of the potential and risk for non-storm water discharge to occur if not monitored or checked on a regular basis.

### **Location**

The Outfall Map in Appendix A shows the locations of all known outfalls in the City of Holladay. Each outfall has a unique identifier and is also indicated as to whether it's a high or regular priority. The map will be updated when new information is collected or changed.

### **High Priority**

The High Priority Areas and Outfall Map in Appendix A show the High Priority Areas in the City of Holladay. Locations are all Outfalls connected and commercially zoned areas, parks, or municipally owned locations.

### **Reporting**

The City of Holladay will perform outfall inspections (see SOP - Outfall Inspections) and priority area inspections (See SOP - Priority Area Inspections) by a Registered Storm Water Inspector (RSI) or equivalent. This will be done on a yearly basis to monitor each outfall and to check if issues or if illicit discharges have occurred and need to be resolved. When the RSI performs an inspection, an outfall inspection sheet will be used to document and record data (See Appendix D-1). If the outfall or area is classified as a priority then a Priority Area Inspection form will be used (See Appendix D-2).

In the event of an illicit discharge, steps need to be done to resolve the issue. In order to trace the origin of a suspected illicit discharge or connection, the city will have an up-to-date map of the storm drain system, including all of the outfalls. This is critical in order to isolate the potential source of the non-stormwater discharges and the areas of potential impact (See SOP - Tracing Illicit Discharges).

Once the source is identified, the offending discharger should be notified and directed to correct the problem (See SOP - Ceasing and Removing Illicit Discharges). Education efforts and working with the discharger can be effective in resolving the problem before taking legal action.

As a final step, all actions taken under the plan should be documented. This illustrates that progress is being made to eliminate illicit connections and discharges. The IDDE Tracking Form (Appendix D-3)



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## **Illicit Discharge Detection and Elimination Plan**

should be filled out with accompanied information and recorded by the city. Documented reports should be saved in a network folder.

### **IDDE Reporting**

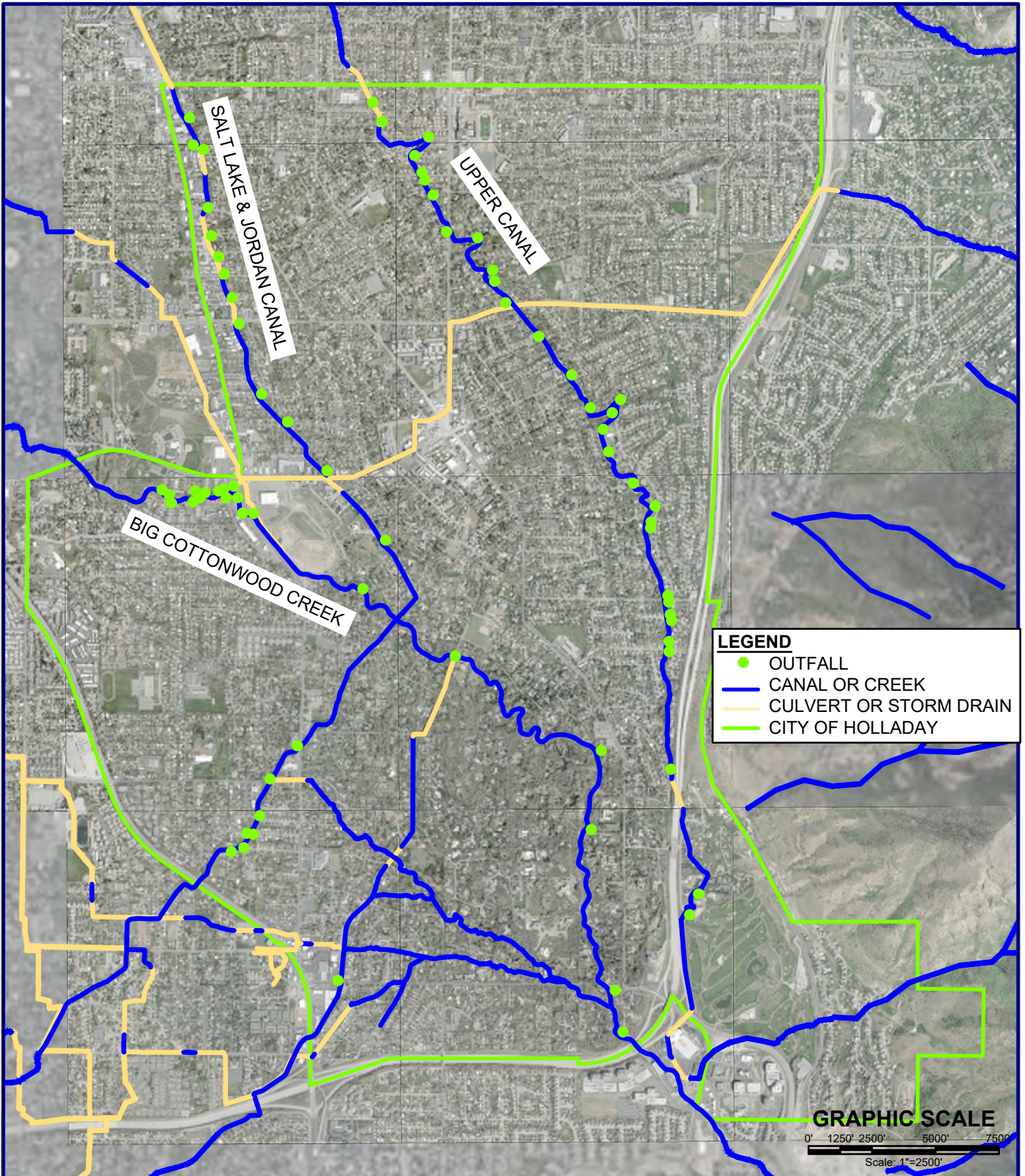
A hotline has been established for the public to report spills and illegal discharges. Storm water inspectors respond to these calls, follow appropriate SOPs to trace, identify, cease and cleanup spills or illegal discharges. Training is provided to employees who may come into contact with an illicit discharge as part of their job responsibilities. This includes maintenance personnel, street sweepers, storm water inspectors and storm drain operations staff.



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**Illicit Discharge Detection and Elimination Plan**  
**Appendix D-1: City of Holladay Outfall Map and Outfall**  
**Inspection Form**



**FORSGREN**  
*Associates Inc.*

370 EAST 500 SOUTH, STE 200, SALT LAKE CITY, UT 84111  
PH: 801.364.4785 FAX: 801.364.4802

CITY OF HOLLADAY  
OUTFALL MAP

PROJECT NO:

-

DATE:

MAR 2020

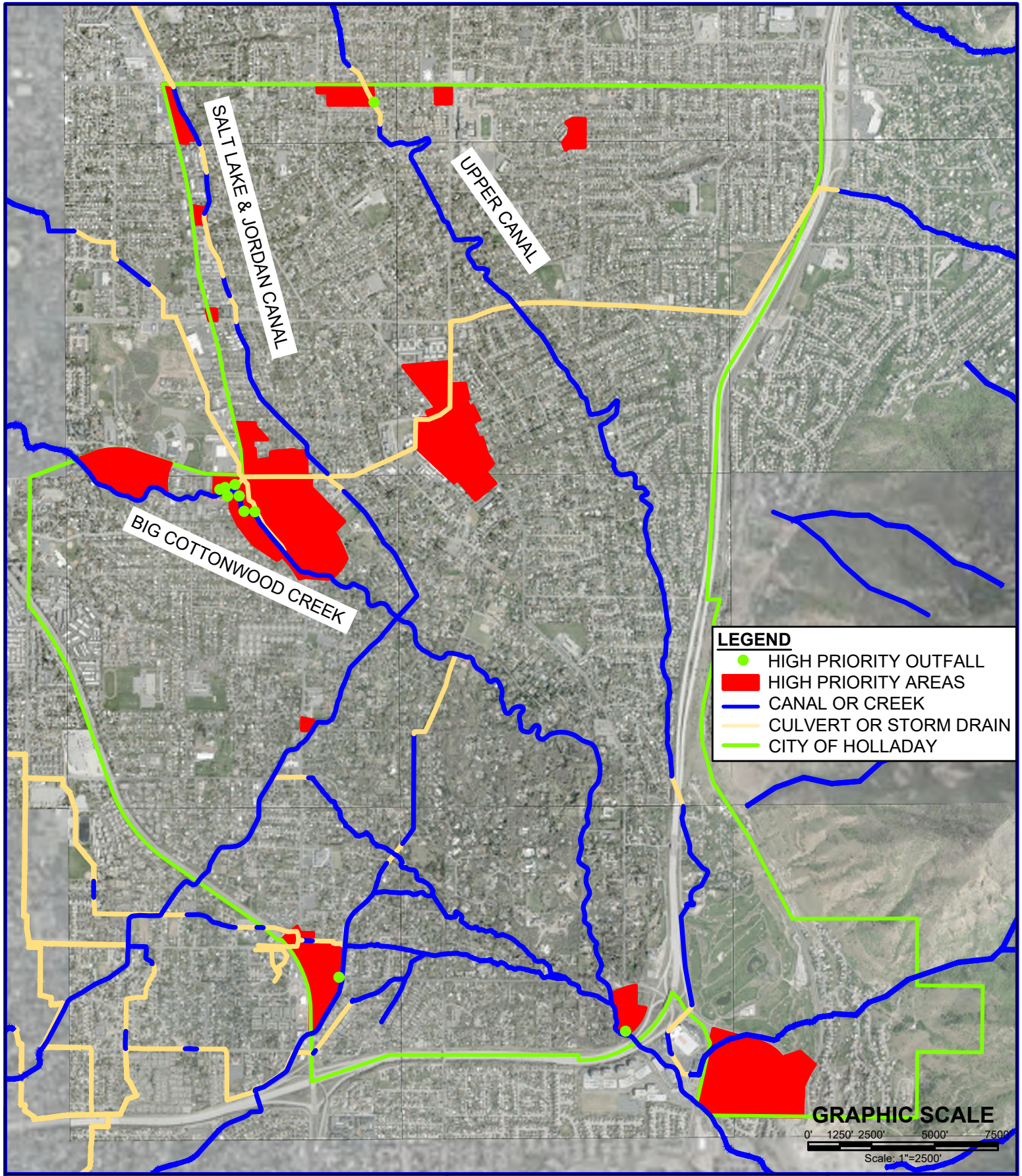
Outfall Inspection Form						
Outfall Number and Location:						
Inspector:			Inspectors Title:			
Date:		Start Time:		End Time:		
Time since last event (Hours):		Accumulation Amount (Inches):				
Temperature (F):		Photos Attached (Y/N):				
Land Use in Drainage Area:						
Outfall Description						
Location Type:		Material:		Shape:		
Diameter/Dimensions (Inches):						
Depth:		Top Width:		Bottom Width:		
Submerged in Water:						
Submerged with Sediment:						
Flow Present:		Flow Description:				
Field Data for Flowing Outfalls						
Parameter	Result		Unit	Equipment		
Flow Depth:			FT / IN	Tape Measure		
Flow Width:			FT / IN	Tape Measure		
Measured Length			FT / IN	Tape Measure		
Time of Travel:			Seconds	Stopwatch		
Temperature:			C / F	Thermometer		
pH:			S. U.	pH Probe		
Turbidity:			NTU	Turbidimeter		
Physical Indicators for Flowing Outfalls						
Indicator	Present	Description		Relative Severity Index (1-3)		
Odor:				<input type="checkbox"/> 1- Faint	<input type="checkbox"/> 2 Easily	<input type="checkbox"/> 3 Noticeable From a
Color:				<input type="checkbox"/> 1 Faint Colors in Bottle	<input type="checkbox"/> 2 Clearly Visible in Bottle	<input type="checkbox"/> 3 Clearly Visible in Flow
Floatables:				<input type="checkbox"/> 1 Few/ Slight, Origin not Obvious	<input type="checkbox"/> 2 Some; Indications of Origin	<input type="checkbox"/> 3 Some; Origin Clear
Physical Indicators for Both Flowing and Non-Flowing Outfalls						
Indicator	Present	Description (erosion, cracking, etc.)		Comments		
Outfall Damage						
Deposits/Stains						
Abnormal Vegetation						
Poor Pool Quality						
Pipe Benthic Growth						



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**Illicit Discharge Detection and Elimination Plan**  
**Appendix D-2: City of Holladay High Priority Areas Map and**  
**High Priority Inspection Form**



**FORSGREN**  
*Associates Inc.*  
370 EAST 500 SOUTH, STE 200, SALT LAKE CITY, UT 84111  
PH: 801.364.4785 FAX: 801.364.4802

CITY OF HOLLADAY  
**HIGH PRIORITY AREAS**

PROJECT NO: -  
DATE: MAR 2020

### High Priority Inspection Form

Location:					
Inspector:			Inspectors Title:		
Date:		Start Time:		End Time:	
Time since last event (Hours):		Accumulation Amount (Inches):			
Temperature (F):		Photos Attached (Y/N):			
Land Use in Drainage Area:					

### High Priority Information

**If dry weather flow is present at the inspection point, then document and evaluate the discharge by completing the following steps:**

Collect a field sample for visual observation in a clean, clear container, and in a manner that avoids stirring up sediment.

Compare observations to previous inspections.

If the flow does not appear to be an obvious illicit discharge (e.g., flow is clear, odorless, etc.), attempt to identify the source of the flow (groundwater, intermittent stream, irrigation, etc.)

Take photo of inspection point structure and collected sample in container (as needed) and saved in a network folder.

Visual inspection of surface area (chemical storage, trash discarded, stockpiles contained, and chemical spills).

If an illicit discharge (such as raw sewage, petroleum products, paint, etc.) is encountered or suspected, follow the procedure of SOP IDDE – Tracing Illicit Discharge.

### Outfall Description

Location Type:		Material:		Shape:	
Diameter/Dimensions (Inches):					
Depth:		Top Width:		Bottom Width:	
Submerged in Water:					
Submerged with Sediment:					
Flow Present:		Flow Description:			

### Field Data for Flowing Outfalls

Parameter	Result	Unit	Equipment
Flow Depth:		FT / IN	Tape Measure
Flow Width:		FT / IN	Tape Measure
Measured Length		FT / IN	Tape Measure
Time of Travel:		Seconds	Stopwatch
Temperature:		C / F	Thermometer
pH:		S. U.	pH Probe
Turbidity:		NTU	Turbidimeter

### Physical Indicators for Flowing Outfalls

Indicator	Present	Description	Relative Severity Index (1-3)		
Odor:			<input type="checkbox"/> 1- Faint	<input type="checkbox"/> 2 Easily	<input type="checkbox"/> 3 Noticeable From a
Color:			<input type="checkbox"/> 1 Faint Colors in Bottle	<input type="checkbox"/> 2 Clearly Visible in Bottle	<input type="checkbox"/> 3 Clearly Visible in Flow
Floatables:			<input type="checkbox"/> 1 Few/ Slight, Origin not Obvious	<input type="checkbox"/> 2 Some; Indications of Origin	<input type="checkbox"/> 3 Some; Origin Clear

### Physical Indicators for Both Flowing and Non-Flowing Outfalls

Indicator	Present	Description (erosion, cracking, etc.)	Comments
Outfall Damage			
Deposits/Stains			
Abnormal Vegetation			
Poor Pool Quality			
Pipe Benthic Growth			



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**Illicit Discharge Detection and Elimination Plan**  
**Appendix D-3: IDDE Tracking Form**

# IDDE TRACKING Form

Date Illicit Discharge Observed/Reported: \_\_\_\_\_ Outfall # (if applicable): \_\_\_\_\_

Description of IDDE: \_\_\_\_\_  
\_\_\_\_\_

Date of Investigation: \_\_\_\_\_

Was the Source found?  Yes  No

If "Yes", please describe: \_\_\_\_\_  
\_\_\_\_\_

Was IDDE Resolved?  Yes  No

If "Yes", please explain how it was resolved (Please include any personnel or outside parties contacted or involved):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If "No", please explain why it was not resolved: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is any follow-up action required?  Yes  No

If "Yes", please explain: \_\_\_\_\_  
\_\_\_\_\_

Date investigation closed: \_\_\_\_\_

Attach photos to this form and retain for records.

Rev#10  
Appendix A

**STATE OF UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER QUALITY**

Authorization to Discharge Municipal Storm Water Under the  
Utah Pollutant Discharge Elimination System (UPDES)

UPDES PERMIT NUMBER UTS000001

This Permit is issued in compliance with the provisions of the Utah Water Quality Act, Utah Code Title 19, Chapter 5, (the "Act"), the Federal Water Pollution Control Act (33 U.S.C. §§ 1251 et. seq., as amended to date), and the rules and regulations made pursuant to those statutes, to the

JORDAN VALLEY MUNICIPALITIES, specifically,

SALT LAKE COUNTY, BLUFFDALE CITY, COTTONWOOD HEIGHTS, DRAPER CITY, GREATER SALT LAKE MUNICIPAL SERVICE DISTRICT, HERRIMAN CITY, HOLLADAY CITY, MIDVALE CITY, MILLCREEK, MURRAY CITY, RIVERTON CITY, SANDY CITY, SOUTH JORDAN CITY, SOUTH SALT LAKE CITY, TAYLORSVILLE CITY, WEST JORDAN CITY, AND WEST VALLEY CITY

This Permit shall become effective on **February 26, 2020**.

This Permit and the authorization to discharge shall expire at midnight, **February 25, 2025**, except as described in Part 6.3 of this Permit.

Signed this 26<sup>th</sup> day of February, 2020.



Erica Brown Gaddis, PhD  
Director

DWQ-2020-005244

**UPDES PERMIT FOR DISCHARGES FROM  
MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)**

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## **1.0 Coverage Under this Permit**

### **1.1 Authority to Discharge**

This Permit authorizes the discharge, to waters of the state of Utah, of storm water from Co-Permittees defined in Part 1.2. of this Permit. This authorization is subject to all of the terms and conditions of this Permit. This Permit does not authorize discharges prohibited under Part 1.4. of this Permit.

### **1.2 Permit Area and Eligibility**

1.2.1. This Permit covers all the following separate jurisdictional areas located within Greater Salt Lake County as follows:

1.2.1.1. Areas covered under “Phase I” provisions in this Permit which includes unincorporated Salt Lake County. This permitted area covers all areas within the unincorporated boundary of Salt Lake County served by, or otherwise contributing to discharges from, the municipal separate storm sewer(s) owned or operated by Salt Lake County and also includes all Salt Lake County owned and operated storm drainage facilities (“countywide facilities”) that are not owned or operated by the Greater Salt Lake Municipal Service District (MSD); and

1.2.1.2. Areas covered under “Phase II” provisions in this Permit which includes:

1.2.1.2.1 Salt Lake County “countywide” facilities owned and maintained by Salt Lake County that are within Greater Salt Lake County, but outside of the boundaries of Salt Lake City and unincorporated Salt Lake County that are not owned or operated by the MSD; and

1.2.1.2.2 Incorporated areas within Salt Lake County, which are defined as small municipal separate storm sewer systems as defined in *Utah Administrative Code* (UAC) R317-8-3.9 and listed below:

- Bluffdale City
- Cottonwood Heights
- Draper City
- Greater Salt Lake Municipal Service District
- Herriman City
- Holladay City
- Midvale City
- Millcreek City
- Murray City
- Riverton City
- Sandy City
- South Jordan City
- South Salt Lake City
- Taylorsville City

- West Jordan City
  - West Valley City
- 1.2.1.2.3 Additional operators of small municipal separate storm sewers within the boundaries of Salt Lake County, which submit application and are approved for inclusion under the Permit during the course of this Permit cycle.
- 1.2.1.3. No operator of a Small MS4 described in 40 CFR 122.32 may discharge from that system without authorization from the *Director*. (See Utah Administrative Code Section R317-8-3.9(1)(h)(1)(a), which sets forth the Permitting requirement, and R317-8-1.10(13), which incorporates 40 CFR 122.32 by reference). Authorization to discharge under the terms and conditions of this Permit is granted if:
- 1.2.1.4. The operator submits a Notice of Intent (NOI) in accordance with Part 2.0 of this Permit;
- 1.2.1.5. The MS4 is located fully or partially within an urbanized area as determined by the latest Decennial Census by the Bureau of Census;
- 1.2.1.6. The operator is ordered by the *Director* to obtain coverage under this Permit, as provided in the UPDES rules, R317-8.
- 1.2.2. The following are types of authorized discharges:
- 1.2.2.1. *Storm water discharges*. This Permit authorizes storm water discharges to waters of the state from the Small MS4s identified in 1.2.1., except as excluded in Part 1.4.
- 1.2.2.2. *Non-storm water discharges*. The following non-storm water discharges do not need to be addressed unless the Co-Permittee or the *Director* identifies these discharges as significant sources of pollutants to waters of the state or as causing or contributing to a violation of water quality standards:
- Water line flushing
  - Landscape irrigation
  - Diverted stream flows
  - Rising ground waters
  - Uncontaminated ground water infiltration
  - Uncontaminated pumped ground water
  - Discharges from potable water sources
  - Footing drains
  - Foundation drains
  - Air conditioning condensate
  - Irrigation water
  - Springs
  - Water from crawl space pumps
  - Individual residential car washing
  - Flows from riparian habitats and wetlands
  - Dechlorinated swimming pool discharges
  - Residual street wash water

- Dechlorinated water reservoir discharges
- Discharges or flows from emergency firefighting activity

### **1.3. Local Agency Authority**

This Permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict, or control discharges to storm drain systems or other water courses within their jurisdiction.

### **1.4. Limitations on Coverage**

This Permit does not authorize:

- 1.4.1. Discharges that are mixed with sources of non-storm water unless such non-storm water discharges are in compliance with a separate UPDES Permit or are determined not to be a substantial contributor of pollutants to waters of the state.
- 1.4.2. Storm water discharges associated with industrial activity as defined in *Utah Administrative Code (UAC) R317-8-3.9(6)(c)*.
- 1.4.3. Storm water discharges associated with construction activity as defined in *UAC R317-8-3.9(6)(d)(10)* and *R317-8-3.9(6)(d)(11)*.
- 1.4.4. Storm water discharges currently covered under another Permit.
- 1.4.5. Discharges that would cause or contribute to in-stream exceedances of water quality standards as contained in *UAC R317-2*.
- 1.4.6. Discharges of any pollutant into any waters of the state for which a Total Maximum Daily Load (TMDL) has been approved by EPA unless the discharge is consistent with the TMDL. This consistency determination applies at the time a Notice of Intent is submitted. If conditions change after coverage is issued, the coverage may remain active provided the conditions and requirements of Part 3.1. of this Permit are complied with.

### **1.5. Co-Permittee(s) and Co-Permittee Accountability**

- 1.5.1. The following entities are Co-Permittees covered in this Permit:
  - 1.5.1.1. All entities listed in Permit Parts 1.2.1.1., 1.2.1.2.1, and 1.2.1.2.2, and;
  - 1.5.1.2. Additional operators of small municipal separate storm sewers within the boundaries of Salt Lake County, which submit application and are approved for inclusion under the Permit during the course of this Permit cycle.

Each Co-Permittee is individually accountable for:

- 1.5.2. Permit compliance for discharges from portions of the MS4 where it is the operator and for areas within its legal jurisdiction, unless another Co-Permittee has agreed in

writing to assume that responsibility within the jurisdiction of the Co-Permittee as described in Appendix I: *Co-Permittee Identification and Accountability*;

- 1.5.3. Development of a Storm Water Management Program (SWMP) as further described in Part 4.0., in the MS4 area of their jurisdiction, unless another Co-Permittee has agreed to assume that responsibility within the jurisdiction of the Co-Permittee as described in Appendix I: *Co-Permittee Identification and Accountability*;
- 1.5.4. Implementation of a SWMP and ensuring that the six minimum control measures described in Part 4.2. are implemented for portions of the MS4 where it is the operator and in areas within its legal jurisdiction, unless another Co-Permittee has agreed to assume that responsibility within the jurisdiction of the Co-Permittee as described in Appendix I: *Co-Permittee Identification and Accountability*;
- 1.5.5. Permit compliance (all or part), development of a SWMP (all or part), and implementation of the SWMP (all or part) in an area outside of the Co-Permittees legal municipal jurisdiction if the Co-Permittee has agreed to the added responsibility as described in Appendix I: *Co-Permittee Identification and Accountability*;
- 1.5.6. Cooperation in compiling any shared portions of the annual reporting requirements listed in Part 5.6., except that a Co-Permittee is individually liable for any parts of the annual report that relate exclusively to portions of the MS4 where it is the operator as specified in Appendix I: *Co-Permittee Identification and Accountability*;
- 1.5.7. Phase I Co-Permittee, Salt Lake County, shall provide wet weather monitoring as described in Appendix III if required by the *Director*.
- 1.5.8. Phase I Co-Permittee, Salt Lake County shall comply with the additional Industrial and High Risk Runoff Permit requirements contained in Part 4.3. if industrial and high-risk runoff commercial sites meeting the criteria identified in Part 4.3.1. are located within the unincorporated boundary of Salt Lake County served by, or otherwise contributing to discharges from, the municipal separate storm sewer(s) owned or operated by Salt Lake County and also including all Salt Lake County owned and operated storm drainage facilities (“countywide facilities”) that are not owned or operated by the Greater Salt Lake Municipal Service District (MSD).

## **1.6 Documents the Co-Permittees Shall Develop to Append the Permit**

The following documents shall be developed and signed (in accordance with Part 6.8. *Signatory Requirements*) by the Co-Permittees, and will append the Permit as enforceable Permit conditions binding on the Co-Permittees:

- 1.6.1. Appendix I: *Co-Permittee Identification and Accountability* shall contain:
  - 1.6.1.1. A list of all Co-Permittees covered by this Permit, a description of the legal jurisdiction of the Co-Permittees, MS4 boundaries, and the date the Co-Permittee is officially included as a Co-Permittee under this Permit (the Permit shall be modified as a minor modification, not requiring public notice, pursuant to *UAC R317-8-5.6(3)(d)* to officially include additional Co-Permittees);

- 1.6.1.2. Where Permit compliance and SWMP development and implementation accountability is transferred, all or part, to another Co-Permittee, a description of where (on which Co-Permittee) the accountability falls. The description shall assign clear and distinct accountability to the Co-Permittees involved as to who is responsible for what Permit compliance issues, who is to develop what portions of a SWMP, and who is to implement what portions of the SWMP;
- 1.6.1.3. Any necessary agreements, contracts, or memorandum of understanding (MOUs) between Co-Permittees and/or other municipal (or non-municipal) entities that affect the implementation and operation of SWMP.
- 1.6.2. Timing for Development & Inclusions or Exclusions of Co-Permittees:
  - 1.6.2.1. The *Co-Permittee Identification and Accountability* document must be updated within 30 days of issuance of this Permit;
  - 1.6.2.2. The *Co-Permittee Identification and Accountability* document shall be updated immediately for each new inclusion or exclusion of a Co-Permittee.
- 1.6.3. Appendix II: *Storm Water Management Plan* (for each MS4 listed in *Appendix I*):
  - 1.6.3.1. The purposes, objectives, and the required contents of Appendix II are listed in Part 4.0 of this Permit.
- 1.6.4. Appendix III: *Storm Water Wet and Dry Weather Monitoring Plans*:
  - 1.6.4.1. The purposes, objectives, and the required contents for Appendix III are listed in Part 5.2 of this Permit.
  - 1.6.4.2. Modifications to this document shall be approved with a signature by the *Director*.
- 1.6.5. Modification and Maintenance of Appendices:
  - 1.6.5.1. Co-Permittees shall keep the documents in the appendices current and up to date and attempt to achieve the purpose and objectives of the required document;
  - 1.6.5.2. All modifications to the appendix documents shall show proof that it was submitted to the *Director* (a received date stamp from the Division of Water Quality, or verification e-mail from DWQ would be sufficient), and if required, it shall show that it was approved by the *Director* (a signature by the *Director* by an approval statement on the document, a separate letter signed by the *Director* approving of the modification, or similar is sufficient);
  - 1.6.5.3. Each Appendix shall maintain a record of the original document, each modification, and the date the modification was made;
  - 1.6.5.4. The *Director* may at any time make a written determination that parts or all of the appendix documents are unacceptable, wherein the Co-Permittee(s) must make modifications to the unacceptable parts within 30 days, or within a time frame specified by the *Director*.

## **2.0 Notice of Intent and Storm Water Management Program Requirements**

### **2.1 New Applicants**

The requirements of this Part apply only to Co-Permittees **not** covered under the previous Jordan Valley Municipalities UPDES Permit No. UTS000001, i.e. **New Applicants**. Co-Permittees that were covered under the previous Jordan Valley Municipalities UPDES Permit No. UTS000001, i.e. Renewal Applicants, and have submitted a notice of intent (NOI) at least 180 days prior to the expiration date of the previous Permit, shall instead follow the requirements of Part 2.3.

2.1.1. New applicants shall meet the following application requirements. The Notice of Intent (NOI) shall include submittal of the Storm Water Management Program (SWMP) document. Detailed information on SWMP requirements can be found in Part 4.0 of this Permit.

2.1.2. Within 180 days of notification from the *Director*, the operator of the MS4 shall submit a NOI form as provided by the Division at <https://deq.utah.gov/legacy/permits/water-quality/utah-pollutant-discharge-elimination-system/storm-water-municipal.htm>. (The *Director* retains the right to grant permission for a later submission date upon good cause shown). One original completed NOI shall be submitted, by mail or hand delivery to:

Attention: MS4 Program Coordinator  
UPDES Storm Water Section  
Department of Environmental Quality  
Division of Water Quality  
195 North 1950 West  
PO Box 144870  
Salt Lake City, UT 84114-4870

2.1.3. Late submittal of an NOI is prohibited (unless permission has been granted by the *Director*). If a late NOI is submitted, authorization is only for discharges that occur after Permit coverage is granted. The *Director* reserves the right to take appropriate enforcement actions for any unpermitted discharges.

2.1.4. Where application is made by a new applicant that has assumed operational control of an MS4 for which coverage under this Permit was previously held by a separate entity, the *Director* may determine that the new applicant shall comply with the Permit requirements in this Permit, as directed for Renewal Permittees. Notification shall be made by the *Director* of this requirement in writing to the New Applicant prior to issuance of Permit coverage

2.1.5. Implementation of the Co-Permittee's SWMP shall include the six minimum control areas, including Measurable Goals, described in Part 4.2. Measurable Goals for each of the program areas shall include, as appropriate, the year by which the Co-Permittee will undertake required actions, including interim milestones and the frequency of the action if applicable.

2.1.6. Implementation of the Co-Permittee's SWMP as described in the Co-Permittee's application is required to begin within 30 days after the completed application is

submitted. The Co-Permittee shall fully develop and implement the SWMP as discussed in Part 4.0 of the Permit by the end of the Permit term unless a more restrictive timeframe is indicated.

- 2.1.7. If an Operator is designated by the *Director* as requiring Permit coverage later than one year after the effective date of this General Permit, the *Director* may approve alternative deadlines that would allow the Co-Permittee to have its program areas implemented.

## **2.2. Contents of the Notice of Intent**

The Notice of Intent requires, at a minimum, the following information:

- 2.2.1. Name, address, and telephone number of the principal executive officer, ranking elected official or other duly authorized employee in charge of municipal resources used for implementation of the SWMP;
- 2.2.2. Name(s)/ identification of waters of the state as defined by UAC R317-1-1.32 that receive discharges from the Co-Permittee's MS4;
- 2.2.3. Name of the person responsible for overseeing implementation and coordination of the SWMP;
- 2.2.4. Summary description of the overall water quality concerns, priorities, and measurable goals specific to the Co-Permittee that were considered in the development of the SWMP;
- 2.2.5. The SWMP document shall consist of, at a minimum, a description of the program elements that will be implemented (or already exist) for each of the SWMP minimum control measures. The plan shall be detailed enough for the Division to determine the Co-Permittee's general strategy for complying with the required items in each of the six minimum control measures in the SWMP document (see Part 4.2 of this Permit);
- 2.2.6. Information on the chosen Best Management Practices (BMPs) and the measurable goals for each of the storm water minimum control measures in Part 4.2 of this Permit and, as appropriate, the timeframe by which the Co-Permittee will achieve required actions, including interim milestones;
- 2.2.7. Co-Permittees shall each submit an NOI and individual SWMP document which will clearly identify the areas of the MS4 for which each of the Co-Permittees are responsible. Co-Permittees which are relying on another entity(ies) to satisfy one or more of their Permit obligations shall include with the NOI, a summary of the Permit obligations that will be carried out by the other entity(ies). During the term of the Permit, Co-Permittees may terminate or amend shared responsibility arrangements by notifying the *Director*, provided this does not alter implementation deadlines.
- 2.2.8. Certification and signature requirements in accordance with Part 6.8.

### **2.3. Storm Water Management Program Plan Description for Renewal Co-Permittees**

- 2.3.1. The requirements of this part apply only to **Renewal Co-Permittees** that were covered under the previous Jordan Valley Municipalities UPDES Permit No. UTS000001. New applicants are not required to meet the requirements of this Part and instead shall follow the requirements of Part 2.0.
- 2.3.2. Renewal Co-Permittees shall submit a **revised SWMP document** to the *Director* within 180 days of the effective date of this Permit, which includes at a minimum, the following information:
  - 2.3.2.1. Permit number;
  - 2.3.2.2. MS4 location description and map;
  - 2.3.2.3. Information regarding the overall water quality concerns, priorities, and measurable goals specific to the Co-Permittee that were considered in the development and/or revisions to the SWMP document;
  - 2.3.2.4. A description of the program elements that will be implemented (or are already being implemented) in each of the six minimum control measures (see Part 4.0);
  - 2.3.2.5. A description of any modifications to ordinances or long-term/ongoing processes implemented in accordance with the previous MS4 Permit for each of the six minimum control measures;
  - 2.3.2.6. A description of how the Co-Permittee intends to meet the Permit requirements as described in Part 4.0 by either referencing existing program areas that already meet the Permit requirements or a description and relevant measurable goals that include, as appropriate, the year by which the Co-Permittee will achieve required actions, including interim milestones.
  - 2.3.2.7. Indicate the joint submittal (s) of Co-Permittees (if applicable) and the associated responsibility (ies) in meeting requirements of the SWMP.
  - 2.3.2.8. Certification and signature requirements in accordance with Part 6.8.
  - 2.3.2.9. The revised SWMP document shall contain specific details for complying with the required items in each of the six minimum control measures contained within the SWMP document (See Part 4.2.).

### **3.0. Special Conditions**

#### **3.1. Discharges to Water Quality Impaired Waters**

- 3.1.1. Applicability: Co-Permittees shall:
- 3.1.1.1. Determine whether storm water discharge from any part of the MS4 contributes to a 303(d) listed (i.e., impaired) waterbody. A 303(d) list of impaired water bodies is available at <https://enviro.deq.utah.gov/>
- Water quality impaired waters means any segment of surface waters that has been identified by the Division as failing to support classified uses. If the Co-Permittee has discharges meeting these criteria, the Co-Permittee shall comply with Part 3.1.2. below and if no such discharges exist, the remainder of this Part 3.1 does not apply.
- 3.1.1.2. If the Co-Permittee has “303(d)” discharges described above, the Co-Permittee must also determine whether a Total Maximum Daily Load (TMDL) has been developed by the Division and approved by EPA for the listed waterbody. If there is an approved TMDL, the Permittee must comply with all requirements associated with the TMDL as well as the requirements of Part 3.1.2. below. If no TMDL has been approved, the Co-Permittee must comply with Part 3.1.2. below and any TMDL requirements once it has been approved. TMDL requirements may be put into effect at any time during this Permit term.
- 3.1.2. Water Quality Controls for Discharges to Impaired Water bodies. If the Co-Permittee discharges to an impaired waterbody, the Co-Permittee shall include in its SWMP document a description of how the Co-Permittee will control the discharge of the pollutants of concern. This description must identify the measures and BMPs that will collectively control the discharge of the pollutants of concern. The measures must be presented in the order of priority with respect to controlling the pollutants of concern.
- 3.1.3. Where a discharge is already authorized under this Permit and is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable water quality standard, the *Director* will notify the Co-Permittee of such violation(s). The Co-Permittee shall take all necessary actions to ensure future discharges do not cause or contribute to the violation of a water quality standard and document these actions as required by the *Director*. If violations remain or re-occur, coverage under this Permit may be terminated by the *Director* and an alternative general Permit or individual Permit may be issued. Compliance with this requirement does not preclude any enforcement activity as provided by the *Utah Water Quality Act* for the underlying violation.

#### **3.2. Nitrogen and Phosphorus Reduction**

- 3.2.1. As part of the Co-Permittee's Storm Water Management Program (SWMP), all Co-Permittee's must specifically address the reduction of water quality impacts associated with nitrogen and phosphorus in discharges from the MS4.

- 3.2.1.1. The Co-Permittee can meet the requirements of this section through contribution to a collaborative program (e.g., storm water coalitions) to evaluate, identify, target, and provide outreach that addresses sources within the Co-Permittee's watershed.
- 3.2.1.2. The Co-Permittee must determine and target sources (e.g., residential, industrial, agricultural, or commercial) that are contributing to, or have the potential to contribute, nitrogen and phosphorus to the waters receiving the discharge authorized under this Permit.
- 3.2.1.3. The Co-Permittee shall prioritize which targeted sources are likely to obtain a reduction in nitrogen and phosphorus discharges through education. The Co-Permittee must distribute educational materials or equivalent outreach to the prioritized targeted sources. Educational materials or equivalent outreach must describe storm water quality impacts associated with nitrogen and phosphorus in storm water runoff and illicit discharges, the behaviors of concern, and actions that the target source can take to reduce nitrogen and phosphorus. The Co-Permittee may incorporate the education and outreach to meet this requirement into the education and outreach strategies provided in accordance with Permit Part 4.2.1.

## **4.0 Storm Water Management Program**

Co-Permittees covered under the previous Jordan Valley Municipalities Permit for Storm Water Discharges from Municipal Separate Storm Sewer Systems, i.e. **Renewal Co-Permittees**, are expected to have fully implemented all of the following six minimum control measures as required in the previous permit term. Co-Permittees that were newly designated during the previous Permit term have 5 years from the date of their submitted NOI to develop, fully implement and enforce their Storm Water Management Program (SWMP). A Renewal Co-Permittee must continue to implement its SWMP designed to reduce the discharge of pollutants from the MS4 as described in the application and submittals provided in accordance with the previous Jordan Valley Municipalities Permit, while updating its SWMP document pursuant to this permit. This Permit does not extend the compliance deadlines set forth in the previous Jordan Valley Municipalities MS4 Permit unless specifically noted. All requirements contained in this renewal permit are effective immediately unless an alternative timeframe is indicated.

### **4.1. Requirements**

- 4.1.1. All Co-Permittees shall develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants to the Maximum Extent Practicable from the MS4, protect water quality, and satisfy the appropriate water quality requirements of the *Utah Water Quality Act*. The SWMP must include the six minimum control measures described in Part 4.2 of this Permit.
  - 4.1.1.1. The SWMP shall be developed and implemented in accordance with the schedules contained in Part 4.0. of this Permit.
- 4.1.2. Each Co-Permittee shall have an ongoing documentation process for gathering, maintaining, and using information to conduct planning, set priorities, track the development and implementation of the SWMP, evaluate Permit compliance/non-compliance, and evaluate the effectiveness of the SWMP implementation.
  - 4.1.2.1. Each Co-Permittee shall track the number of inspections performed, official enforcement actions taken, and types of public education activities implemented as required for each SWMP component. This information shall be provided to the *Director* upon request and used by the *Director* to determine compliance with this Permit.
  - 4.1.2.2. Each Co-Permittee shall secure the resources necessary to meet all requirements of this Permit. Each Co-Permittee shall conduct an annual analysis of the capital and operation and maintenance expenditures needed, allocated, and spent as well as the necessary staff resources needed and allocated to meet the requirements of this Permit, including any development, implementation, and enforcement activities required. Each Co-Permittee must submit a summary of its fiscal analysis with each annual report.
- 4.1.3. The SWMP document shall include BMPs that the Co-Permittee or another entity will implement for each of the storm water minimum control measures.

- 4.1.3.1. The measurable goals for each of the BMPs shall include, as appropriate, the months and years in which the Co-Permittee will undertake required actions, including interim milestones and the frequency of the actions.
- 4.1.3.2. The SWMP document shall indicate the person or persons responsible for implementing or coordinating the BMPs contained within the SWMP document.
- 4.1.3.3. Within 180 days of the effective date of the Permit, the Co-Permittee shall revise the SWMP document to clearly identify the roles and responsibilities of all offices, departments, divisions, or sub-sections and if necessary other responsible entities and it shall include any necessary agreements, contracts, or memorandum of understanding (MOUs) between said entities that affect the implementation and operation of the SWMP. Necessary agreements, contracts, and MOUs shall deal with coordination or clarification of the responsibilities associated with the detection and elimination of improper connections or illicit discharges to the MS4, BMP coordination or other coordinated programs or sensitive issues of unclear or overlapping responsibility. Such agreements, contracts, and MOUs shall be retained by the Co-Permittees as required by the SWMP document.
- 4.1.3.4. Failure to meet these requirements with a good faith effort and within the timeframes set forth may result in an enforcement action by the *Director*.

## **4.2. Minimum Control Measures**

Co-Permittees covered under the previous Jordan Valley Municipalities UPDES Permit No. UTS000001, i.e. **Renewal Co-Permittees**, are expected to have fully implemented Storm Water Management Programs (SWMPs) that reflect the permit requirements of the previous permit cycle. A Renewal Co-Permittee shall continue to implement its SWMP as described in the application and submittals provided in accordance with the previous Jordan Valley Municipalities MS4 Permit, while updating its SWMP document pursuant to this renewal Permit to achieve pollutant reductions to the Maximum Extent Practicable from the MS4, as specified in Part 4.1. This Permit does not extend the compliance deadlines set forth in the previous MS4 Permit or any corrective action plans and associated schedules unless specifically noted.

To achieve pollutant reductions to the Maximum Extent Practicable, Co-Permittees shall include the following six minimum control measures in the SWMP:

### ***4.2.1. Public Education and Outreach on Storm Water Impacts***

The Co-Permittee shall implement a public education and outreach program to promote behavior change by the public to reduce water quality impacts associated with pollutants in storm water runoff and illicit discharges. Outreach and educational efforts shall include a multimedia approach and shall be targeted and presented to specific audiences for increased effectiveness. The educational program shall include documented education and outreach efforts for the following four audiences: (1) residents, (2) institutions, industrial and commercial facilities, (3) developers and contractors (construction), and (4) MS4 owned or operated facilities. The minimum performance measures which should be based on the land uses and target audiences found within the community include:

- 4.2.1.1. Target specific pollutants and pollutant sources determined by the Co-Permittee to be impacting, or have the potential to impact, the beneficial uses of receiving water. This includes providing information which describe the potential impacts from storm water discharges; methods for avoiding, minimizing, reducing and /or eliminating the adverse impacts of storm water discharges; and the actions individuals can take to improve water quality, including encouraging participation in local environmental stewardship activities, based on the land uses and target audiences found within the community;
- 4.2.1.2. Provide and document information given to the general public of the Co-Permittee's prohibitions against and the water quality impacts associated with illicit discharges and improper disposal of waste. The Co-Permittee shall at a minimum consider the following topics. These topics are not inclusive and the Co-Permittee shall focus on those topics most relevant to the community: maintenance of septic systems; effects of outdoor activities such as lawn care (use of pesticides, herbicides, and fertilizers); benefits of onsite infiltration of storm water; effects of automotive work and car washing on water quality; proper disposal of swimming pool water; and proper management of pet waste.
- 4.2.1.3. Provide and document information given to institutions, industrial, and commercial facilities on an annual basis of the Co-Permittee's prohibition against and the water quality impacts associated with illicit discharges and improper disposal of waste. The Co-Permittee shall at a minimum consider the following topics. These topics are not inclusive and the Co-Permittee shall focus on those topics most relevant to the community: proper lawn maintenance (use of pesticides, herbicides and fertilizer); benefits of appropriate onsite infiltration of storm water; building and equipment maintenance (proper management of waste water); use of salt or other deicing materials (cover/prevent runoff to storm system and contamination to ground water); proper storage and management of materials and dumpsters (cover and pollution prevention); and proper management of parking lot surfaces (sweeping). This education can also be a part of the Illicit Discharge Detection and Elimination measure detailed in Part 4.2.3.
- 4.2.1.4. Provide and document information given to engineers, construction contractors, developers, development review staff, and land use planners concerning the development of storm water pollution prevention plans (SWPPPs) and BMPs for reducing adverse impacts from storm water runoff from development sites. This education can also be a part of the Construction Site Storm Water Runoff minimum control measure detailed in Part 4.2.4.
- 4.2.1.5. Provide and document information and training given to MS4 engineers, development and plan review staff, land use planners, and other parties as applicable to learn about Low Impact Development (LID) practices, green infrastructure practices, and to communicate the specific requirements for post-construction control and the associated Best Management Practices (BMPs) chosen within the SWMP.
- 4.2.1.6. An effective program shall show evidence of focused messages and audiences as well as demonstration that the defined goal of the program has been achieved. The Co-Permittee must define the specific messages for each audience. The Co-Permittee must identify methods that will be used to evaluate the effectiveness of the

educational messages and the overall education program. Any methods used to evaluate the effectiveness of the program shall be tied to the defined goals of the program and the overall objective of changes in behavior and knowledge.

- 4.2.1.7. The Co-Permittee shall include written documentation or rationale as to why particular BMPs were chosen for its public education and outreach program.

#### **4.2.2. *Public Involvement/Participation***

The Co-Permittee shall implement a program that complies with applicable State and Local public notice requirements. The SWMP shall include ongoing opportunities for public involvement and participation such as advisory panels, public hearings, watershed committees, stewardship programs, environmental activities, other volunteer opportunities, or other similar activities. The Co-Permittee should involve potentially affected stakeholder groups, which include but is not limited to, commercial and industrial businesses, trade associations, environmental groups, homeowners associations, and education organizations. The minimum performance measures are:

- 4.2.2.1. Co-Permittees shall adopt a program or policy directive to create opportunities for the public to provide input during the decision making processes involving the development, implementation and update of the SWMP document including development and adoption of all required ordinances or regulatory mechanisms.
- 4.2.2.2. Renewal Co-Permittees shall make the revised SWMP document available to the public for review and input within **120** days from the effective date of this Permit. New Permittees shall make the SWMP document available to the public for review and input within **180** days of receiving notification from the *Director* of the requirement for Permit coverage.
- 4.2.2.3. A current version of the SWMP document shall remain available for public review and input for the life of the Permit. The Co-Permittee shall post the latest version of the SWMP within 180 days from the effect date of the Permit on their website and shall clearly denote a specific contact person and phone number or email address to allow the public to review and provide input for the life of the Permit.
- 4.2.2.4. The Co-Permittee shall at a minimum comply with State and Local public notice requirements when implementing a public involvement/participation program.

#### **4.2.3. *Illicit Discharge Detection and Elimination (IDDE)***

All Co-Permittees shall revise as necessary, implement and enforce an IDDE program to systematically find and eliminate sources of non-storm water discharges from the MS4 and to implement defined procedures to prevent illicit connections and discharges according to the minimum performance measures listed below. The IDDE program shall be described in writing, incorporated as part of the Co-Permittee's SWMP document, and contain the elements detailed in this part of the Permit. The minimum performance measures are:

- 4.2.3.1. Maintain a current storm sewer system map of the MS4, showing the location of all municipal storm sewer outfalls with the names and location of all State waters that receive discharges from those outfalls, storm drain pipe and other storm water conveyance structures within the MS4.
- 4.2.3.2. Effectively prohibit, through ordinance or other regulatory mechanism, non-storm water discharges to the MS4, including spills, illicit connections, illegal dumping and sanitary sewer overflows (“SSOs”) into the storm sewer system, require removal of such discharges consistent with Part 4.2.3.6. of this Permit, and implement appropriate enforcement procedures and actions. The Co-Permittee must apply escalating enforcement procedures as necessary for the severity of violation and/or the recalcitrance of the violator. Exceptions are discharges pursuant to a separate UPDES Permit (other than the UPDES Permit for discharges from the MS4) and non-storm water discharges listed in Part 1.2.2.2.
- 4.2.3.2.1. The Co-Permittee’s IDDE program must have adequate legal authority to detect, investigate, eliminate and enforce against non-storm water discharges, including illegal dumping, into the MS4. Adequate legal authority consists of an effective ordinance, by-law, or other regulatory mechanism. The documented IDDE program that is included in the Co-Permittee’s SWMP shall include a reference or citation of the authority the Co-Permittee will use to implement all aspects of the IDDE program.
- 4.2.3.3. Implement a written plan to detect and address non-storm water discharges to the MS4, including spills, illicit connections, sanitary sewer overflows and illegal dumping. The plan shall include:
- 4.2.3.3.1 Written systematic procedures for locating and listing the following **priority areas** likely to have illicit discharges (if applicable to the jurisdiction):
- Areas with older infrastructure that are more likely to have illicit connections;
  - Industrial, commercial, or mixed use areas;
  - Areas with a history of past illicit discharges;
  - Areas with a history of illegal dumping;
  - Areas with onsite sewage disposal systems;
  - Areas with older sewer lines or with a history of sewer overflows or cross-connections; and
  - Areas upstream of sensitive water bodies; and,
  - Other areas the Co-Permittee determines to be likely to have illicit discharges

The Co-Permittee shall document the basis for its selection of each **priority area** and create a list of all **priority areas** identified in the system. This **priority area** list shall be updated annually to reflect changing priorities.

- 4.2.3.3.2 Field inspections of areas which are determined to be a **priority area** as identified in Permit Part 4.2.3.3.1 must be conducted annually at a minimum. Priority area inspection activities shall utilize an inspection form to document findings.

- 4.2.3.3.3 Dry weather screening (see Definition 7.13) for the purpose of verifying outfall locations and detecting illicit discharges that discharge within the Co-Permittee's jurisdiction to a receiving water. All outfalls shall be inspected at least once during the 5-year Permit term. Dry weather screening activities shall utilize an inspection form to document findings.
- 4.2.3.3.4. If the Co-Permittee discovers or suspects that a discharger may need a separate UPDES permit (e.g., Industrial Storm Water Permit, Dewatering Permit), the Co-Permittee shall notify the *Director*.
- 4.2.3.4. Implement standard operating procedures (SOPs) or similar type of documents for tracing the source of an illicit discharge; including procedures such as: visual inspections, and when necessary, opening manholes, using mobile cameras, using field tests of selected chemical parameters as indicators of discharge sources, collecting and analyzing water samples for the purpose of determining sanctions or penalties, and/or other detailed inspection procedures.
- 4.2.3.5. Implement SOPs or similar type of documents for characterizing the nature of, and the potential public or environmental threat posed by, any illicit discharges found by or reported to the Co-Permittee by the hotline or other telephone number described in 4.2.3.9. These procedures shall include detailed instructions for evaluating how the discharge shall be immediately contained and steps to be taken for containment of the discharge. Compliance with this provision will be achieved by initiating an investigation immediately upon being alerted of a potential illicit discharge.
- 4.2.3.5.1. When the source of a non-storm water discharge is identified and confirmed, the Co-Permittee shall record the following information in an inspection report: the date the Co-Permittee became aware of the non-storm water discharge, the date the Co-Permittee initiated an investigation of the discharge, the date the discharge was observed, the location of the discharge, a description of the discharge, the method of discovery, date of removal, repair, or enforcement action; date, and method of removal verification. Analytical monitoring may be necessary to aid in the identification of potential sources of an illicit discharge and to characterize the nature of the illicit discharge. The decision process for utilizing analytical monitoring shall be fully documented in the inspection report.
- 4.2.3.6. Implement SOPs or similar type of documents for ceasing the illicit discharge, including notification of appropriate authorities; notification of the property owner; technical assistance for removing the source of the discharge or otherwise eliminating the discharge; follow-up inspections; and escalating enforcement and legal actions if the discharge is not eliminated.

- 4.2.3.6.1. Upon detection of an illicit discharge and upon confirmation of responsible parties, the Co-Permittee shall take actions to require immediate cessation of illicit discharges in accordance with its enforceable legal authorities established pursuant to Part 4.2.3.2.1. of this Permit.
- 4.2.3.6.2. Although Co-Permittees are required to prohibit illicit discharges within their boundaries and to take appropriate action to detect and address any violations, this Permit does not impose strict liability on Co-Permittees.
- 4.2.3.6.3. All IDDE investigations shall be thoroughly documented and may be requested at any time by the *Director*. If a Co-Permittee is unable to meet the minimum performance measures outlined in Parts 4.2.3.5. or 4.2.3.6., the Co-Permittee must immediately submit to the *Director* written documentation or rationale describing the circumstances why compliance with the minimum performance measures was not possible. All IDDE documentation shall be retained by the Co-Permittee as required by the SWMP document.
- 4.2.3.7. Co-Permittees shall inform public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.
- 4.2.3.8. Co-Permittees shall promote or provide services for the collection of household hazardous waste.
- 4.2.3.9. Co-Permittees shall publicly list and publicize a hotline or other local telephone number for public reporting of spills and other illicit discharges. A written record must be kept of all calls received, all follow-up actions taken, and any feedback received from public education efforts.
- 4.2.3.9.1. The Co-Permittee shall develop a written spill/dumping response SOPs or similar type of document and a flow chart for internal use, that shows the procedures for responding to public referrals of illicit discharges, the various responsible agencies and their contacts, and who would be involved in illicit discharge incidence response, even if it is a different entity other than the Co-Permittee. The procedure and list shall be incorporated as part of the IDDE program and incorporated into the Co-Permittee's SWMP document. The list must be maintained and updated as changes occur.
- 4.2.3.10. Co-Permittees shall adopt and implement procedures for program evaluation and assessment which includes maintaining a database for mapping, tracking of the number and type of spills or illicit discharges identified; and inspections conducted.
- 4.2.3.11. Co-Permittees shall at a minimum, require that all staff, contracted staff, or other responsible entities, that as part of their normal job responsibilities might come into contact with or otherwise observe an illicit discharge or illicit connection to the MS4 including office personnel who might receive initial reports of illicit discharges, receives annual training in the IDDE program including identification, investigation, termination, cleanup, and reporting of illicit discharges including spills, improper disposal, and illicit connections. Co-Permittees shall require all new hires are trained within 60 days of hire date and annually thereafter, at a minimum. Follow-up training shall be provided as needed to address changes in procedures, methods for staffing. Training shall include how to identify a spill, an improper disposal, or an

illicit connection to the MS4 and proper procedures for reporting the illicit discharge. Training records must be kept and shall include dates, activities or course descriptions, and names and positions of staff in attendance. The Permittee shall include a summary of such training in the annual report.

- 4.2.3.12. The *Director* reserves the right to request documentation or further study of a particular non-storm water discharge of concern, to require a reasonable basis for allowing the non-storm water discharge and excluding the discharge from the Co-Permittee's program, and to require inclusion of the discharge in the Co-Permittee's program, if water quality concerns cannot otherwise be reasonably satisfied.

#### 4.2.4. ***Construction Site Storm Water Runoff Control***

All Co-Permittees shall revise as necessary, implement and enforce a program to reduce pollutants in any storm water runoff to the MS4 from construction sites with a land disturbance of greater than or equal to one acre, including projects that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre according to the minimum performance measures listed below. Public and private projects, including projects proposed by the Co-Permittee's own departments and agencies, shall comply with these requirements. The minimum performance measures are:

- 4.2.4.1. Revise as necessary and enforce an ordinance or other regulatory mechanism that requires the use of erosion and sediment control practices at construction sites. The ordinance or other regulatory mechanism shall ensure compliance with all requirements set forth in the most current UPDES Storm Water General Permits for Construction Activities, which can be found at <https://documents.deq.utah.gov/water-quality/permits/updes/DWQ-2017-003485.pdf>. The ordinance or other regulatory mechanism shall include sanctions to ensure compliance. The ordinance or other regulatory mechanism shall apply, at a minimum, to construction projects disturbing greater than or equal to one acre and to construction projects that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre. Existing local requirements to apply storm water controls at sites less than 1 acre or not part of a Common Plan of Development may be retained.
- 4.2.4.1.1. The ordinance or other regulatory mechanism shall require construction operators to prepare a Storm Water Pollution Prevention Plan (SWPPP) and apply sediment and erosion control BMPs as necessary to protect water quality, reduce the discharge of pollutants, and control waste such as, but not limited to, discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at the construction site that may cause adverse impacts to water quality. The SWPPP requirements shall ensure compliance with all requirements set forth in the most current UPDES Storm Water General Permits for Construction Activities.
- 4.2.4.1.2. The ordinance or other regulatory mechanism shall include a provision for access by qualified personnel to inspect construction sites as well as storm water BMPs on private properties that discharge to the MS4.

- 4.2.4.1.3. Co-Permittees shall require construction sites with a land disturbance of greater than or equal to one acre, including projects that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre, obtain coverage under the current UPDES Storm Water General Permits for Construction Activities. Coverage can be obtained by completing an NOI as well as renewed online at: <https://secure.utah.gov/account/log-in.html>.
- 4.2.4.2. Develop a written enforcement strategy to ensure the ordinance or other regulatory mechanism is followed which shall include:
- 4.2.4.2.1. Specific processes and sanctions to minimize the occurrence of violations, obtain compliance from violators which shall include appropriate, escalating enforcement procedures and actions including an appeals process that is published in a publicly accessible location.
- 4.2.4.2.2. Must document and track all enforcement actions.
- 4.2.4.3. Development and implementation of a checklist for pre-construction SWPPP review that is consistent with the requirements of the current UPDES Storm Water General Permits for Construction Activities and keep records for, at a minimum, all construction sites that disturb greater than or equal to one acre, including projects that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre, to ensure plans are complete and in compliance with State regulations. Co-Permittees shall keep records of these projects for five years or until construction is completed, whichever is longer. Prior to construction, the Co-Permittee shall:
- 4.2.4.3.1. Conduct a pre-construction meeting which includes a review of the site design, the planned operations at the construction site, planned BMPs during the construction phase, the planned BMPs to be used to manage runoff created after development, as well as the Co-Permittee's enforcement policy.
- 4.2.4.3.2. Identify priority construction sites considering the following factors at a minimum:
- Soil erosion potential;
  - Site slope;
  - Project size and type;
  - Sensitivity of receiving water bodies (impaired or high quality waters);
  - Proximity to receiving water bodies; and,
  - Non-storm water discharges and past record of non-compliance by the operators of the construction site.
- 4.2.4.4. All Co-Permittees shall develop and implement SOPs or similar type of documents for construction site inspection and enforcement of construction storm water pollution control measures. The procedures shall clearly define who is responsible for site inspections as well as who has authority to implement enforcement procedures. An individual or entity who prepares a SWPPP for a construction project may not perform the construction site inspections required of Part 4.2.4.4.1 and 4.2.4.4.3 on behalf of the Co-Permittee. The Co-Permittee shall have the authority to the extent authorized by law to impose sanctions to ensure compliance with the local program. These procedures and regulatory authorities shall be written and documented in the

SWMP. The construction site storm water runoff control inspection program shall provide:

- 4.2.4.4.1. Inspections of all new construction sites with a land disturbance of greater than or equal to one acre, including projects that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre at least monthly by qualified personnel using the Construction Storm Water Inspection Form (Checklist) found on the Division's website at: <https://deq.utah.gov/legacy/permits/water-quality/utah-pollutant-discharge-elimination-system/docs/2015/06Jun/InspectionChecklist2.pdf>.

A "qualified person" is a person knowledgeable in the principles and practice of erosion and sediment controls and pollutant prevention, who possesses the skills to assess conditions at effectiveness of any storm water controls selected and installed to meet the requirements of this permit, such as but not limited to the following:

- Utah Registered Storm Water Inspector (RSI)
- Certified Professional in Erosion and Sediment Control (CPESC)
- Certified Professional in Storm Water Quality (CPSWQ)
- Certified Erosion, Sediment, and Storm Water Inspector (CESSWI)
- Certified Inspector of Sediment and Erosion Control (CISEC)
- National Institute for Certification in Engineering Technologies, Erosion and Sediment Control, Level 3 (NICET)
- Utah Department of Transportation Erosion Control Supervisor (ECS) (applicable to road/street projects only)

- 4.2.4.4.2. The Co-Permittee shall inspect all phases of construction: prior to land disturbance, during active construction, and following active construction. The Co-Permittee shall include in its SWMP document a procedure for being notified by construction operators/owners of their completion of active construction so that verification of final stabilization and removal of all temporary control measures may be conducted. This procedure must be provided to the construction operator/owner before active construction begins.

- 4.2.4.4.3. Inspections by the MS4 of priority construction sites shall be conducted at least every two weeks using the Construction Storm Water Inspection Form (Checklist) found on the Division's website at <https://deq.utah.gov/water-quality/municipal-separate-storm-sewer-system-ms4s-permits-updes-permits>

- 4.2.4.4.4. Co-Permittees may utilize an electronic site inspection tool in place of up to one-half of on-site MS4 inspections at a construction site provided that the Co-Permittee demonstrates to the Director that the tool meets the requirements of Part 4.2.4.

- 4.2.4.4.5. Based on site inspection findings, the Co-Permittee shall take all necessary follow-up actions (i.e., re-inspection, enforcement) to ensure compliance in accordance with the Co-Permittee's enforcement strategy. These follow-up and enforcement actions shall be tracked and documented.

- 4.2.4.5. The Co-Permittee shall ensure that all staff whose primary job duties are related to implementing the construction storm water program, including permitting, SWPPP

review, construction site inspections, and enforcement, are annually trained to conduct these activities. The training can be conducted by the MS4 or outside training can be attended. Such training must extend to third-party inspectors and plan reviewers as well. The Co-Permittee shall ensure that all new hires are trained within 60 days of hire and annually thereafter, at a minimum. Follow-up training shall be provided as needed to address changes in procedures, methods or staffing. The training records to be kept-include dates, activities or course descriptions, and names and positions of staff in attendance.

- 4.2.4.6. Co-Permittees shall implement a procedure to maintain records of all projects disturbing greater than or equal to one acre, including projects that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre. Co-Permittees shall keep records which include but are not limited to, site plan reviews, SWPPPs, inspections and enforcement actions including verbal warnings, stop work orders, warning letters, notices of violation, and other enforcement records. Co-Permittees must keep records of these projects for five years or until construction is completed, whichever is longer.

**4.2.5. *Long-Term Storm Water Management in New Development and Redevelopment (Post-Construction Storm Water Management)***

All Co-Permittees shall revise as necessary, implement and enforce a program to address post-construction storm water runoff to the MS4 from private and public new development and redevelopment construction sites meeting the thresholds below. The water quality considerations of this minimum control measure do not replace or substitute for water quantity or flood management requirements implemented on the local level for new development or redevelopment sites. The water quality controls may be incorporated into the design of structures intended for flow control; or water quality control may be achieved with separate control measures. The program must apply to private and public development sites.

The minimum performance measures are:

- 4.2.5.1. Post-construction Controls. The Co-Permittee's new development/redevelopment program must have requirements or standards to ensure that any storm water controls or management practices for new development and redevelopment will prevent or minimize impacts to water quality. BMPs must be selected that address pollutants known to be discharged or anticipated to be discharged from the site.
- 4.2.5.1.1. The Co-Permittee's new development/redevelopment program should include non-structural BMPs such as requirements and standards to minimize development in areas susceptible to erosion and sediment loss; to minimize the disturbance of native soils and vegetation; to preserve areas that provide important water quality benefits; to implement measures for flood control; and to protect the integrity of natural resources and sensitive areas.
- 4.2.5.1.2. Retention Requirement. Each Co-Permittee must develop and define a specific hydrologic method or methods for calculating runoff volumes and flow rates to ensure consistent sizing of structural BMPs in their jurisdiction and to facilitate plan review.

By **July 1, 2020**, new development projects that disturb land greater than or equal to one acre, including projects that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre must manage rainfall on-site, and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80<sup>th</sup> percentile rainfall event or a predevelopment hydrologic condition, whichever is less. This objective must be accomplished by the use of practices that are designed, constructed, and maintained to infiltrate, evapotranspire and/or harvest and reuse rainwater. The 80<sup>th</sup> percentile rainfall event is the event whose precipitation total is greater than or equal to 80 percent of all storm events over a given period of record.

By **July 1, 2020**, redevelopment projects that disturb greater than or equal to one acre, including projects less than an acre that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre must provide a site-specific and project-specific plan aimed at net gain to onsite retention or a reduction to impervious surface to provide similar water quality benefits. If a redevelopment project increases the impervious surface by greater than 10%, the project shall manage rainfall on-site, and prevent the off-site discharge of the net increase in the volume associated with the precipitation from all rainfall events less than or equal to the 80<sup>th</sup> percentile rainfall event. This objective must be accomplished by the use of practices that are designed, constructed, and maintained to infiltrate, evapotranspire and/or harvest and reuse rainwater.

- 4.2.5.1.3. Low Impact Development Approach. By **July 1, 2020**, the program shall include a process which *requires* the evaluation of a Low Impact Development (LID) approach for all projects subject to the requirements in 4.2.5.1.2. A LID approach promotes the implementation of BMPs that allow storm water to infiltrate, evapotranspire or harvest and use storm water on site to reduce runoff from the site and protect water quality.

Guidance for implementing LID can be found in DWQ's LID controls which are appropriate for use in the State of Utah can be found in *A Guide to Low Impact Development within Utah* (the Guide), available on DWQ's website.

Co-Permittees must allow for use of a minimum of five LID practices from the list in Appendix C of the Guide. If a Co-Permittee has not adopted specific LID practices from Appendix C, any LID approach that meets 4.2.5.1.2 and is feasible may be used to meet this requirement.

- 4.2.5.1.4. Since 2010, rainwater harvesting is legal in the State of Utah. Depending on the volume of rainwater collected and stored for beneficial use, the Co-Permittee must meet the requirements of the Utah Division of Water Rights to harvest rainwater found on their website: <http://waterrights.utah.gov/forms/rainwater.asp>.

- 4.2.5.1.5. Feasibility. If meeting the retention standards described in Part 4.2.5.1.2 is infeasible, a rationale shall be provided for the use of alternative design criteria. The new or redevelopment project must document and quantify that infiltration, evapotranspiration, and rainwater harvesting have been used to the maximum extent feasible and that full employment of these controls are infeasible due to constraints. LID infeasibility may be due to one or more of the following conditions: high

groundwater, drinking water source protection areas, soil conditions, slopes, accessibility, excessive costs, or others.

Guidance for assessing and documenting site conditions can be found in DWQ's "A Guide to Low Impact Development within Utah" Appendix B "Storm Water Quality Report Template" located on the DWQ website at: <https://documents.deq.utah.gov/water-quality/stormwater/updes/DWQ-2019-000161.pdf>.

A MS Word version can be found on DWQ's website at: <https://documents.deq.utah.gov/water-quality/stormwater/DWQ-2018-013750.docx>.

4.2.5.2. Regulatory Mechanism. Develop and adopt an ordinance or other regulatory mechanism that requires long-term post-construction storm water controls at new development and redevelopment sites. The ordinance or other regulatory mechanism shall apply, at a minimum, to new development and redevelopment sites that discharge to the MS4 and that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre. The ordinance or other regulatory mechanism must require BMP selection, design, installation, operation and maintenance standards necessary to protect water quality and reduce the discharge of pollutants to the MS4. The Co-Permittee shall implement an enforcement strategy and implement the enforcement provisions of the ordinance or other regulatory mechanism. The Co-Permittee's ordinance or other regulatory mechanism must include an appeals process.

4.2.5.2.1. The Co-Permittee must include enforcement provisions in the ordinance or other regulatory mechanism, including procedures that include specific processes and sanctions to minimize the occurrence of, and obtain compliance from, chronic and recalcitrant violators which must include appropriate, escalating enforcement procedures and actions.

4.2.5.2.2. The Co-Permittee must maintain documentation on how the requirements of the ordinance or other regulatory mechanism will protect water quality and reduce the discharge of pollutants to the MS4. Documentation must include:

- How long-term storm water BMPs were selected;
- The pollutant removal expected from the selected BMPs; and
- The technical basis which supports the performance claims for the selected BMPs.

All Co-Permittees shall adopt and implement SOPs or similar type of documents for site inspection and enforcement of post-construction storm water control measures. These procedures shall be designed to achieve adequate ongoing long-term operation and maintenance of approved storm water control measures.

4.2.5.2.3. The ordinance or other regulatory mechanism shall include provisions for post-construction access for Co-Permittees to inspect storm water control measures on private properties that discharge to the MS4 to ensure that adequate maintenance is being performed. The ordinance or other regulatory mechanism may, in lieu of requiring that the Co-Permittee's staff inspect and maintain storm water controls on private property, require private property owner/operators or qualified third parties to

conduct maintenance and provide annual certification that adequate maintenance has been performed and the structural controls are operating as designed to protect water quality. If the Co-Permittee requires a maintenance agreement addressing maintenance requirements for any control measures installed on site the agreement shall allow the Co-Permittee to conduct oversight inspections of the storm water control measures and also account for transfer of responsibility in leases and/or deeds. The agreement must also allow the Co-Permittee to perform necessary maintenance or corrective actions neglected by the property owner/operator, and bill or recoup costs from the property owner/operator as needed.

- 4.2.5.2.4. Permanent structural BMPs shall be inspected at least once during installation by qualified personnel. Prior to closing out a construction permit, the Co-Permittee shall verify that long-term BMPs were constructed as designed.
- 4.2.5.2.5. Inspections and any necessary maintenance must be conducted at least every other year or as necessary to maintain functionality of the control by either the Co-Permittee or, if applicable, the property owner/operator. On sites where the property owner/operator is conducting maintenance, the Co-Permittee must inspect those storm water control measures at least once every five years, or more frequently as determined by the Co-Permittee to verify and ensure that adequate maintenance is being performed. Following an inspection, if there is an observed failure of a facility to perform as designed, the Co-Permittee must document its findings in an inspection report which includes the following:
- Inspection date;
  - Name and signature of inspector;
  - Project location
  - Current ownership information
  - A description of the condition of the storm water control measure including the quality of: vegetation and soils; inlet and outlet channels and structures; catch basins; spillways; weirs, and other control structures; and sediment and debris accumulation in storage as well as in and around inlet and outlet structures;

Specific maintenance issues or violations found that need to be corrected by the property owner or operator along with deadlines and re-inspection dates.

- 4.2.5.3. Plan Review. Co-Permittees shall:
- 4.2.5.3.1. Adopt and implement procedures for site plan review which incorporate consideration of water quality impacts. The procedures shall apply through the life of the project from conceptual design to project closeout.
- 4.2.5.3.2. Review post-construction plans for, at a minimum, all new development and redevelopment sites that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre, to ensure that the plans include long-term storm water management measures that meet the requirements of this minimum control measure.
- 4.2.5.4. Inventory. The Co-Permittee shall maintain an inventory of all post-construction structural storm water control measures installed and implemented at new

development and redevelopment sites that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre. This inventory must include both public sites and private sector sites that were developed since the Co-Permittee obtained coverage by this permit or the date that post-construction requirements came into effect, whichever is later; and are located within the Co-Permittee's service area.

- 4.2.5.4.1. Each entry to the inventory must include basic information on each project, such as project's name, owner's name and contact information, location, start/end date, etc. In addition, inventory entries shall include the following for each project:
  - Short description of each storm water control measure (type, number, design or performance specifications);
  - Short description of maintenance requirements (frequency of required maintenance and inspections); and
  - Inspection information (date, findings, follow up activities, prioritization of follow-up activities, compliance status).
- 4.2.5.4.2. Based on inspections conducted pursuant to Part 4.2.5.2.5, the Co-Permittee must update the inventory as appropriate where changes occur in property ownership or the specific control measures implemented at the site.
- 4.2.5.5. Training. Co-Permittees shall ensure that all staff involved in post-construction storm water management including those that conduct plan review, annual maintenance inspections, and enforcement, receive appropriate training.. Training shall be provided or made available for staff in the fundamentals of long-term storm water management through the use of structural and non-structural control methods. The Co-Permittees must ensure that all new hires are trained within 60 days of hire and annually thereafter, at a minimum. Follow-up training shall be provided as needed to address changes in procedures, methods or staffing.

**4.2.6. *Pollution Prevention and Good Housekeeping for Municipal Operations***

All Co-Permittees must implement a program for Co-Permittee-owned or operated facilities, operations and structural storm water controls that includes SOPs, pollution prevention BMPs, storm water pollution prevention plans or similar type of documents and a training component that have the ultimate goal of preventing or reducing the runoff of pollutants to the MS4 and waters of the state. All components of the program shall be included in the SWMP document and must identify the department responsible for performing each activity described in this section. The Co-Permittee shall develop an inventory of all such Co-Permittee-owned or operated facilities. The Co-Permittee must review this inventory annually and update as necessary.

4.2.6.1. As a minimum requirement, the Co-Permittees shall develop and keep current a written inventory of all the following potential “high priority” facilities that are owned or operated by the Co-Permittee and all the storm water controls that may include but is not limited to:

- Composting facilities
- Equipment storage and maintenance facilities
- Fuel farms
- Hazardous waste disposal facilities
- Hazardous waste handling and transfer facilities
- Incinerators
- Landfills
- Landscape maintenance facilities on municipal property
- Materials storage yards
- Pesticide storage facilities
- Public buildings, including libraries, police stations, fire stations, municipal buildings, and similar Co-Permittee-owned or operated buildings
- Public parking lots
- Public golf course maintenance facilities
- Public swimming pool maintenance facilities
- Public works yards
- Recycling facilities
- Salt storage facilities
- Solid waste handling and transfer facilities
- Street repair and maintenance facilities and or shed sites
- Vehicle storage and maintenance yards
- Co-Permittee-owned and/or maintained structural storm water controls

4.2.6.2. All Co-Permittees shall assess the written inventory of Co-Permittee-owned or operated facilities, operations and storm water controls identified in Part 4.2.6.1. and make a list of common pollutants that may originate from these facilities and how to prevent them from entering the storm water system. A description of the assessment process and findings shall be included in the SWMP document.

4.2.6.3. Based on the assessment required in Part 4.2.6.2., the Co-Permittee shall identify as “high-priority” those facilities or operations that have:

1. pollutants stored at the site,
2. the identification of improperly stored materials,
3. potential pollutant-generating activities performed outside (e.g. changing automotive fluids)
4. close proximity upstream to fresh water and water bodies, including but not limited to streams, canals, rivers, ponds and lakes,
5. potential discharge of pollutant(s) of concern to impaired water(s).

The Co-Permittee shall provide water quality control measures and BMPs at all high-priority sites designed to target the specific pollutants generated onsite, and/or the pollutants associated with the impaired waters. The Co-Permittee shall monitor the control measures and BMPs regularly to verify that the BMPs are functioning. Control measures, BMPs, and monitoring schedules shall be specified in the Co-Permittee's SWMP.

- 4.2.6.4. The Co-Permittee shall update the SWMP to include a list of "high priority" facilities according to 4.2.6.3 and prepare a Storm Water Pollution Prevention Plan (SWPPP) for each facility within 180 days from the effective date of this permit. Each "high priority" facility shall implement a SWPPP outlining measure to prevent pollutants to enter the storm drain system from each of these facilities. The SWPPP shall include a site map showing the following information:

- Property boundaries
- Buildings and impervious surfaces;
- Directions of storm water flow (use arrows);
- Locations of structural control measures;
- Location and name of the nearest defined drainage(s) which could receive runoff from the facility, whether it contains water or not;
- Locations of all storm water conveyances including ditches, pipes, basins, inlets, and swales;
- Locations where the following activities are exposed to storm water:
  - Fixed fueling operations;
  - Vehicle and equipment maintenance and/or cleaning areas;
  - Brine making areas;
  - Loading/unloading areas;
  - Materials or waste storage or disposal areas;
  - Liquid storage tanks;
  - Process and equipment operating areas;
- Locations where significant spills or leaks have occurred;
- Locations of all visual storm water monitoring points;
- Locations of storm water inlets and outfalls, with a unique identification code for each outfall and an approximate outline of the areas draining to each outfall
- Locations of all non-storm water discharges;
- Locations of sources of run-on to your site from adjacent property.

- 4.2.6.5. The following inspections shall be conducted at "high priority" Co-Permittee-owned or operated facilities:

- 4.2.6.5.1. Monthly visual inspections: The Co-Permittee must perform monthly visual inspections of “high priority” facilities and related storm water outfalls in accordance with the developed SOPs to verify the performance of the BMPs and all other systems designed and placed to eliminate any pollutant discharge. The monthly inspections shall be tracked in a log for every facility and records kept with the SWMP document. The inspection log should also include any identified deficiencies and the corrective actions taken to fix the deficiencies.
- 4.2.6.5.2. Semi-Annual comprehensive inspections: At least twice per year, a comprehensive inspection of “high priority” facilities, including all storm water controls, must be performed, with specific attention paid to waste storage areas, dumpsters, vehicle and equipment maintenance/fueling areas, material handling areas, and similar pollutant-generating areas. The semi-annual inspection results shall be documented and records kept with the SWMP document. This inspection shall be done in accordance with the developed SOPs. An inspection report shall also include any identified deficiencies and the corrective actions taken to remedy the deficiencies.
- 4.2.6.5.3. Annual visual observation of storm water discharges: At least once per year, the Co-Permittee shall visually observe the quality of the storm water discharges from the “high priority” facilities during the first half hour of a measurable storm (unless climate conditions preclude doing so, in which case the Co-Permittee shall attempt to evaluate the discharges once during the wet season). Any observed problems (e.g., color, foam, sheen, turbidity) that can be associated with pollutant sources or controls shall be remedied to prevent discharge to the storm drain system. Visual observations shall be documented and records kept with the SWMP document. This inspection must be done in accordance with the developed SOPs. The inspection report must also include any identified deficiencies and the corrective actions taken to remedy the deficiencies.
- 4.2.6.6. Co-Permittees shall develop and implement SOPs to protect water quality at each of the facilities owned or operated by the Co-Permittee and/or activities conducted by the Co-Permittee including but not limited to those listed below:
- Buildings and facilities;
  - Material storage areas, heavy equipment storage areas and maintenance areas;
  - Parks and open space;
  - Vehicle and Equipment;
  - Roads, highways, and parking lots; and
  - Storm water collection and conveyance system.
- 4.2.6.6.1. SOPs shall address the following practices to ensure they are protective of water quality:
- Use, storage and disposal of chemicals;
  - Storage of salt, sand, gravel, landscaping materials, asphalt and other materials;
  - Waste and trash management;
  - Cleaning, washing, painting and other maintenance activities including cleaning of maintenance equipment, building exteriors, trash containers;
  - Sweeping roads and parking lots;
  - Proper application, storage, and disposal of fertilizer, pesticides, and herbicides including minimization of use;

- Lawn maintenance and landscaping activities including proper disposal of lawn clipping and vegetation;
  - Proper disposal of pet wastes;
  - Vehicle maintenance and repair activities including use of drip pans and absorbents under or around leaky vehicles and equipment;
  - Vehicle/equipment storage including storing indoors where feasible;
  - Vehicle fueling including placing fueling areas under cover in order to minimize exposure where feasible;
  - Road and parking lot maintenance, including pothole repair, pavement marking, sealing and repaving;
  - Cold weather operations, including plowing, sanding, and application of deicing compounds and maintenance of snow disposal areas;
  - Right-of-way maintenance, including mowing, herbicide and pesticide application;
  - Municipally-sponsored events such as large outdoor festivals, parades or street fairs;
  - Regular inspection, cleaning, and repair of storm water conveyance and structural storm water controls; and
  - Any activities or operations not listed above that would reasonably be expected to discharge contaminated runoff.
- 4.2.6.6.2. SOPs must include a schedule for Co-Permittee owned road and parking lot sweeping and storm drain system maintenance including regular inspection, cleaning, and repair of catch basins, storm water conveyance pipes, ditches and irrigation canals, culverts, structural storm water controls, and structural runoff treatment and/or flow control facilities. Co-Permittees must prioritize sweeping and storm sewer system maintenance, with the highest priority areas being maintained at the greatest frequency. Priorities should be driven by water quality concerns, the condition of the receiving water, the amount and type of material that typically accumulates in an area, or other location-specific factors.
- 4.2.6.6.3. Co-Permittees must ensure and document proper disposal methods of all waste and wastewater removed during cleaning and maintenance of the storm water conveyance system. These disposal methods apply to, but are not limited to, street sweeping and catch basin cleaning. Materials removed from the MS4 should be dewatered in a contained area and discharged to the local sanitary sewer (with approval of local authorities) where feasible. The solid material will need to be stored and disposed of properly to avoid discharge during a storm event. Any other treatment and disposal measures shall be reviewed and approved by the *Director*. Some materials removed from storm drains and open channels may require special handling and disposal, and may not be authorized to be disposed of in a landfill. The solid material shall be stored and disposed of in accordance to federal, state and local laws.
- 4.2.6.6.4. Co-Permittees must ensure that vehicle, equipment and other wash waters are not discharged to the MS4 or waters of the state. This Permit strictly prohibits such discharges. The Co-Permittee must minimize discharges to waters of the state that are associated with snow disposal and melt.
- 4.2.6.6.5. The Co-Permittee shall develop a spill prevention plan in coordination with the local fire department.

- 4.2.6.6.6. All Co-Permittees must maintain an inventory of all floor drains inside all Co-Permittee-owned or operated buildings. The inventory shall be kept current. The Co-Permittee shall ensure that all floor drains discharge to appropriate locations.
- 4.2.6.7. The Co-Permittee shall be responsible for ensuring, through contractually-required documentation and/or periodic site visits that contractors performing O&M activities for the Co-Permittee are using appropriate storm water controls and following the standard operating procedures, storm water control measures, and good housekeeping practices of the Co-Permittee.
- 4.2.6.8. The Co-Permittee must develop and implement a process to assess the water quality impacts in the design of all new flood management structural controls that are associated with the Co-Permittee or that discharge to the MS4. This process shall include consideration of controls that can be used to minimize the impacts to site water quality and hydrology while still meeting project objectives. A description of this process shall be included in the SWMP document. 4.2.6.8.1 Existing flood management structural controls shall be assessed to determine whether changes or additions should be made to improve water quality. A description of this process and determinations should be included in the SWMP document.
- 4.2.6.9. The Co-Permittee must develop a plan to retrofit existing developed sites that the Co-Permittee owns or operates that are adversely impacting water quality. The retrofit plan must be developed to emphasize controls that infiltrate, evapotranspire or harvest and use storm water discharges. The plan shall include a ranking of retrofit sites based on the following criteria:
- Proximity to waterbody
  - Status of waterbody to improve impaired water bodies and protect unimpaired water bodies
  - Hydrologic condition of the receiving waterbody
  - Proximity to sensitive ecosystem or protected area
  - Any upcoming sites that could be further enhanced by retrofitting storm water controls
- 4.2.6.10. Co-Permittees shall require that all employees, contracted staff, and other responsible entities that have primary operation, or maintenance job functions that are likely to impact storm water quality receive annual training that shall address the importance of protecting water quality, the requirements of this Permit, operation and maintenance requirements, inspection procedures, ways to perform their job activities to prevent or minimize impacts to water quality, SOPs and SWPPPs for the various Co-Permittee-owned or operated facilities and procedures for reporting water quality concerns, including potential illicit discharges. Training records must be kept and shall include dates, activities or course descriptions, and names and positions of staff in attendance. Co-Permittees shall document and maintain records of the training provided and the staff in attendance. The Co-Permittees must ensure that all new hires are trained within 60 days of hire and annually thereafter, at a minimum. Follow-up training shall be provided as needed to address changes in procedures, methods or staffing.

### **4.3. Industrial and High Risk Runoff (Phase I Co-Permittee Only)**

Phase I Co-Permittee (Salt Lake County) shall continue to develop and implement an inspection and oversight program to monitor and control pollutants in storm water discharges to the MS4 from industrial facilities. Phase I regulations specify that several key elements shall be included in Phase I storm water management programs. These elements include: adequate legal authority to require compliance and inspect sites, inspection of priority industrial and commercial facilities, establishing control measure requirements for facilities that may pose a threat to water quality, and enforcing storm water requirements. If the Phase I Co-Permittee does not have industrial or high risk runoff in their jurisdiction, Part 4.3 will not be required.

The following permit requirements apply to only Phase I Co-Permittee (Salt Lake County):

4.3.1. The Phase I Co-Permittee must maintain an inventory of all industrial and commercial sites/sources within its jurisdiction (regardless of ownership) that could discharge pollutants in storm water to the MS4. The inventory shall be updated annually, at a minimum, and made available for review by the *Director* upon request.

4.3.1.1. The inventory must include the following minimum information for each industrial and commercial site/source:

- Name
- Address
- Physical location of storm drains and other conveyance structures receiving discharge
- Name of receiving water
- Pollutants potentially generated by the site/source
- Identification of whether the site/source is (1) tributary to an impaired water body segment (i.e., whether it is listed under Section 303(d) of the *Clean Water Act*) and (2) whether it generates pollutants for which the water body segment is impaired.
- A narrative description including the standard industrial classification (SIC) codes, which best reflects the principal products or services provided by each facility.

4.3.1.2. At a minimum, the following sites/sources shall be included in the inventory:

Commercial Sites/Sources:

- Automobile and other vehicle body repair or painting
- Automobile (or other vehicle) parking lots and storage facilities
- Automobile repair, maintenance, fueling, or cleaning
- Building material retailers and storage
- Cement mixing or cutting
- Eating or drinking establishments (e.g., restaurants), including food markets
- Equipment repair, maintenance, fueling, or cleaning
- Golf courses, parks and other recreational areas/facilities
- Landscaping
- Masonry

- Mobile automobile or other vehicle washing
- Mobile carpet, drape or furniture cleaning
- Nurseries and greenhouses
- Painting and coating
- Pest control services
- Pool and fountain cleaning
- Portable sanitary services
- Power washing services
- Retail or wholesale fueling

Industrial Sites/Sources

- Industrial Facilities, as defined at 40 CFR 122.26(b)(14), including those subject to the Multi Sector General Permit or individual UPDES permit
  - Facilities subject to Title III of the Superfund Amendments and Reauthorization Act (SARA)
  - Hazardous waste treatment, disposal, storage and recovery facilities
- 4.3.1.3. All other commercial or industrial sites/sources tributary to an impaired water body segment, where the site/source generates pollutants for which the water body segment is impaired.
- 4.3.1.4. All other commercial or industrial sites/sources that the Co-Permittee determines may contribute a significant pollutant load to the MS4 including those that the Co-Permittee may have a history of past water quality problems.
- 4.3.2. The Co-Permittee shall require industrial and commercial facilities listed in the inventory included in Part 4.3.1.2. to select, install, implement, and maintain storm water control measures as necessary to minimize storm water pollution.
- 4.3.2.1. The Co-Permittee is required to notify industrial and commercial sites of any control measure requirements pertaining to their site and their responsibility to implement and comply with the requirements.
- 4.3.2.2. The Co-Permittee may need to require industrial and commercial facilities that discharge into impaired water bodies to implement additional controls as necessary to prevent the discharge of pollutants of concern.
- 4.3.3. The Co-Permittee shall prioritize all facilities on the basis of the potential for water quality impact using criteria such as pollutant sources on site, pollutants of concern, proximity to a water body, and violation history of the facility.
- 4.3.3.1. The Co-Permittee shall describe in its SWMP document the process for prioritizing facilities.
- 4.3.4. The Co-Permittee is required to conduct inspections of all industrial and commercial facilities at least once during this Permit term with the highest priority facilities receiving more frequent inspections.

- 4.3.4.1. For facilities with no exposure of commercial or industrial activities to storm water, no inspections are required. However, the Co-Permittee shall continue to track these facilities for significant change in the exposure of their operations to storm water.
- 4.3.4.2. All industrial and commercial facility inspections shall at a minimum:
- Evaluate the facility's compliance with this permit's Part 4.3.2. requirement to select, design, install, and implement storm water control measures;
  - Conduct a visual observation for evidence of unauthorized discharges, illicit connections, and potential discharge of pollutants to storm water;
  - Verify whether the facility is required to be authorized under the UPDES Multi-Sector General Permit (MSGP) for Storm Water Discharges Associated with Industrial Activities and whether the facility has in fact obtained such permit coverage;
  - Evaluate the facility's compliance with any other relevant local storm water requirements;
- 4.3.4.3. At a minimum, the Co-Permittee shall document the following for each inspection:
- The inspection date and time;
  - The name(s) and signature(s) of the inspectors;
  - Weather information and a description of any discharges occurring at the time of the inspection;
  - Any previously unidentified discharges of pollutants from the site;
  - Any control measures needing maintenance or repairs;
  - Any failed control measures that need replacement;
  - Any incidents of noncompliance observed; and
  - Any additional control measures needed to comply with this permit's requirements.
- 4.3.4.4. Inspection findings must be tracked to ensure inspections are conducted at a frequency consistent with the prioritization process required in Part 4.3.3.1.
- 4.3.5. The Co-Permittee must ensure that all necessary follow up inspections and enforcement activities are conducted as necessary to require implementation and maintenance of all storm water control measures.
- 4.3.6. The Co-Permittee must ensure that all staff whose primary job duties are implementing the industrial storm water program are trained annually, at a minimum, to conduct facility inspections. All new hires must be trained within 60 days upon hire. The training must cover what is required under this permit in terms of storm water control measures, the requirements of the Multi-Sector General Permit for Discharges Associated with Industrial Activities or other related local requirements, the Co-Permittee's site inspection and documentation protocols, and enforcement procedures. Co-Permittees shall document and maintain records of the training provided and the staff the staff in attendance.

#### **4.4. Sharing Responsibility**

- 4.4.1. Implementation of one or more of the six minimum measures may be shared with another entity, or the entity may fully take over the measure. A Co-Permittee may rely on another entity only if:
- 4.4.2. The other entity, in fact, implements the control measure;
- 4.4.3. The particular control measure, or component of that measure, is at least as stringent as the corresponding Permit requirement; and
- 4.4.4. The other entity agrees to implement the control measure through a written agreement. This obligation shall be maintained as part of the description given in the Co-Permittee's SWMP document. If the other entity agrees to report on the minimum control measure, the Co-Permittee must supply the other entity with the reporting requirements contained in Part 5.6. of this Permit. If the other entity fails to implement the control measure, then the Co-Permittee remains liable for any discharges due to that failure to implement.

#### **4.5. Reviewing and Updating Storm Water Management Programs**

- 4.5.1. Storm Water Management Program Review: All Co-Permittees must conduct, at a minimum, an annual review of the SWMP document in conjunction with preparation of the annual report required in Part 5.6.
- 4.5.2. *Storm Water Management Program Update:* A Co-Permittee may change the SWMP document during the life of the Permit in accordance with the following procedures:
  - 4.5.2.1. Changes adding (but not subtracting or replacing) components, controls, or requirements to the SWMP document may be made at any time upon written notification to the *Director*.
  - 4.5.2.2. Changes replacing an ineffective or unfeasible BMP specifically identified in the SWMP document with an alternative BMP may be adopted at any time, provided the analysis is clearly outlined and subsequently approved by the *Director*. An analysis should include:
    - 4.5.2.2.1. For Phase I Co-Permittee, Salt Lake County, a review of monitoring data, any changes in monitoring methods and parameters, considerations for how to change monitoring to improve information gathered from data, considerations about what kind of information is most useful for assessing storm water, and another look at what or how assessments can be made to track water quality as impacted by storm water.
  - 4.5.2.3. Changes replacing an ineffective or unfeasible BMP specifically identified in the SWMP document with an alternate BMP may be adopted at any time, provided the analysis is clearly outlined and subsequently approved by the *Director*. An analysis must include:
    - 4.5.2.3.1. An explanation of why the BMP is ineffective or infeasible,
    - 4.5.2.3.2. Expectations or report on the effectiveness of the replacement BMP, and
    - 4.5.2.3.3. An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced, or has achieved those goals.
- 4.5.3. Change requests or notifications must be made in writing and signed in accordance with Part 6.8.
- 4.5.4. Change requests or notifications will receive confirmation and approval or denial in writing from the *Director*.
- 4.5.5. Storm Water Management Program Updates required by the *Director*: The *Director* may require changes to the SWMP as needed to:

- 4.5.5.1. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;
- 4.5.5.2. Include more stringent requirements necessary to comply with new Federal regulatory requirements; or
- 4.5.5.3. Include such other conditions deemed necessary by the *Director* to comply with the goals and requirements of the *Clean Water Act*.

## **5.0 Narrative Standard, Monitoring, Recordkeeping and Reporting**

### **5.1. Narrative Standard**

It shall be unlawful, and a violation of this Permit, for the Co-Permittee to discharge or place any waste or other substance in such a way as will be or may become offensive such as unnatural deposits, floating debris, oil, scum or other nuisances such as color, odor or taste, or conditions which produce undesirable aquatic life or which produces objectionable tastes in edible aquatic organisms; or concentrations or combinations of substances which produce undesirable physiological responses in desirable resident fish, or other desirable aquatic life, or undesirable human health effects, as determined by bioassay or other tests performed in accordance with standard procedures.

### **5.2. General Monitoring and Sampling Requirements**

- 5.2.1. Wet Weather Monitoring: Co-Permittees with jurisdictions within Phase I areas must implement a wet weather monitoring program that is appended to this Permit in Appendix III as required by the *Director*. The program may be modified provided the modification (s) meets the requirements of this section and Part 1.6.4. The Co-Permittee must meet the objectives of the monitoring program as listed below:
  - 5.2.1.1. Assess storm water impacts to in-stream water quality, hydrology, geomorphology, habitat, and biology;
  - 5.2.1.2. Provide data to estimate annual cumulative pollutant loadings from the MS4;
  - 5.2.1.3. Estimate event mean concentrations and pollutants in discharges from major outfalls;
  - 5.2.1.4. Identify and prioritize portions of the MS4 requiring additional controls, and;
  - 5.2.1.5. Identify water quality improvements or degradation.
- 5.2.2. Phase I Co-Permittee, Salt Lake County, must select monitoring locations as needed to best characterize the purpose of the objective listed above and be representative of the area covered by the Permit and be within the Co-Permittee's jurisdiction. If the Phase I Co-Permittee does not have jurisdiction over facilities that will meet the purpose of the objectives outlined above, wet weather monitoring will not be required.
  - 5.2.2.1. If required, the latest version of Salt Lake County's *Sampling Plan for Representative Storm Monitoring* must be placed in Appendix III within 90 days of issuance of this Permit. The *Sampling Plan for Representative Storm Monitoring* must attempt to address monitoring of a representative storm for the area.
  - 5.2.2.2. Phase I Co-Permittee, Salt Lake County, may modify the sampling plan and submit the modified plan for approval by the *Director*. All modifications to the sampling plan must be approved by the *Director*.
  - 5.2.2.3. The minimum monitoring to be conducted each year must be a planned wet weather monitoring frequency of twice a year, subject to the occurrence of appropriate storm

events. If the Phase I Co-Permittee is not able to accomplish the planned monitoring frequency the Phase I Co-Permittee must submit detailed reasons and weather data showing why it was not possible.

- 5.2.3. Dry Weather Screening: Phase I Co-Permittee, Salt Lake County, must continue its dry weather screening efforts and include the latest version of its *Sampling Plan for Dry Weather Screening* in Appendix III and submitted to the *Director* within 90 days of issuance of this Permit.
- 5.2.3.1. The *Sampling Plan for Dry Weather Screening* must include the screening methodology used for screening all outfalls of the MS4 at least once during the permit term. The inventory of outfalls and associated maps must be kept current. Phase I Co-Permittee, Salt Lake County, must also comply with the requirements of Part 4.2.3.3.2 of this Permit and address priority areas identified in Part 4.2.3.3.1 to detect illicit discharges within one year of receiving coverage from this Permit, and field assessing an additional 20 percent of the identified high priority waters of the state or other high priority area each year thereafter.
- 5.2.4. Phase I Co-Permittee, Salt Lake County, must at a minimum, annually train all staff involved with Wet Weather Monitoring and Dry Weather Screening. The Co-Permittee must document and maintain records of the training provided and the staff in attendance.

### **5.3. Analytical Monitoring**

Phase II Co-Permittees are not required to conduct analytical monitoring (see definition in Part 7.3) during the effective term of this Permit, with the following exceptions:

- 5.3.1. Water quality sampling may be required for compliance with TMDLs, pursuant to Part 3.1. of this Permit.
- 5.3.2. Sampling or testing may be required for characterizing illicit discharges pursuant to Parts 4.2.3.4., 4.2.3.5., and 4.2.3.5.1 of this Permit.
- 5.3.3. In the event that the Phase II MS4 elects to conduct analytical monitoring as part of its Storm Water Management Program, the Co-Permittee is required to comply with Part 6.18. of this Permit.

### **5.4. Non-analytical Monitoring**

- 5.4.1. Non-analytical monitoring (see definitions in Part 7.0) such as visual dry weather screening is required to comply with Part 4.2.3.3.2 of this Permit.

### **5.5. Record keeping**

- 5.5.1. Co-Permittees must keep all supplementary documents associated with this Permit (e.g., Storm Water Management Program (SWMP) document, SWMP

Implementation Schedule) current and up to date to achieve the purpose and objectives of the required document.

- 5.5.2. All modifications to supplementary documents must be submitted to the *Director* in accordance with Parts 4.5. and 6.8.
- 5.5.3. The *Director* may at any time make a written determination that parts or all of the supplementary documents are not in compliance with this Permit, wherein the Co-Permittee shall make modifications to these parts within a time frame specified by the *Director*.
- 5.5.4. The Co-Permittee must retain all required plans, records of all programs, records of all monitoring information, copies of all reports required by this Permit, and records of all other data required by or used to demonstrate compliance with this Permit, for at least five years from the date of the record. This period may be explicitly modified by alternative provisions of this Permit or extended by request of the *Director* at any time.
- 5.5.5. The Co-Permittee must make records, including the Notice of Intent (NOI) and the SWMP document, available to the public if requested.

## **5.6. Reporting**

- 5.6.1. Each Co-Permittee must submit an annual report to the *Director* by October 1 for the reporting period of July 1 to June 30 of each year of the Permit term.
- 5.6.2. The report must be submitted using the report form provided on the *Division's* website at: [https://deq.utah.gov/legacy/permits/water-quality/utah-pollutant-discharge-elimination-system/docs/2009/07Jul/MS4\\_UT\\_09\\_annual\\_report\\_form.pdf](https://deq.utah.gov/legacy/permits/water-quality/utah-pollutant-discharge-elimination-system/docs/2009/07Jul/MS4_UT_09_annual_report_form.pdf)
- 5.6.2.1. The Phase I Co-Permittee, Salt Lake County must submit a summary of five years of wet weather monitoring and assess trends and make conclusions (This timeframe takes into account the previous Permit conditions and reporting requirements, some of the data was required by the previous Permit term).
- 5.6.3. Each Co-Permittee must sign and certify the annual report in accordance with Part 6.8.
- 5.6.4. Signed copies of the annual report and all other reports required herein, must be submitted directly to the DWQ electronic document system at: <https://deq.utah.gov/water-quality/water-quality-electronic-submissions>

## **5.7. Legal Authority**

Each Co-Permittee must ensure legal authority exists to control discharges to and from those portions the MS4 over which it has jurisdiction. This legal authority may be a combination of statute, ordinance, Permit, contract, order or inter-jurisdictional agreements with Co-Permittees with existing legal authority to:

- 5.7.1. Control the contribution of pollutants to the MS4 by storm water discharges associated with industrial activity and the quality of storm water discharged from sites of industrial activity (including construction activity);
- 5.7.2. Effectively prohibit illicit and non-storm water discharges through ordinance, or other regulatory mechanism, into the MS4 and must be able to implement appropriate enforcement procedures and actions;
- 5.7.3. Control the discharge of spills and the dumping or disposal of materials other than storm water into the MS4;
- 5.7.4. Control through interagency agreements among Co-Permittees the contribution of pollutants from one portion of the MS4 to another;
- 5.7.5. Require compliance with conditions in ordinances, permits, contract or orders; and
- 5.7.6. Conduct all inspection, surveillance and monitoring activities and procedures necessary to determine compliance with conditions in this Permit.

## **6.0 Standard Permit Conditions**

### **6.1. Duty to Comply**

The Co-Permittee must comply with all conditions of this Permit. Any Permit noncompliance constitutes a violation of the *Act* and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of Permit coverage. The Co-Permittee shall give advance notice to the *Director* of any planned changes in the Permitted facility or activity, which may result in noncompliance with Permit requirements.

### **6.2. Penalties for Violations of Permit Conditions**

The *Act* provides that any person who violates a Permit condition implementing provisions of the *Act* is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates Permit conditions or the *Act* is subject to a fine not exceeding \$25,000 per day of violation. Any person convicted under *UCA 19-5-115(2)* a second time shall be punished by a fine not exceeding \$50,000 per day.

### **6.3. Duty to Reapply**

If the Permittee wishes to continue an activity regulated by this Permit after the expiration date of this Permit, the Permittee must apply for and obtain a new Permit. The application must be submitted at least **180 days** before the expiration date of this Permit. Continuation of expiring Permits must be governed by regulations promulgated at *UAC R317-8-5* and any subsequent amendments.

### **6.4. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce otherwise permitted activities in order to maintain compliance with the conditions of this Permit.

### **6.5. Duty to Mitigate**

The Permittee must take all reasonable steps to minimize or prevent any discharge in violation of this Permit, which has a reasonable likelihood of adversely affecting human health or the environment.

### **6.6. Duty to Provide Information**

The Permittee must furnish to the *Director*, within a time specified by the *Director*, any information which the *Director* may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit.

The Permittee shall also furnish to the *Director*, upon request, copies of records required to be kept by this Permit.

### **6.7. Other Information**

When the Permittee becomes aware that it failed to submit any relevant facts in a Permit application, or submitted incorrect information in a Permit application or any report to the *Director*, it shall promptly submit such facts or information.

### **6.8. Signatory Requirements**

All notices of intent, storm water management programs, storm water pollution prevention plans, reports, certifications or information either submitted to the *Director* or that this Permit requires to be maintained by the Permittee, shall be signed, dated and certified as follows:

- 6.8.1. All Permit applications must be signed by either a principal executive officer or ranking elected official.
- 6.8.2. All reports required by the Permit and other information requested by the *Director* must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - 6.8.2.1. The authorization is made in writing by a person described above and submitted to the *Director*, and,
  - 6.8.2.2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. A duly authorized representative may thus be either a named individual or any individual occupying a named position.
  - 6.8.2.3. Changes to authorization. If an authorization under *Part 6.8.2.* is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of *Part 6.8.2.* must be submitted to the *Director* prior to or together with any reports, information, or applications to be signed by an authorized representative.
- 6.8.3. *Certification.* Any person signing documents under this Part must make the following 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."

#### **6.9. Availability of Reports**

Except for data determined to be confidential under the Government Records Access and Management Act (*see* particularly Utah Admin. Code § 63-2-309) and Utah Admin. Code § 19-1-3-6, all reports prepared in accordance with the terms of this Permit must be available for public inspection at the office of the Division. As required by the *Act*, Permit applications, Permits and effluent data shall not be considered confidential.

#### **6.10. Penalties for Falsification of Reports**

The *Act* provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000.00 per violation, or by imprisonment for not more than six months per violation, or by both. Utah Admin. Code § 19-5-115(4)

#### **6.11. Penalties for Tampering**

The *Act* provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this Permit must, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.

#### **6.12. Property Rights**

The issuance of this Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

#### **6.13. Severability**

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit shall not be affected thereby.

#### **6.14. Requiring a Different Permit**

The *Director* may require the Co-Permittee authorized by this Permit to obtain an individual *UPDES* Permit. Any interested person may petition the *Director* to take action under this paragraph. The *Director* may require the Permittee authorized to discharge under this Permit to apply for an individual *UPDES* Permit only if the Permittee has been notified in writing that a

Permit application is required. This notice must include a brief statement of the reasons for this decision, an application form (as necessary), a statement setting a deadline for the Permittee to file the application, and a statement that on the effective date of the municipal *UPDES* Permit, coverage under this Permit shall automatically terminate. Permit applications must be submitted to the address of the Division shown in *Part 5.5.* of this Permit. The *Director* may grant additional time to submit the application upon request of the applicant. If the municipality fails to submit in a timely manner a municipal *UPDES* Permit application as required by the *Director*, then the applicability of this Permit to the Permittee is automatically terminated at the end of the day specified for application submittal.

### **6.15. State/Federal Laws**

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by *UCA 19-5-117* and *Section 510* of the *Clean Water Act* or any applicable Federal or State transportation regulations.

### **6.16. Proper Operation and Maintenance**

The Co-Permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit and with the requirements of the SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by the Permittee only when necessary to achieve compliance with the conditions of the Permit.

### **6.17. Monitoring and Records**

- 6.17.1. Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.
- 6.17.2. The Permittee must retain records of all monitoring information including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of the reports required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of the *Director* at any time.
- 6.17.3. Records of monitoring information must include:
  - 6.17.3.1. The date, exact place, and time of sampling or measurements;
  - 6.17.3.2. The name(s) of the individual(s) who performed the sampling or measurements;
  - 6.17.3.3. The date(s) and time(s) analyses were performed;

- 6.17.3.4. The name(s) of the individual(s) who performed the analyses;
- 6.17.3.5. The analytical techniques or methods used; and
- 6.17.3.6. The results of such analyses.

### **6.18. Monitoring Procedures**

Monitoring must be conducted according to test procedures approved under *Utah Admin. Code R317-2-10*, unless other test procedures have been specified in this Permit.

### **6.19. Inspection and Entry**

The Permittee shall allow the *Director* or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- 6.19.1. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this Permit;
- 6.19.2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this Permit; and
- 6.19.3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).
- 6.19.4. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by law, any substances or parameters at any location.

### **6.20. Permit Actions**

This Permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Permit modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Permit condition.

### **6.21. Storm Water-Reopener Provision**

At any time during the duration (life) of this Permit, this Permit may be reopened and modified (following proper administrative procedures) as per *UAC R317.8*, to include, any applicable storm water provisions and requirements, a storm water pollution prevention plan, a compliance schedule, a compliance date, monitoring and/or reporting requirements, or any other conditions related to the control of storm water discharges to waters of the state.

## **7.0 Definitions**

Definitions related to this Permit and small municipal separate storm sewers (MS4s).

“40 CFR” refers to Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal government.

"Act" means the *Utah Water Quality Act*.

“Analytical monitoring” refers to monitoring of water bodies (streams, ponds, lakes, etc.) or of storm water, according to UAC R317-2-10 and 40 CFR 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants,” or to State or Federally established protocols for biomonitoring or stream bio-assessments.

“Beneficial Uses” means uses of the waters of the state, which include but are not limited to: domestic, agricultural, industrial, recreational, and other legitimate beneficial uses.

“Best Management Practices” (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

“CWA” means *The Clean Water Act of 1987*, formerly referred to as the Federal Water Pollution Control Act.

"Co-Permittee" means any operator of a regulated Small MS4 that is applying jointly with another applicant for coverage under this Permit. A Co-Permittee owns or operates a regulated Small MS4 located within or adjacent to another regulated MS4. A Co-Permittee is only responsible for complying with the conditions of this Permit relating to discharges from the MS4 the Co-Permittee owns or operates. See also 40 CFR 122.26(b)(1).

“Control Measure” refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the state.

“Common plan of development or sale” means one plan for development or sale, separate parts of which are related by any announcement, piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, plat, blueprint, contract, Permit application, zoning request, computer design, etc.), physical demarcation (including contracts) that identify the scope of the project. A plan may still be a common plan of development or sale even if it is taking place in separate stages or phases, is planned in combination with other construction activities, or is implemented by different owners or operators.

“Developed site” means a parcel or property that was previously in commercial, industrial, institutional, governmental, or residential use. A parcel that was previously in an agricultural use would not be considered to be a developed site.

“Director” means the director of the Utah Division of Water Quality, otherwise known as the Executive Secretary of the Utah Water Quality Board.

“Division” means the Utah Division of Water Quality.

"Discharge" for the purpose of this Permit, unless indicated otherwise, refers to discharges from the Municipal Separate Storm Sewer System (MS4).

"Dry weather screening" is monitoring done in the absence of storm events to discharges representing, as much as possible, the entire storm drainage system for the purpose of obtaining information about illicit connections and improper dumping.

“Escalating enforcement procedures” refers to a variety of enforcement actions in order to apply as necessary for the severity of the violation and/or the recalcitrance of the violator.

“Entity” means a governmental body or a public or private organization.

"EPA" means the United States Environmental Protection Agency.

“General Permit” means a Permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual Permits being issued to each discharger.

“Ground water” means water in a saturated zone or stratum beneath the surface of the land or below a surface water body.

“High quality waters” means any water, where, for a particular pollutant or pollutant parameter, the water quality exceeds that quality necessary to support the existing or designated uses, or which supports an exceptional use.

"Illicit connection" means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

"Illicit discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a UPDES Permit (other than the UPDES Permit for discharges from the municipal separate storm sewer) or to waters of the state.

“Impaired waters” means any segment of surface waters that has been identified by the *Director* as failing to support classified uses. The Division periodically compiles a list of such waters known as the 303(d) List.

“Large MS4” *Large municipal separate storm sewer system* means all municipal separate storm sewers that are located in an incorporated place with a population of 250,000 or more as determined by the current Decennial Census by the Bureau of the Census.

“Low Impact Development” (LID) is an approach to land development (or re-development) that works with nature to more closely mimic pre-development hydrologic functions. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bio-retention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements.

"MS4" is an acronym for "municipal separate storm sewer system".

"Maximum Extent Practicable" (MEP) is the technology-based discharge standard for Municipal Separate Storm Sewer Systems established by paragraph 402(p)(3)(B)(iii) of the *Federal Clean Water Act (CWA)*, which reads as follows: "Permits for discharges from municipal storm sewers shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques, and system, design, and engineering methods, and other such provisions as the Administrator or the State determines appropriate for the control of such pollutants."

"Medium MS4" *Medium municipal separate storm sewer system* means all municipal separate storm sewers that are located in an incorporated place with a population of 100,000 or more but less than 250,000, as determined by the 1990 Decennial Census by the Bureau of the Census

"Monitoring" refers to tracking or measuring activities, progress, results, etc.;

"Municipal separate storm sewer system" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) pursuant to paragraphs R317-8-1.6(4), (7), & (14), or designated under UAC R317-8-3.9(1)(a)5:

that is owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to State Law) having jurisdiction over disposal of 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 a designated and approved management agency under section 208 of the CWA that discharges to waters of the state;

that is designed or used for collecting or conveying storm water;

which is not a combined sewer; and

which is not part of a Publicly Owned Treatment Works (POTW) as defined in 40 CFR 122.2.

"NOI" is an acronym for "Notice of Intent" to be covered by this Permit and is the mechanism used to "register" for coverage under a general Permit.

"Non-analytical monitoring" refers to monitoring for pollutants by means other than UAC R317-2-10 and 40 CFR 136, such as visually or by qualitative tools that provide comparative or rough estimates.

"Operator" is the person or entity responsible for the operation and maintenance of the MS4.

"Outfall" means a point source as defined by UAC R317-8-1.5(34) at the point where a municipal separate storm sewer discharges to waters of the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the state and are used to convey waters of the state.

"Phase II areas" means areas regulated under UPDES storm water regulations encompassed by Small MS4's (see definition 7.39.).

“Priority construction site” means a construction site that has potential to threaten water quality when considering the following factors: soil erosion potential; site slope; project size and type; sensitivity of receiving water bodies; proximity to receiving water bodies; non-storm water discharges and past record of non-compliance by the operators of the construction site.

“Redevelopment” is the replacement or improvement of impervious surfaces on a developed site.

“Runoff” is water that travels across the land surface, or laterally through the ground near the land surface, and discharges to waters of the state either directly or through a collection and conveyance system. Runoff includes storm water and water from other sources that travels across the land surface.

“SWMP” is an acronym for storm water management program. The SWMP document is the written plan that is used to describe the various control measures and activities the Permittee will undertake to implement the storm water management plan.

“SWPPP” is an acronym for storm water pollution prevention plan.

“Small municipal separate storm sewer system” is any MS4 not already covered by the Phase I program as a medium or large MS4. The Phase II Rule automatically covers on a nationwide basis all Small MS4s located in “urbanized areas” (UAs) as defined by the Bureau of the Census (unless waived by the UPDES Permitting authority), and on a case-by-case basis those Small MS4s located outside of UAs that the UPDES Permitting authority designates.

This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

“SOP” is an acronym for standard operating procedure which is a set of written instructions that document a routine or repetitive activity. For the purpose of this Permit, SOPs should emphasize pollution control measures to protect water quality with details specific to the location.

"Storm water" means storm water runoff, snowmelt runoff, and surface runoff and drainage.

“Storm water management program” means a set of measurable goals, actions, and activities designed to reduce the discharge of pollutants from the Small MS4 to the maximum extent practicable and to protect water quality.

“TMDL” is an acronym for “Total Maximum Daily Load” and in this Permit refers to a study that: 1) quantifies the amount of a pollutant in a stream; 2) identifies the sources of the pollutant; and 3) recommends regulatory or other actions that may need to be taken in order for the impaired waterbody to meet water quality standards.

“Urbanized area” is a land area comprising one or more places and the adjacent densely settled surrounding area 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.

“waters of the state” means all streams, lakes, ponds, marshes, water-courses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water,

surface and underground, natural or artificial, public or private which are contained within, flow through, or border upon this state or any portion thereof, except bodies of water confined to and retained within the limits of private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish and wildlife which shall not be considered to be “waters of the state” under this definition (“UAC” R317-1-1).

1 Chapters not included in this revision:

2 17.02

3 17.04

4 17.24

5 17.30

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1 Chapter 17.08  
2 GENERAL PROVISIONS

3 **17.08.010: PURPOSE AND INTENT:**

4 The purpose of this title is to establish and provide means, rules and regulations for the control, ~~and~~  
5 discharge, and removal of pollutants from stormwater runoff generated or collected on of flood  
6 ~~waters or excess waters caused by the construction of improvements upon~~ real property located in  
7 the city. ~~It is the city's intent to control discharges to and from drainage systems over which it has~~  
8 jurisdiction, including, but not limited to:  
9

10  
11 A. Controlling the contribution of pollutants by stormwater discharges associated with industrial  
12 activity and the quality of stormwater discharged from sites of industrial activity (including  
13 construction activity);  
14

15 B. Effectively prohibiting illicit and non-stormwater discharges through ordinance, or other  
16 regulatory mechanism, and implementing appropriate enforcement procedures and actions;  
17

18 C. Controlling the discharge of spills and the dumping or disposal of materials other than  
19 stormwater;  
20

21 D. Enforcing and requiring compliance with this title and conditions in permits, contracts or orders;  
22

23 E. Conducting all inspection, surveillance and monitoring activities and procedures necessary to  
24 determine compliance with conditions in this title and Utah Pollution Discharge Elimination  
25 System (UPDES) permits; and  
26

27 F. Detecting, investigating, and eliminating non-stormwater discharges, including illegal dumping.  
28  
29

30 **17.08.020: DEFINITIONS:**

31 Unless the context requires otherwise, the following terms shall have the following meanings:  
32

33  
34 BEST MANAGEMENT PRACTICES (BMPs): the schedule of activities, prohibitions of practices,  
35 maintenance procedures, and other management practices to prevent or reduce the pollution of  
36 waters of the state. BMPs also include treatment, operating procedures, and practices to control site  
37 runoff, spillage or leaks, waste disposal, or drainage from material storage. BMPs include structural  
38 and nonstructural control.  
39

40 BUILDING PERMIT: All permits except those issued solely for grading or for the purpose of  
41 remodeling or repairing any preexisting building or structure; provided, that no increase in  
42 impervious surface on the property results from such permit.  
43

44 DEPARTMENT: The city ~~C~~ommunity ~~D~~evelopment ~~D~~epartment or its designee.  
45

46 DESIGN CAPACITY OR CAPACITY OF DRAINAGE SYSTEM: The maximum volume of water per  
47 unit of time which can be carried or accommodated by each component of a drainage system, based  
48 upon size of the line, slope and any other factors which affect the carrying capacity of a line, or, in  
49 the case of detention and retention facilities, the maximum amount of volume that can be stored in

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1 the facility.

2  
3 DETENTION: Temporary accumulation of excess waters and/or other storm waters, and shall  
4 include the total or partial accumulation of such waters. In the case of detention, the detention  
5 facilities shall include carriage of the released storm water to an intermediate or major drainage  
6 system facility, trunk line, natural tributary or final destination. Also, in the case of detention, the  
7 detention facilities shall include provision for safely routing overflow in the event that the amount of  
8 storm water exceeds the design capacity of the detention facility.

9  
10 DEVELOPMENT SITE, DEVELOPMENT OR SUBDIVISION: The total area of a subdivision or the  
11 total area of the parcel of land on which a building permit is to be issued or the total area of property  
12 being improved, including yard space in the case of development of a part of land parcel.

13  
14 DRAINAGE AREA: That portion of a drainage basin whose drainage or storm waters drain or  
15 gravitate toward a natural or artificial channel, conduit, retention or detention area; upon designation  
16 of a drainage area on a map referred to in section [17.08.050](#) of this chapter, "drainage area" shall  
17 mean the area so designated.

18  
19 DRAINAGE SYSTEM: All facilities used to conduct excess waters to, through and from a drainage  
20 area to the point of final retention or destination, including, but not limited to, any or all of the  
21 following: pipes, conduits, culverts, curbs, gutters, waterways, inlets, swales, ditches, gulches,  
22 channels, retention and detention areas, and appurtenant features, as well as easements and rights  
23 of way necessary to accommodate the same. In ascending order of size and capacity, components  
24 of the drainage system include the following: unit drainage system, intermediate drainage system,  
25 major drainage system, trunk line, natural tributary, final destination. A drainage system may, but  
26 need not, contain all of the foregoing components.

27  
28 EXCESS WATERS: An increase in stormwater runoff as a result of increasing impervious surface  
29 creation by development, re-development or ~~T~~ those waters flowing on or across a lot, subdivision,  
30 development or other area of real property which are created because of alteration of, or building on,  
31 the natural terrain or other increase in the impervious surface of the property, which waters are  
32 additional to the waters which would flow on or across the unaltered natural terrain.

33  
34 GRADING PERMIT: Permit required in accordance to section 13.76.700 of this code.

35  
36 FINAL DESTINATION: A natural or artificial retention area which serves one or more drainage  
37 basins into which excess waters are discharged, without subsequent discharge into any other  
38 drainage system, facility or retention or detention area or facility.

39  
40 INTERMEDIATE DRAINAGE SYSTEM FACILITY: That part of the drainage system which serves  
41 one or more single units, subdivision or development drainage system facilities, which conveys  
42 excess waters from a unit or subdivision, and which is tributary to a major drainage system facility, a  
43 trunk line, natural tributary or final destination. Facilities within this system will be designed to fully  
44 accommodate a 10-year frequency flood.

45  
46 LONG-TERM STORMWATER MANAGEMENT AGREEMENT: An agreement between property  
47 owner and city wherein the property owner(s) agrees to inspect and maintain a private Drainage  
48 System. The agreement shall be kept on file with the City, which shall be recorded against the  
49 property.

50  
51 MAJOR DRAINAGE SYSTEM FACILITY: That part of the drainage system within a drainage area  
52 which is contributed to by one or more unit and intermediate drainage systems. A major drainage  
53 system facility is tributary to a trunk line, natural tributary or final destination.

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1  
2 MAYOR: The city mayor or the mayor's designee.  
3

4 NATURAL TRIBUTARY: That part of the drainage system contributed to by one or more trunk lines,  
5 major, intermediate and unit drainage systems that is a natural channel or river which is a tributary  
6 solely to a final destination.  
7

8 100-YEAR FREQUENCY FLOOD: A flood flow<sup>rate</sup> of the magnitude which is expected to occur on  
9 the average of a 100-year frequency or has a one percent (1%) chance of being equaled or  
10 exceeded during any one year. Similarly, 2-, 5-, 10- and other year frequency floods bear like  
11 definition.  
12

13 PROFESSIONAL ENGINEER: An engineer licensed in the State of Utah and is qualified to practice  
14 work in the area of practice in which he/she does.  
15  
16

17 RETENTION: The temporary or permanent accumulation of excess waters and/or other storm  
18 waters, and shall include the total or partial accumulation of such waters. In the case of partial  
19 retention, the retention facilities shall include carriage of the portion not retained to an intermediate  
20 or major drainage system facility, trunk line, natural tributary or final destination.  
21

22 SITE GRADING MANAGEMENT AGREEMENT: Agreement referred to in section 17.24.020 of this  
23 title.  
24

25 STORM WATERS: A storm or flood flow of the magnitude which is expected to occur on the average  
26 of a 10-year frequency or has a ten percent (10%) chance of being equaled or exceeded during any  
27 one year.  
28

29 TRUNK LINE: That part of the drainage system contributed to by one or more drainage areas and  
30 unit, intermediate and major drainage system facilities within such drainage areas. A trunk line  
31 transports excess waters to a natural tributary or final destination.  
32

33 UNIT OR SUBDIVISION DRAINAGE SYSTEM FACILITIES: That drainage system which drains a  
34 subdivision or other development area and which is tributary to an intermediate or major drainage  
35 system facility, major drainage system facility, trunk line, natural tributary or final destination. (1999  
36 Code)  
37

38 **17.08.030: APPLICABILITY:**  

39  
40 This title shall apply to all portions of the city drainage system constructed or completed from and  
41 after the effective date hereof. (1999 Code)  
42

43 **17.08.035: PROHIBITED DISCHARGES:**

44 Non-stormwater discharges into the city's drainage system, creeks, canals and waterways is  
45 prohibited, including spills, illicit connections, illegal dumping, landscape waste, pet or human waste,  
46 hazardous waste, construction waste, unauthorized drains, sediment, and sanitary sewer overflows.  
47 The responsible party is required to remediate such discharges in accordance with Standard  
48 Operating Procedures adopted in the city's Stormwater Management Program on file at the city.  
49

---

1 **17.08.040: OWNER AND CITY RESPONSIBILITY:**  

2  
3 A. Owner: It is the responsibility and obligation of the owner of real property to control and contain,  
4 or to discharge into an acceptable drainage system, excess waters from storm or floods caused  
5 by the construction of improvements on real property in the City. Consistent with the terms and  
6 provisions of this title, an owner's responsibility includes construction of (at such owner's  
7 expense or in cooperation with other owners), or payment of the City impact fees for, such: 1)  
8 unit drainage system facilities; 2) intermediate drainage system facilities; 3) major drainage  
9 system facilities; and 4) on-site detention system facility as may be required to retain excess  
10 water onsite, or to convey excess waters originating in the unit or subdivision to a trunk line,  
11 natural tributary or final destination.

12  
13 B. City: The City shall maintain unit, intermediate and major drainage system facilities dedicated to  
14 and accepted by the City. The owner of real property shall maintain a unit, intermediate and  
15 major drainage system facilities that are not dedicated to and accepted by the City. Additionally,  
16 the City may, but is not obligated to, construct intermediate and/or major drainage system  
17 facilities. The City Council, through its budget process, including review of amounts received  
18 pursuant to the City impact fees, may establish priority and determine each year which facilities  
19 will be constructed by the City. (Ord. 2018-16, 10-11-2018)

20 **17.08.050: DELINEATION OF DRAINAGE BASINS AND DRAINAGE**  
21 **AREAS:**  

22  
23 Studies and maps showing the boundaries of drainage basins and drainage areas made by the City  
24 or others acceptable to the City shall be considered in whole or in part if applicable. (1999 Code)

25 **17.08.060: ENGINEERING STUDIES OF DRAINAGE AREAS:**  

26  
27 A. Required: ~~Subject to staff or budget contracts, the department shall cause engineering studies to~~  
28 ~~be made of all drainage areas within the City. These studies shall be made to determine the~~  
29 ~~amount or volume, frequency and course of excess and stormwaters, and any drainage system~~  
30 ~~now provided or to be provided for the drainage and control of outfall or disposal points. Previous~~  
31 ~~studies made by the City or others shall be considered in whole or in part if applicable.~~

32  
33 ~~B. Updates And Amendments: These studies shall, from time to time, be updated or amended as~~  
34 ~~necessary to reflect changed conditions. Property owners and developers are responsible to~~  
35 ~~manage stormwater runoff and sediment whether in conduit systems or on the surface that~~  
36 ~~traverse or originate on their property, unless this responsibility is relinquished through the terms~~  
37 ~~and conditions of an easement. A hydrology and hydraulic study (Stormwater Management Plan)~~  
38 ~~is required for subdivision or development permit applications in accordance with section~~  
39 ~~13.03.020 of this code and section 17.08.080 of this chapter. Studies in individual drainage~~  
40 ~~areas, developments, proposed subdivisions, existing subdivisions or other property may be~~  
41 ~~completed by professional engineers for private developers under the direction of the City if the~~  
42 ~~City cannot complete the studies as soon as required for development due to staff or budget~~  
43 ~~constraints.~~

1 **CB.** Professional Engineers Required: In conducting the studies referred to herein, the analysis of  
2 storm drainage flows and facilities shall be performed by professional engineers, acceptable to  
3 the **C**city, competent in hydrology and hydraulics and shall be in accordance with sound  
4 engineering practices. Location of existing storm drainage facilities will be coordinated with the  
5 department.

6  
7 **DC.** Considerations: In all cases, flows shall be based on present conditions and potential for future  
8 development, taking into consideration the current elements of the land use general plan of the  
9 **C**city, relating to the drainage area and other relevant factors, including changes in zoning or  
10 development which are not reflected on the general plan. (1999 Code)

### 11 **17.08.070: CONTROL OF DEVELOPMENT EXCESS WATERS:** 🌍 📄

12  
13 Subject to the **C**city's regulatory and approval functions specified in this title, the owner or developer  
14 of land to be improved or developed shall provide, at ~~his~~their own expense, the unit or subdivision  
15 drainage system facilities within each development necessary for the control of excess waters within  
16 the development. The developer also shall provide at ~~his~~their own expense:

17  
18 A. Major Drainage System Facilities: The intermediate and/or major drainage system facilities  
19 required to convey such excess waters to a trunk line, natural tributary or final destination as  
20 may be indicated on the drainage area map for the drainage area within which the development  
21 is located.

22  
23 B. Retention Facility: A facility that will retain such excess waters on designated portions of the real  
24 property to be improved or development or facilities upon other real property to which the excess  
25 waters may be conveyed and upon which the owner or developer has legal rights that are  
26 acceptable to the department to retain such excess waters in accordance with [chapter 17.24](#) of  
27 this title.

28  
29 C. Temporary Facility: A temporary detention or retention facility to allow runoff waters to absorb  
30 naturally until completion of intermediate or major drainage systems, in which case the  
31 provisions of section [17.16.110](#) of this title shall apply. Said temporary area shall in no event be  
32 less than one-half ( $1/2$ ) of all the developed drainage area tributary to it.

33  
34 D. Detention Facility: A detention facility, when determined applicable by the department, for the  
35 controlled release of excess water into unit drainage facilities, intermediate and major drainage  
36 facilities, trunk lines, natural tributaries or final destination. The maximum allowable release rate  
37 from these detention facilities shall be no greater than two-tenths (0.2) cubic feet per second per  
38 developed acre.

39  
40 E. Safe Routing: A safe routing of the 100-year frequency flood through the development as  
41 provided for in the **C**city flood hazard area regulations. (Ord. 2018-16, 10-11-2018)

### 42 **17.08.080: STORMWATER MANAGEMENT PLAN:**

43  
44 Management of excess stormwater is required for all development conditions. A Stormwater

---

1 Management Plan shall include sufficient information to allow the city engineer to evaluate the  
2 environmental characteristics of the project site, the potential impacts of all proposed development of  
3 the site, both present and future, on the water resources, and the effectiveness and acceptability of  
4 the measures proposed for managing stormwater generated at the project site.

5  
6 Minimum design standards for a Stormwater Management Plan are specified in section 17.20 of this  
7 title.

### 8 9 **17.08.090: STORMWATER POLLUTION PREVENTION PLAN:**

10  
11 A. Required: A stormwater pollution prevention plan (SWPPP) is required for:

- 12  
13 1. Any land disturbance activity greater than 100 square feet within 50 feet of a stream, creek  
14 or canal, measured from the disturbance limit to the edge of the normal water surface  
15 elevation;
- 16  
17 2. Construction sites with a land disturbance of greater than or equal to one acre, including  
18 projects that are part of a larger common plan of development or sale which collectively  
19 disturbs land greater than or equal to one acre.
- 20  
21 3. Land disturbance on a steep slope of 70% (35 degrees) or more with an elevation change on  
22 the slope of 10 feet or more (at any point during the time of construction, not including stock  
23 piles).

24  
25 B. The SWPPP shall apply sediment and erosion control BMPs as necessary to protect water  
26 quality, reduce the discharge of pollutants, and control waste such as discarded building materials,  
27 concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause  
28 adverse impacts to water quality.

29  
30 C. The SWPPP requirements for land disturbance greater than or equal to once acre shall be in  
31 compliance with all requirements set forth in the most current UPDES General Permit for Storm  
32 Water Discharges from Construction Activities.

33  
34 D. The SWPPP shall provide for access by city inspectors to inspect the construction site as well as  
35 sediment and erosion control BMPs.

### 36 37 **17.08.100: PERMITS:**

38  
39 Construction activity and improvements requiring permits from Salt Lake County Flood Control, U.S.  
40 Army Corp of Engineers (for sections 404 and 10), Utah State Engineer's Office (for natural stream  
41 channels), and required permits from any other jurisdiction having authority shall be submitted to the  
42 city for verification prior to issuance of a building permit or grading permit.

43  
44 The City Floodplain Administrator shall issue a Floodplain Development Permit for any habitable  
45 structure located in floodplain.

46  
47 The *Utah State Administration Code*, R317-8-3 prohibits point source discharges of stormwater from  
48 construction activities to a water body(ies) of the State without a Utah Pollutant Discharge  
49 Elimination System (UPDES) permit. The owner and the general contractor of a construction activity  
50 that result in land disturbance of equal to or greater than one acre must submit a Notice of Intent  
51 (NOI) to obtain coverage under the UPDES Storm Water General Permit. All permit coverages must  
52 remain active until terminated in accordance with the permit's conditions and instructions. The NOI is  
53 required to be submitted to the city for verification prior to issuance of a building or grading permit.

---

1

2 Chapter 17.12

3 CITY DRAINAGE SYSTEM

4 Delete chapter in its entirety

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# Chapter 17.16

## ~~PRIVATE~~ CONSTRUCTION OF ~~PUBLIC~~ DRAINAGE FACILITIES

### 17.16.010: GENERALLY:

The ~~city acknowledges that provisions of this chapter apply where the city constructs intermediate or major drainage system facilities or requires~~ a private owner or developer of property ~~to may~~ constructs intermediate or major drainage system facilities that may be used by owners or developers of other property. The provisions of this chapter detail the manner in which such facilities may be constructed by a private owner or developer and the manner and cost of connection of such system by another owner or developer. (1999 Code)

### 17.16.020: REMOVAL OF PROPERTY FROM BENEFITED AREA:

Upon written request from the owner of any real property to have ~~his~~~~their~~ real property excluded from a drainage system on: a) showing that such real property can be developed in a manner consistent with the retention plan designated in [chapter 17.24](#) of this title; and b) submitting written election acceptable to the city in recordable form that the owner shall not make alterations or improvements that will result in excess waters from storm or flood draining into the drainage system, and that such election is binding on successors and assigns, the owner's property shall be excluded by the city from the drainage system benefited area. Requests for exclusion from the benefited area shall be considered until final plans and specifications are approved by the department pursuant to section [17.16.060](#) of this chapter or sixty (60) days prior to the letting of bids for the construction of the intermediate and/or major drainage system facilities to be constructed by an owner or developer, whichever is later. Unless excluded, all real property within the drainage system benefited area will be subject to payment of applicable fees as a condition precedent to issuance of a building permit or construction of any improvements upon the real property. (1999 Code)

### 17.16.030: STUDIES OF NEEDED FACILITIES:

A. Areas Determined: In connection with the studies contemplated under sections [17.08.060](#) and [17.12.060](#) of this title, the department may designate areas where the studies shall determine the intermediate or major drainage system facilities to be provided for the drainage and control of excess waters within the areas and to convey such waters to acceptable trunk lines, natural tributaries or final destinations. Previous studies made by the city or others shall be considered in whole or in part, if applicable.

B. Included Studies: These studies shall ~~be prepared in accordance to chapter 17.20 of this title include drainage area identification, total drainage area, total area outfall flow and rainfall intensity~~. These studies shall also include a current estimate of the cost of providing an intermediate or major drainage system facilities, and the computation of costs shall include the expense of the studies as well as anticipated engineering design services, construction engineering and inspection services, land acquisition and incidental costs required to install the facilities. These studies may, from time to time, be updated or amended as necessary to reflect changed conditions. Studies in individual drainage areas, developments, proposed subdivisions,

1 existing subdivisions or other property shall be completed by professional engineers acceptable  
2 to the city for private developers under the direction of the city if the city cannot complete the  
3 studies as soon as required for development due to staff or budget constraints. (1999 Code)

4 **17.16.040: DESIGN CRITERIA:**  

5  
6 A. Professional Engineer: In conducting the studies referred to in section [17.16.040-17.16.030](#) of this  
7 chapter, the analysis and design of storm drainage flows and facilities shall be performed by  
8 professional engineers, acceptable to the city, competent in hydrology and hydraulics and shall  
9 be in accordance with sound engineer practices.

10  
11 B. Promotion Of Economy: In developing the studies, every effort shall be made to promote  
12 economy in the proposed drainage design by selection of facilities for accommodating drainage  
13 flow and use of materials and methods of construction which provide the most advantageous  
14 balance between the cost of the facilities and the benefits received therefrom. Innovative  
15 approaches that reduce the overall requirement or cost of capital construction shall be  
16 encouraged.

17  
18 C. Considerations: In all cases, flow rates shall be based upon conditions of future development of  
19 the city, taking into consideration the general plan of the city relating to the drainage area and  
20 other relevant factors, including changes in zoning or development that are not reflected on the  
21 general plan. (1999 Code)

22 **17.16.050: MAP REQUIREMENTS:**  

23  
24 As studies and maps for individual drainage areas are completed in accordance with sections  
25 [17.08.050](#) and [17.08.060](#) of this title in areas where a private developer may construct an  
26 intermediate or major drainage system facilities to be used by others, the necessary major and  
27 intermediate drainage system facilities ~~and an intermediate drainage system facilities~~, together with  
28 the design capacity thereof, shall be shown on the map or maps. The map or maps shall be  
29 approved by the department and shall serve as designations of the respective drainage area  
30 boundaries and the drainage system requirements within the area. The map or maps may be subject  
31 to revision from time to time to conform with existing conditions, the results of additional studies and  
32 such other information as may be obtained from time to time. The map or maps shall be provided to  
33 the department in both paper and digital format for incorporation into the city graphical information  
34 system. (1999 Code)

35  
36 **17.16.055: RESPONSIBILITY OF OWNER OR DEVELOPER:**  

37  
38 A. Unit Or System: The owner or developer of real property to be improved or developed shall  
39 provide, at their expense, the unit or subdivision drainage system facilities within each  
40 development necessary for the drainage and control of Excess Waters within the development  
41 consistent with the provisions of section 17.08.070 of this title.

42  
43 B. Construction By City: The City may undertake the construction of the intermediate or major  
44 drainage system facilities required to convey any drainage waters to a trunk line, natural tributary  
45 or final destination within or at the boundary of the drainage area, as may be indicated on the  
46 drainage area map for the drainage area within which the development is located.

---

1  
2 C. Drainage Fee Study: The developer or owner shall be responsible for the payment of a unit area  
3 drainage fee, which fee shall be applied toward the payment of all or part of the cost of the  
4 intermediate or major drainage system facilities constructed by the developer or to be  
5 constructed by the city in the area in which the development is located. In those cases where the  
6 development in question is traversed by or abutting intermediate or major drainage system  
7 facilities, the unit area drainage fees may be applied toward the construction of such facilities as  
8 provided in this title. If a study of the drainage area has not been completed, then the developer  
9 shall be required to perform a study of the needed drainage facilities for the drainage area where  
10 the development is proposed. The department reserves the right to waive the requirement of the  
11 drainage area study if the development size has been determined to be an insignificant impact to  
12 the drainage area. In the case where no study has been performed or will be required, payment  
13 of the drainage fee by the development is not required.

14 **17.16.060: PLANS AND SPECIFICATIONS REQUIRED:**  

15  
16 A. Plans And Specifications: Prior to the final approval of a subdivision or development plan or  
17 building permit associated with a subdivision or development plan, or in the case of a single lot  
18 development, or a single building permit, the owner or developer shall, at their expense, have  
19 prepared by a professional engineer, acceptable to the city, detailed plans and specifications for  
20 the construction and installation of all unit or subdivision drainage system facilities for the control  
21 and drainage of excess water within the development, or the part thereof, and the carriage of  
22 such water to an acceptable intermediate or major drainage system facility or to a trunk line,  
23 natural tributary, or a final destination as agreed to by the city, all in conformance with the master  
24 plan of the drainage area or drainage basin as approved by the city, together with the estimated  
25 total cost of these facilities.

26  
27 B. Assurance In Lieu Of Completion: In lieu of completion of the drainage system prior to final  
28 approval of the subdivision or development plan by the city, the developer or owner shall provide  
29 an acceptable financial assurance to the city that the drainage system will be constructed and  
30 installed as indicated and approved. Acceptable assurance shall consist of any one of the types  
31 of performance guaranties described in section 17.16.130 of this title.

32  
33 C. Final Approval: Upon completion of review and approval by the city, the subdivision or  
34 development plan may be given final approval; provided, however, that no certificate of  
35 occupancy for any on-site building may be given final approval until installation of the drainage  
36 system facilities is complete.

37 ~~**17.16.060: DESIGN OF FACILITIES:**~~  

38  
39 ~~The owner or developer shall have the intermediate or major drainage system facilities designed by~~  
40 ~~professional engineers acceptable to the city to accommodate the excess waters within the drainage~~  
41 ~~system benefited area. The plans and specifications shall be submitted to the department for review~~  
42 ~~and, if acceptable, approval. (1999 Code)~~

43 **17.16.070: ACQUISITION OF EASEMENTS AND RIGHTS OF WAY:**  

44  
45 A. Required: Easements or rights of way or property that must be acquired for the installation of the  
46 intermediate or major drainage system facility shall be provided by the owner or developer, at the  
47 expense of the owner or developer. In the event the owner or developer is unable to acquire any

---

1 necessary easement, right of way or property, and upon owner's or developer's written request,  
2 the city may negotiate to acquire the necessary easement, right of way, or property, failing  
3 which, the city shall: 1) submit to owner or developer a map showing an alternative route (in  
4 which event the owner or developer will endeavor to acquire the necessary easements, rights of  
5 way or property for such route); or 2) commence a condemnation action to acquire the easement  
6 or right of way for the drainage system facilities.

7  
8 B. City Condemnation; Written Request: Owner's or developer's written request for city  
9 condemnation shall: 1) describe all prior efforts to acquire the easement, right of way or property;  
10 and 2) state the amount offered the owner of the property. Owner or developer shall pay the city  
11 all amounts to be paid to an owner or occupant of the property for the acquisition of any  
12 easements, rights of way or property, including all attorney fees incurred by the city or otherwise  
13 chargeable to the city. (1999 Code)

14 **17.16.080: CONSTRUCTION OF FACILITIES:**  

15  
16 Upon completion of the plans and specifications by the professional engineer, and acquisition of the  
17 necessary easements, rights of way or property, the owner or developer shall then promptly proceed  
18 to cause that portion of the intermediate or major drainage system facilities to be installed, at the  
19 owner's or developer's sole expense, strictly in accordance with the plans and specifications thus  
20 prepared and approved. No facilities will be covered or backfilled until the same have been fully  
21 inspected and cover or backfill is authorized by the department. If any facility, or portion thereof, is  
22 covered without authorization, the department may require the facility to be reopened for inspection  
23 at the owner's or developer's cost. ~~The actual interconnection of the intermediate or major drainage~~  
24 ~~system facility with any other city line shall be done by the city, or by the contractor for the owner or~~  
25 ~~developer under the supervision of the city, at the expense of the owner or developer.~~ No unit or  
26 subdivision or an intermediate drainage system facility shall be connected to a major drainage  
27 system facility until the department has fully approved the facilities as constructed, and until  
28 satisfactory evidence has been presented to the department showing that all bills for labor and  
29 material and all other costs of constructing the line have been paid. (1999 Code)

30  
31 **17.16.090: INSPECTION BY DEPARTMENT:**  

32  
33 A. The department, or its designee, shall inspect the installation and, if the facilities meet the  
34 requirements of the plans and specifications, shall give the owner or developer notice of  
35 acceptance. Upon completion of the facilities, the owner or developer shall assign and convey to  
36 the city all of the owner's or developer's right, title, estate and interest in the facilities. The city  
37 shall thereafter be the owner thereof, and shall operate and maintain the same, subject to the  
38 provisions of this title. (1999 Code)

39 B. Where it is found that conditions substantially differ from those stated or shown in the permit  
40 application, the city may stop further work until and unless approval is obtained from the city for a  
41 revised grading plan and stormwater management plan.

42 C. Civil design plans shall be maintained at the site during all phases of construction. Until the final  
43 inspection is made, the permit shall be prominently displayed near the front property line of the  
44 property involved so as to be visible from the street on which the property fronts.

45 D. In order to obtain inspections, the permittee shall notify the city twenty-four (24) hours before said  
46 inspection is to be made.

---

1 E. Construction field inspections shall be made:

2 1. Before commencement of excavation and after required construction stakes have been set;

3 2. When excavation has reached the bottom of the trench;

4 3. When infrastructure is assembled and prior to backfilling;

5 4. The interconnection of a drainage facility to a city owned drainage facility; and

6 5. Completion of site grading.

7 F. The owner or developer shall submit the following inspections and material tests to the city for  
8 review prior to asphalt paving over a drainage facility:

9 1. CCTV Inspection of storm drains;

10 2. Trench backfill compaction tests;

11 3. Base course compaction tests;

12  
13 **17.16.110: TEMPORARY FACILITIES PERMITTED WHEN:**  

14  
15 The department may approve temporary drainage solutions providing for on-site detention and  
16 retention which will allow development to continue pending completion of an intermediate or major  
17 drainage system facility. The temporary solutions shall provide the same level of flood protection at  
18 all times that will be provided by the completed systems. All costs of temporary solutions shall be  
19 paid by the developer in addition to the other costs and fees provided for in this title. (1999 Code)

20 **17.16.120: CONNECTION TO FACILITY REQUIRED:**  

21  
22 Except for the owner or developer constructing drainage system facility pursuant to this chapter,  
23 without the department's approval no owner or developer of real property in a drainage system  
24 benefited area shall subsequently construct an intermediate or major drainage system facility to  
25 serve land intended to be served by an intermediate and/or major drainage system facility designed  
26 to serve such land and constructed pursuant to this chapter. Any unit or intermediate drainage  
27 system facility shall be connected to the intermediate or major drainage system facility constructed  
28 pursuant to this chapter, and all owners or developers, except for the owner or developer  
29 constructing a drainage system facility pursuant to this chapter, shall be responsible for payment of  
30 the impact fees due to the city under this title. (1999 Code)

31 **17.16.130: PERFORMANCE GUARANTIES:**  

32  
33 A. Authorized Guaranties: In lieu of actual completion of the contemplated improvements, an owner  
34 or developer may file with the city a cash bond, an escrow agreement, or a letter of credit that is  
35 acceptable to the city in an amount specified by the department to assure actual construction of  
36 such improvements within a two (2) year period. Twenty five percent (25%) of the bond amount

---

1 for public improvements shall extend for a one year period beyond the date the improvements  
2 are completed to guaranty replacement of defective public improvements.

3  
4 B. Specified Sequence: If the city determines that the required improvements should be completed  
5 in a specified sequence and/or in less than a two (2) year period in order to protect the health,  
6 safety and welfare of the city or its residents from flood hazards, it may require in approving the  
7 development that the improvements be installed in a specified sequence and period which may  
8 be less than two (2) years and shall incorporate such requirements in the bond.

9  
10 C. Inspections; Release: Inspections shall be made as soon as possible. If inspection shows that the  
11 improvements are acceptable to the city, the bond shall be released within seven (7) days from  
12 the time of inspection and filing of the as built plan. If the bonds are not released, refusal to  
13 release and the reasons therefor shall be given the developer in writing within seven (7) days  
14 from the time of the inspection. (1999 Code)

1 Chapter 17.20

2 STORMWATER MANAGEMENT

3 17.20.010: GENERALLY:

4 The provisions of this chapter apply where the owner or developer is required to control excess  
5 waters within a development site. A Stormwater Management Plan is required for all developments  
6 or redevelopment equal to or greater than 1.0 acres.

7  
8 Developments or redevelopments less than 1.0 acres are required to submit the simplified  
9 impervious calculations as required in the building permit application and are required to retain  
10 excess water on-site when the impervious surface is increased equal to or greater than 10%. Design  
11 criteria within this chapter shall apply to all on-site retention systems regardless of the acreage of the  
12 development or redevelopments.

13  
14 17.20.020: STORMWATER MANAGEMENT PLAN STUDY  
15 REQUIREMENTS:

16 At a minimum, the Stormwater Management Plan shall include the following:

17 A. Exhibits or plans showing basins for the existing and proposed conditions showing:

- 18
- 19
- 20
- 21 a. Topographic base map;
- 22
- 23 b. Basin areas and drainage patterns;
- 24
- 25 c. Existing watercourses;
- 26
- 27 d. Drainage systems and facilities;
- 28
- 29 e. Wetlands and environmentally sensitive areas;
- 30
- 31 f. Irrigation systems and facilities
- 32
- 33 g. Basin peak flowrates;
- 34
- 35 h. Property lines;
- 36
- 37 i. Any FEMA floodplains and flood elevations;
- 38
- 39 j. Roads;
- 40
- 41 k. Easements;
- 42
- 43 l. Natural hazard areas as identified on city maps; and
- 44
- 45 m. All other existing significant natural and artificial features.
- 46

47 B. Hydrologic and hydraulic design calculations for the pre-development and post-development  
48 conditions for the design storms. These calculations must show that the proposed stormwater

---

1 management measures are capable of controlling runoff from the site in compliance with this title.  
2 Such calculations shall include, but are not limited to:

3  
4 a. A description of the design storm frequency, duration, and intensity where applicable;

5  
6 b. Time of concentration;

7  
8 c. Soil curve numbers or runoff coefficients;

9  
10 d. Peak runoff rates for each watershed area;

11  
12 e. Velocity of peak flowrates;

13  
14 f. Infiltration rates, where applicable;

15  
16 g. Culvert, storm drain, ditch and/or other stormwater conveyance capacities;

17  
18 h. Facility sizing calculations; and

19  
20 i. Documentation of sources for all computation methods and field test results.

21  
22 C. Stormwater quality treatment.

## 23 24 **17.20.030: DESIGN STANDARDS:**

25  
26 Design standards for controlling excess waters within the development site are:

27 A. Runoff Analysis: Storm drainage designs are to be prepared using the Rational Method or  
28 Hydrograph Method.

29  
30 a. The Rational Method may only be used for design of systems with contributing areas less  
31 than 20 acres.

32  
33 b. Drainage designs using the Hydrograph Method require computer models capable of  
34 modelling the hydrologic characteristics of the watershed, a series of storms, and routing  
35 the hydrographs through the drainage pipe network, channels and storage facilities.

36  
37  
38  
39 B. Rainfall Data:

40  
41 a. Rainfall Intensity-Duration-Frequency (IDF) curves are to be obtained from the National  
42 Oceanic and Atmospheric Administration (NOAA) Hydrometeorological Design Studies  
43 Center.

44  
45 b. Historical Daily Rainfall data is to be obtained from the Salt Lake Airport rainfall gauge.

46  
47 C. Design Storms:

48  
49 a. Redevelopment with an increase in imperviousness equal to or greater than 10%, must  
50 manage rainfall onsite for the increased area of imperviousness and prevent the off-site  
51 discharge of the precipitation from all rainfall events less than or equal to the 24-hour 85th  
52 percentile rainfall event, being equal to a depth of 0.52 inches.

53

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1 b. New development of vacant land must manage rainfall on-site and prevent the off-site  
2 discharge of the precipitation from all rainfall events less than or equal to the 24-hour 85th  
3 percentile rainfall event, being equal to a depth of 0.52 inches.

4  
5 c. The maximum discharge may not exceed 0.2 cfs for the 100-yr 6-hr storm event, unless  
6 otherwise approved by the city engineer.

7  
8 D. Rainfall Intensity:

9  
10 The value of the design rainfall intensity (I) for the Rational Formula is selected from the  
11 appropriate Intensity Duration Frequency (IDF) curve, with a duration chosen to coincide with the  
12 time of concentration. The time of concentration is the time required for stormwater runoff to  
13 become established and reach the design location from the furthest point within the contributing  
14 basin.

15  
16 The time of concentration is the sum of two components, the “inlet time” and the “travel time”. The  
17 inlet time is the overland flow time for stormwater runoff to enter the storm drain system. In  
18 developed urban areas where paved surfaces drain directly to catchbasins, an inlet time of 10  
19 minutes shall be utilized for assessment of 10-yr storm events. An inlet time of 5 minutes is to be  
20 utilized for the 100-yr storm event. Appropriate formulas are to be used when the surface overland  
21 route to a catchbasin is not paved or is longer than 500-ft.

22  
23 The travel time is the length of time required for stormwater to travel within the storm drain system  
24 from the point of inflow to the location being analyzed.

25  
26 E. Runoff Coefficient:

27  
28 a. C values should be established based on the proposed land uses, proposed developments  
29 and hydrogeological information. Default C values shown in the following table should be  
30 used unless otherwise justified.

31

<u>Land Use</u>	<u>C Value for ≤ 10-yr Storm*</u>
<u>Asphalt or Concrete</u>	<u>0.70 – 0.95</u>
<u>Roofs</u>	<u>0.70 – 0.95</u>
<u>Lawns:</u>	
<u>sandy soil, flat, 2%</u>	<u>0.05 - 0.10</u>
<u>sandy soil, avg., 2%-7%</u>	<u>0.10 - 0.15</u>
<u>sandy soil, steep, &gt; 7%</u>	<u>0.15 - 0.20</u>
<u>heavy soil, flat, 2%</u>	<u>0.13 – 0.17</u>
<u>heavy soil, avg., 2%-7%</u>	<u>0.18 – 0.22</u>
<u>heavy soil, steep, &gt; 7%</u>	<u>0.25 – 0.35</u>
<u>Unimproved</u>	<u>0.10 – 0.30</u>

32 \*Notes:

- 33 1. Lower values are for SCS soil group A; higher values are for SCS soil group D.  
34 2. For 100-yr storm events, multiply coefficient by 1.25, not to exceed 1.0.

35  
36 b. In a case of applying the Rational Method to a mixed land use in a drainage area, a  
37 weighted average C value should be used.

38  
39 F. Infiltration Rates:

40  
41 a. Sites with land disturbance area equal to 1.0 acre or more and which use an infiltration  
42 rate that depends on the hydrologic properties of soils require an onsite infiltration test to

1 determine the infiltration rate. The infiltration test is to be conducted at the depth where  
2 the soils will be receiving the water (i.e. bottom of the infiltration structure) and at a distance  
3 of not more than 100-ft horizontally between the infiltration test and the infiltration structure.

4  
5 b. A borehead permeameter – cased (fixed) test method per ASTM 6391 / USBR 7310 is  
6 required to determine the infiltration rate. Other constant head permeability tests that utilize  
7 in-situ conditions and are accompanied by a recognized published source reference may  
8 be approved by the city engineer.

9  
10 c. Safety Factor: A safety factor of 2.0 is to be applied to an infiltration rate determined by  
11 field or lab tests to account for decreased infiltration rates over time.

12  
13 d. Design Saturated Hydraulic Conductivity rates (Ksat Rate) shown in the following table are  
14 to be used in the absence of a site specific infiltration test:

15

<u>Soil Textures</u>	<u>K Hydraulic Conductivity Rate (ft/sec)</u>
<u>Gravel,</u> <u>Sandy gravel</u> <u>Coarse sand</u>	<u>field testing is required</u>
<u>Sand</u>	<u><math>5.77 \times 10^{-4}</math></u>
<u>Loamy</u>	<u><math>5.13 \times 10^{-4}</math></u>
<u>Sandy Loam</u>	<u><math>1.13 \times 10^{-4}</math></u>
<u>Silty Loam</u>	<u><math>2.36 \times 10^{-5}</math></u>
<u>Loamy</u>	<u><math>2.28 \times 10^{-5}</math></u>
<u>Sandy Clayey Loam</u>	<u><math>2.07 \times 10^{-5}</math></u>
<u>Silty Clayey Loam</u>	<u><math>5.57 \times 10^{-6}</math></u>
<u>Clay Loam</u>	<u><math>8.04 \times 10^{-6}</math></u>
<u>Sandy Clayey Loam</u>	<u><math>7.11 \times 10^{-6}</math></u>
<u>Silty Clay</u>	<u><math>3.34 \times 10^{-6}</math></u>
<u>Clay</u>	<u><math>4.21 \times 10^{-6}</math></u>

16  
17 G. Low Impact Development BMPs:

18  
19 a. Onsite retention is to be accomplished by the use of Low Impact Development (LID) BMP  
20 that are designed, constructed, and maintained to infiltrate, evapotranspire and/or harvest  
21 and reuse rainwater. Allowable LID BMPs are:

- 22 i. Rain Garden  
23 ii. Bioretention Cell  
24 iii. Bio Swale  
25 iv. Vegetative Strip  
26 v. Pervious Surfaces  
27 vi. Infiltration Basin  
28 vii. Infiltration Trench  
29 viii. Dry Well  
30 ix. Infiltration Galleries  
31 x. Harvest and Reuse

32  
33 b. Design and sizing of the LID BMPs are as per the document “A Guide to Low Impact  
34 Development within Utah” prepared for Utah Department of Environmental Quality, dated  
35 December, 2018. Darcy’s Law may be used as an alternate design method for dry wells.  
36

1 c. Infiltration structures are to be located a minimum of 20-ft from a building foundation or as  
2 otherwise recommended by a geotechnical engineer.

3  
4 d. The bottom of an infiltration structure is to be greater than 2.0 feet above the seasonal  
5 high groundwater table.

6  
7 e. Void space ratio in drain rock used for storage calculations is not to exceed 0.35.

8  
9 H. Water Quality:

10  
11 a. Stormwater runoff from roadways and parking surfaces with a surface area of 0.25 acres  
12 or more must be routed through a stormwater quality treatment system (i.e. hydrodynamic  
13 separator) prior to discharging into an infiltration system, storm drain, canal or creek.  
14 Surface areas to be measured from edge of pavement or an equivalent edge. The  
15 stormwater quality treatment system must be designed to:

16  
17 i. Treat all flows up to 50% of the 2-year (3-hour duration) post-development  
18 flowrate; and

19  
20 ii. Reduce the average annual Total Suspended Solids loadings by a minimum of  
21 80%.

22  
23 b. Facilities that contain fueling areas and chemical and hazardous storage areas require  
24 containment systems designed by a professional engineer.

25  
26 c. For sites with a disturbance area of 1.0 acres or more, a Stormwater Quality Plan is  
27 required with the following minimum requirements:

28  
29 i. Description of long-term stormwater BMPs and how they were selected;

30  
31 ii. The pollutant removal expected;

32  
33 iii. The technical basis which supports the performance claims for the selected BMPs;  
34 and

35  
36 iv. Design, installation, operation and maintenance standards.

37  
38 I. Existing stormwater management and irrigation facilities must be protected in place during  
39 construction. Changes or disturbance of these systems require a design to be completed by a  
40 professional engineer and approval by the city engineer.

41  
42 J. Site Grading Requirements:

43  
44 a. Sites are to be graded to route stormwater runoff to onsite BMPs.

45  
46 b. Bare soil shall be planted in a manner that will prevent erosion of the ground.

47  
48 c. When bare soils are at risk of eroding, erosion control matting, temporary mulches, or other  
49 stabilization is required to prevent the soil from eroding.

50  
51 d. Sags or low points in roads or subdivisions are to be designed with a safe overland outlet  
52 flow route, designed for the 100-yr storm event.

53

- 1 e. The maximum depth of flooding in a roadway or parking lot during a 100-yr storm event is  
2 not to exceed 1.0-ft.
- 3
- 4 f. Site grading is to be designed and constructed to route stormwater runoff from discharging  
5 onto neighboring properties with the following exceptions:
- 6
- 7 i. A drainage easement is recorded on the property receiving the stormwater  
8 discharge for the purpose of conveying the stormwater on the receiving property.
- 9
- 10 ii. The stormwater discharge maintains a historical drainage pattern and the  
11 discharge does not raise the water surface elevation on the receiving property.
- 12
- 13 g. Lots shall be graded to drain surface water away from the foundation walls. The grade  
14 shall fall not fewer than 6 inches within the first 10 feet. Where lot lines, walls, slopes or  
15 other physical barriers prohibit 6 inches of fall within 10 feet, drain or swales shall be  
16 constructed to ensure drainage away from the structure. Impervious surfaces within 10  
17 feet of the building foundation shall be sloped not less than 2 percent away from the  
18 building.
- 19
- 20 h. Driveways sloping from a perimeter street toward a structure must be graded such that  
21 any stormwater runoff will be safely routed around the structure without flooding the  
22 structure or causing any water damage to the structure or contents within the structure.  
23 Properties utilizing this method must have a professional engineer seal the design.
- 24
- 25 i. Swales shall have a minimum slope of 1 percent.
- 26

27 K. Catchbasins:

28

- 29 a. To ensure that the capture or inlet capacity matches the storm main capacity, the spacing  
30 of catch basins on streets may be varied; however, they shall generally meet the following  
31 criteria:
- 32 i. Spacing: Road grades less than or equal to 3%, space 500 feet maximum or 7,000  
33 square feet of paved area. Road grades greater than 3%, space 300 feet minimum  
34 or 5,000 square feet of paved area.
- 35
- 36 ii. Space at intersection to not interfere with ADA ramps.
- 37
- 38 iii. Side inlet catchbasins are required for all curbed roads.
- 39
- 40 b. Catchbasin outlets are to be a minimum diameter of 12 inches and sized to convey the  
41 design inlet capacity.
- 42
- 43 c. Materials: Boxes with “knock outs” for out outlet connections are not allowed for public  
44 catchbasins.
- 45
- 46 d. Water Quality: New catchbasins to be constructed with a minimum 3.0-foot deep sump  
47 and a trapping hood cover (i.e. ACF Environmental Trash Guard Hood) on the outlet pipe  
48 unless there is a downstream water quality treatment unit (i.e. hydrodynamic separator).
- 49

50 L. Storm Mains:

51

---

- 1 a. Capacity: Hydraulic capacity shall be calculated using Manning's formula. A roughness  
2 coefficient of 0.013 shall be used for concrete and 0.011 shall be used for smooth plastic  
3 pipe.  
4  
5 b. Velocity: Minimum velocity shall be 2.5 ft/s at the design flow rate.  
6  
7 c. Minimum Size: 12 inches inside diameter.  
8  
9 d. Joints: Joints shall be water tight unless the storm drain is designed as an infiltration or  
10 exfiltration pipe (wrapped in drain rock and filter fabric) then joints may be soil tight.  
11  
12 e. Minimum Depth of Cover: Provide two (2) feet minimum cover.  
13  
14 f. Junctions: The crown elevations for each storm drain pipe should match, where feasible.  
15  
16 g. Materials: Materials are to be approved by the city engineer. Corrugated metal pipes are  
17 not acceptable.

18  
19 M. Manholes:

20  
21 a. Maximum Spacing:

- 22  
23 i. 12" to 24" diameter – 400 feet  
24  
25 ii. over 24" diameter – 325 feet

26  
27 b. Manholes are required at:

- 28  
29 i. All grade or alignment changes  
30  
31 ii. Pipe size changes  
32  
33 iii. All intersection mains  
34  
35 iv. All upstream end of mains  
36  
37 v. All catchbasin connections, unless otherwise approved by the city engineer  
38  
39 vi. Outfalls to creeks in order to isolate the upstream main to facilitate cleaning. The  
40 manhole is to be located as close as possible to the point of discharge.

41  
42 N. Dry Well:

- 43  
44 a. Where dry wells are used as means for infiltration, dry well wall surface area (interface  
45 with receiving soils) shall be sized using Darcy's empirical law:

46  
47 
$$Q = A K i$$

48 Where: Q = rate of flow (cfs)

49 A = cross section area of soil through which flow takes place (consider wall  
50 area interfacing with receiving soils)

51 K = coefficient of permeability (see section 17.20.030.F)

52 I = gradient of headloss over a given flow distance (assume 1.0 unless  
53 otherwise known)

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Upon determination of permeability factor, a safety factor of 2 shall be applied.

Hydraulic Gradient

$I = h/L$   
Where: h = average available head  
L = flow distance

Depth of the dry well will vary in accordance with the requirements derived from Darcy's law.

O. Floodplains:

- a. The following is to be shown on a grading plan:
  - i. FEMA floodplain boundary
  - ii. Floodplain zone
  - iii. Floodplain Base Flood Elevation (BFE)
  - iv. Firmette panel number and date
  - v. Lowest habitable floor elevation
- b. The lowest habitable floor elevation of a structure must be 1.0 feet above the mapped Base Flood Elevation. Exceptions may be allowed as per the most current FEMA's guidelines and policies.

A.P. Maintenance Access:

- a. All components for a drainage system must be designed to allow for future maintenance, including inspections, cleaning, and replacement.
  - b. Where vehicular access is required to access manholes and outfalls, the surface is to be designed to support maintenance vehicles in accordance to AASHTO H20 loading.
-

1 Chapter 17.29 MAINTENANCE AND PROTECTION  
2 OF DRAINAGE SYSTEMS

3  
4 17.29.010: GENERALLY:  

5 Where a private drainage system is installed on private property, the property owner is required to  
6 permanently maintain the facility to ensure it functions as per its intended purpose. Where a public  
7 drainage system is installed on private property, the property owner is required to provide a  
8 maintenance easement and protect the drainage facility.

9 17.29.020: MAINTENANCE EASEMENTS:  

- 10 A. Easement: The owner/developer must ensure permanent or perpetual access to the site for the  
11 purpose of inspection, maintenance and repair of new and existing drainage systems by securing  
12 all the maintenance easements needed. These easements must be binding on the current property  
13 owner and all subsequent owners of the property and must be properly recorded in the land record.  
14  
15 B. Minimum Width: Minimum easement widths for a public drainage system will be determined by the  
16 city engineer and shall be based on common maintenance practices. In no case shall the width of  
17 an easement for the purpose of maintaining subsurface drainage systems be less than 15 feet.  
18  
19 C. Restrictions: Easements are to restrict the placement of structures, including walls, and trees in  
20 the easement.

21 17.29.030: MAINTENANCE AND PROTECTION:  

- 22 A. As applicable, the following agreements and protections are required prior to issuance of a Building  
23 Permit or Grading Permit:  
24  
25 a. Construction activity on property that has on it or is adjacent to an existing drainage or  
26 irrigation system must execute a Certification of Protection of Existing Irrigation, Canal and  
27 Storm Drain Facility prepared by the city.  
28  
29 b. Onsite drainage systems constructed on private property are to be owned and maintained  
30 by the association or equivalent entity responsible for maintenance of the common  
31 grounds (i.e. HOA). Maintenance responsibilities are to be written into the Covenants,  
32 Conditions & Restrictions (CC&Rs) or equivalent document. Where an association or  
33 equivalent entity does not exist, the property owner must execute a Site Grading  
34 Management Agreement prepared by the city that shall operate as a recorded deed  
35 restriction binding on the current property owner and all subsequent property owners.  
36  
37 c. The owner of property to be served by a private on-site stormwater quality facility must  
38 execute a Long-Term Stormwater Management Agreement prepared by the city that shall  
39 operate as a deed restriction binding on the current and subsequent property owners.  
40  
41 B. Canal Bank Protection: Property owners of private property that encompass the bank of a canal  
42 structure are required to protect the stability of that bank. Bank improvements that have been
-

1 constructed for the benefit of the private property owner or historical property owners are the  
2 responsibility of the property owner to maintain in good shape in such a manner that it does not  
3 pose a risk to the functional operation of the canal. This includes, but not limited to, protection and  
4 maintenance of:

5  
6 a. All types of retaining walls;

7  
8 b. Erosion prevention from drain pipe outfalls;

9  
10 c. Earthen fill on top of a canal bank placed for the purpose of raising the grade elevation of  
11 the property;

12  
13 d. Stone slopes;

14  
15 e. Over steepened slopes;

16  
17 f. Fencing;

18  
19 g. Decking;

20  
21 h. Removal of fallen trees and stumps; and

22  
23 i. Erosion prevention from loss of stabilizing ground cover vegetation.

24  
25 C. Canal Retaining Wall Protection: To prevent retaining wall failure caused by trees, no tree shall be  
26 planted within 10-ft from the face of a retaining wall supporting a canal bank.  
27

28 **17.29.040: AS-BUILT DRAWINGS:**  

29 A. Drainage Facility As-built: As-built drawings of new drainage facilities, including long-term BMPs,  
30 are to be prepared by the owner or developer and submitted to the city and approved prior to the  
31 city releasing a bond being held for said drainage facility.  
32

33 B. Detention As-builts: Drainage facilities with detention structures shall be field surveyed and  
34 stamped and signed by a professional engineer and submitted to the city.  
35  
36

# Chapter 17.32

## ~~VIOLETIONS AND PENALTIES ENFORCEMENT~~

### **17.32.010: VIOLATION DEEMED MISDEMEANOR GENERALLY:**

Escalating enforcement procedures are intended to minimize the occurrence of and obtain compliance from any person, corporation, association, partnership or governmental instrumentality that release or discharge pollutants, contaminants or wastes into the waterways or drainage system. It is unlawful for any person, corporation, association, partnership or governmental instrumentality to violate any of the provisions of this title, or to aid or cause the violation of any of said provisions. (1999 Code)

### **17.32.020: PENALTY ADMINISTRATIVE ENFORCEMENT PROGRAM:**

Any person who is convicted of violating any of the provisions of this title shall be guilty of a misdemeanor and shall be punishable as set out in chapter 1.08 of this code. (1999 Code)

A. Enforcement and appeal procedures for releasing or discharging pollutants, contaminants or wastes into the waterways or drainage systems are as set forth in Title 7 of this code.

B. The Salt Lake County Health Department (SLCHD) is to be contacted for any incidents involving spills, releases or the discharge of pollutants, contaminants, or wastes into the waterways or drainage system. SLCHD will respond and investigate the incident, work with the responsible party to ensure the spill and/or discharge is remediated, and initiate appropriate enforcement actions as needed.

### **17.32.025: ADDITIONAL ACTIONS AGAINST CONSTRUCTION**

#### **ACTIVITY:**

A. SWPPP Corrective Action: A formal notice using the SWPPP Compliance Inspection Form that informs a contractor of the status of compliance with state permit regulation or city ordinance/code is to be used to inform the contractor of any violations and demands items be corrected according to a schedule defined by the inspector. The inspector is to communicate (verbal, email, and using SWPPP Compliance Inspection Form) with the contractor regularly through the permit term to achieve understanding of the state permit regulation and city ordinance/code requirements. Generally, all communication is to be recorded in the "Comments and Corrective Actions for SWPPP Compliance" of the SWPPP Compliance Inspection Form in Utilisync. The SWPPP Corrective Action Notice is provided to the contractor using the SWPPP Compliance Inspection Form in Utilisync. The notice should include correction deadlines. The notice can include language that informs and educates if it is effective at correcting the violation(s).

B. The inspector is to follow up and communicate with the contractor to confirm that Corrective Action Notice items have been addressed. The inspector should evaluate understanding or expected understanding and issue a Warning Notice (via email using Utilisync Enforcement form) as necessary. The Warning Notice should include correction deadlines and a warning that if not addressed adequately, further enforcement may be required including but not limited to an administration citation. The contractor shall have ten (10) days to correct the violation.

1  
2 C. If the violation continues on the eleventh day after the Warning Notice, an enforcement official  
3 shall serve an administrative citation on the responsible person. Enforcement, appeals, content of  
4 citation and fees are as per title 7 of this code.  
5  
6

7 **17.32.030: ADDITIONAL SANCTIONS AGAINST BUSINESS ENTITY:** 



8  
9  
10 A. When a corporation, limited partnership, limited liability company, trust or other business entity or  
11 association is convicted of violating any of the provisions of this title, the court may, in addition to  
12 or in lieu of imposing other authorized penalties, require the entity to give appropriate publicity of  
13 the conviction by notice to the class or classes of persons or sections of the public interested in  
14 or affected by the conviction, by advertising in designated areas, or by designated media or  
15 otherwise.

16 B. When an executive or high managerial officer of a business entity is convicted of a violation of any  
17 of the provisions of this title, committed in furtherance of the affairs of the entity, the court may  
18 include in the sentence an order disqualifying that person from exercising similar functions in the  
19 same or other business entities for a period not exceeding five (5) years if it finds the scope or  
20 wilfulness of his illegal actions make it dangerous or inadvisable for such functions to be  
21 entrusted to him. (1999 Code)

22 **17.32.040: REMOVAL OF OBSTRUCTION:**  

23  
24 In addition to any penalties which may be imposed pursuant to this chapter, the department may do  
25 the following:

26  
27 A. Removal Of Obstruction: Remove any obstructions, pipelines or other devices installed in  
28 violation thereof; and/or

29  
30 B. Notice Of Violation: Give written notice to persons in violation of the provisions of this title  
31 requiring the removal of offending installations from natural channels or other storm drainage  
32 facilities. Notices may be personally served or may be mailed to violators by certified mail  
33 provided that a copy is also posted on offending installations for a period of ten (10) days. If such  
34 installations are not removed within ten (10) days after notice is given, the department may effect  
35 removal at the expense of the person in violation and may recover its costs and expenses  
36 (including attorney fees) therefor; and/or

37  
38 C. Abatement: Bring an action for the abatement of the nuisance caused by the offending  
39 installation, or for the recovery of the city's costs and expenses (including attorney fees) incurred  
40 in removing the offending installation pursuant to subsection A or B of this section. (1999 Code)

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## State of the Arts in Holladay – 2019

Submitted by Sheryl Gillilan

April 2, 2020

It was a productive year for the Holladay Arts Council. Its 14 voting and ex-officio members developed creative ideas and better ways to engage residents in the arts as participants and observers. We also added one new council member in 2019 and one ex-officio member. Council members donated a total of **1,835 hours** last year, which is the equivalent of **.88 FTE**.

In particular, we:

- **Expanded our email list** to over 1,000 recipients (up from 800 last year)
- **Increased our outreach to families and children** by hosting a magic show performance and a children's theatre production of *The Big Orange Splot*, based on a book about community diversity
- **Initiated Music Fest**, a friendly outdoor competition of nine musical soloists or groups with the audience doing the judging
- **Re-branded the Arts Council** and developed a new logo, mission statement, and tagline: We inspire, engage, and unify the community through the arts. Discover yourself in art!
- **Commissioned a collaborative public art** tree sculpture for the Blue Moon Festival in honor of Holladay's 20<sup>th</sup> anniversary
- **Obtained vendors** to sell drinks and chilled desserts at the summer concert series
- **Catalogued** the City's art collection
- **Initiated the sale of paintings** through the Arts Council at the Fine Art Show, retaining 20% of the \$6,000 in sales.
- **Conducted two artist talks** to provide professional development opportunities for artists
- **Sustained our fundraising** efforts amongst private individuals and businesses. Our grant funding also increased some, and last year we received \$15,000 from Zoo, Arts, and Parks (the maximum in our category) and \$7,000 from the Utah Division of Arts and Museums, up from \$3,000 the previous year. In sum, here is the percentage breakout of our revenue sources:

- City contribution (ED salary, benefits, concert contribution): 36%
  - Earned income 19%
  - Grants 18%
  - Donations/sponsorships 27%
- **Received TRCC funding** to install track lighting in the downstairs hallway for additional gallery space, and to commission a large public art piece for the Holladay Plaza (this may be on hold due to new County grant restrictions).

In addition to the above, here are some highlights of specific events sponsored by the Arts Council:

January— **Magic show** by Paul Draper, who once attended Holladay Elementary School and performed on the stage as an 8 year-old (230 attendees)

March—**Fine Art Show** with 153 artists participating, 58 for the first time; two receptions with cash prizes subsidized by entry fees (650 attendees). Several local teenage musicians played at both receptions.

April—Second annual **Holladay Reflections in Dance**, a highly successful dance concert at Olympus Jr. High which included all Holladay public school dance programs as well as private dance studios (750 attendees); Children’s theatre production of **The Big Orange Splot** (120 attendees; 25 participating actors)

June— Hosted a performance by violin prodigies **Caroline Durham** (17 years old) and **Ezekiel Sokoloff** (13 years old)-- (120 attendees). Also held the first annual **Music Fest** (300 attendees)

July – **Jim McGee Crossing Paths** reception, wherein Jim interviewed and painted eight Holladay residents he didn’t previously know (150 attendees)

July-August—Eight **Concerts on the Commons** had a record attendance, with an average of 710 per concert, up from 600 the previous year.

August—The **Blue Moon Festival** was held with 33 arts vendors and 9 food vendors. It also featured two musical bands this year and the creation of the Blue Moon art tree. (4,000 attendees) Also hosted **local artist Chris Haggqvist** and his exhibit of 100 small portraits done in 100 days (50 attendees)

September— The **Quick Draw** event got rained out and was held in the Big Cottonwood Room with 13 artists painting from photos taken in Holladay. **Holladay Plein Air** was held the prior week with 32 artists participating. We **partnered with Relics Gallery** to sponsor the event and held the exhibit there. (100 attendees) Cash prizes were funded by entry fees.

October— A **theatre production of Ruddigore** was held in the Big Cottonwood Room. (50 attendees)

November – **Artist talk** by local artist **Justin Wheatley** (30 attendees)

December—**Lark ‘n’ Spur holiday concert** at the Grand Theatre (700 attendees)

**In summation, our overall attendance figures were 11,743.** We also served many more hundreds of people indirectly due to our artist of the month exhibits in the front hall.

**Upcoming ideas and plans for 2020:**

- Work with City Council on Plaza public art RFP and commission of artist\*
- Investigate possibility of covering the SoHo utility boxes with art vinyl
- Develop a schedule and procedure for exhibits in the new downstairs gallery; also name the gallery
- Offer children's art activities in the newly opened Holladay Library
- Expand services to seniors through writing and visual arts workshops
- Investigate the possibility of a children's playground art mural

\*May be suspended due to County granting restrictions

# SHORT TERM RENTAL (STR's)

CITY COUNCIL DISCUSSION APRIL 2, 2020

# SUMMARY

- ❑ STR's continue to be a complicated enforcement problem
- ❑ Estimated 300 +/- STR's in Holladay
- ❑ Holladay has not been successful in eliminating STR's
- ❑ Should Holladay develop and adopt a long-term strategy for STR's?
- ❑ In Holladay there are limited areas allowed for STR's and only a few (4) are City approved

# SUMMARY CONT.

- ❑ Utah State law prohibits enforcement using internet to find STR's
- ❑ STR's are now a deeply rooted part of the economy and acceptance of their existence is growing
- ❑ Many of us have admittedly used an STR
- ❑ Other cities are adopting policies to deal with STR's

# LONG-TERM STRATEGIES DISCUSSION

## □ Strategy #1 - Do Nothing / Continue the Status Quo

1. There may be many STR's but relatively few complaints (especially recently)
2. Benefit vs. Cost. Developing a new long-term enforcement approach may be stressful, time consuming and result in a new set of problems such as:
  - Administrative costs
  - How to get voluntary compliance from existing STR's?
  - Neighborhood Equity
  - Public process or not?

# LONG-TERM STRATEGIES CONT.

## □ Strategy #2 - Develop new zoning policies for STR's

➤ What type of STR should be allowed?

1. Hosted Sharing? (Homeowners remain on-site with guests)
2. Unhosted Sharing? (Homeowner vacates the dwelling while it is rented)
3. Dedicated vacation rentals? (No primary occupants)

# LONG-TERM STRATEGIES CONT.

## □ STRATEGY #3 IDENTIFY APPROPRIATE STR LOCATIONS

1. Where should STR's be allowed?
  - Currently they are only allowed in multi-family zones and along major streets by conditional use permit.
2. Allow in some or all single family zones?
  - Could accessory buildings be used for STR?
  - More than one STR per property? (Homes and accessory bldgs.)
3. There may be opportunities and drawbacks with STR's.
  - Inspection of buildings for safety
  - License fees to offset administrative and enforcement costs
  - Transient Room Tax possibility
  - How will STR's impact availability of housing for long-term rentals in tight market?

# CONSIDER NEW ZONING/LICENSING LAWS

## □ OTHER STRATEGIES TO CONSIDER

1. Regulate as Home Occupations Administrative “Over The Counter” approval
2. Regulate as Conditional Uses with or w/o public input?
3. Regulate as Special Uses with or w/o public input? (Sandy City)
4. Limit number of days rented per year
5. Limit number of rooms to be rented per STR
6. Insurance coverage requirements

# CONSIDER NEW ZONING/LICENSING LAWS

## Strategies cont.

7. Signage and advertising
8. Allow in existing multi-family zone developments with % cap of total dwellings
9. Collect and Submit Transient Room Tax
10. Implement “Amnesty” for existing STR’s to encourage voluntary registration and compliance