United States Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, Washington 98101

Authorization To Discharge Under The National Pollutant Discharge Elimination System (NPDES)

In compliance with the provisions of the Clean Water Act, 33U.S.C. §1251 et seq., as amended by the Water Quality Act of 1987, Public Law 100-4 (hereafter CWA),

Regulated Small Municipal Separate Storm Sewer Systems (MS4s) Within the State of Idaho

as described in Part 1 of this General Permit (GP), are authorized to discharge into waters of the United States, in accordance with the eligibility requirements, narrative effluent limitations, monitoring requirements and other conditions set forth herein.

A copy of this GP (including the following Appendices) must be kept as part of the Permittee's Stormwater Management Program (SWMP) documentation.

Appendix A-	Regulated MS4 Discharges Covered By this GP
Appendix B-	Required Information for Notices of Intent and Termination
Appendix C-	Endangered Species Act Eligibility Guidance
Appendix D-	National Historic Properties Act Eligibility Guidance
Appendix E-	Suggested Formats for SWMP Documents and Annual Reports
Appendix F-	Requirements for MS4 Discharges to Impaired Waters
Appendix G-	Addresses and Contact Information

This GP becomes effective ***October 1, 2018***.*

This GP and the authorization to discharge expires at midnight, ***Sept 30, 2023.****

Permittees must reapply for authorization to discharge on or before ***April 3, 2023,**** (180 days before expiration of this GP), pursuant to Part 8.2 (*Duty to Reapply*), if the Permittee intends to continue operation and discharges from the MS4 beyond the term of this GP.

Signed this day of

Michael J. Lidgard, Acting Director
Office of Water and Watersheds

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

SCHEDULE

1. Notice of Intent (NOI)	
A regulated small MS4 operator not listed in Appendix A must submit a NOI for coverage - See Part 1.4.	No later than ***April 2, 2019 [Effective date + 180 days]***,* unless EPA grants a later date.
A small MS4 operator designated after the GP effective date must submit a NOI	No later than 180 days after EPA notification, unless EPA specifies a later date.
2. SWMP Document	
Permittee must post a copy of its SWMP Document on a publicly accessible website - See Parts 2.8.5 and 3.6.8	***[December 1, 2019]****
Affected Permitees must update the publicly accessible SWMP Document to describe implementation of relevant Appendix F requirements- See Part 4.2.2.	***[December 1, 2020]****
***3.* Storm Water Management Program Control Measures**	
Begin Education & Outreach Activities-See Part 3.6	***[October 1, 2019]****
Implement all SWMP Control Measures in Parts 3.2 through 3.6 & Appendix F.	***April 3, 2023, [180 Days before Expiration Date]****
***4.* Alternative Control Measure Requests**	
See Part 2.9 and Appendix F.	***April 2, 2019 [Effective date + 180 days]****
5. Monitoring/Assessment Plan	
If applicable, the Affected Permittee(s) must submit a Monitoring/Assessment and Quality Assurance Plan as an Alternative Control Measure Request. See Part 2.9 and Appendix F.	***April 2, 2019 [Effective date + 180 days]****
***6.* Pollutant Reduction Activities for Discharges to Impaired Waters**	
If applicable, the Affected Permittee must select and implement least two (2) pollutant reduction activities. See Appendix F.	***April 2, 2019 [Effective date + 180 days]****
7. Annual Report	
See Part 6.3	***December 1 of each year, beginning 2019****
8. Records. See Part 6.2	Retain for a period of at least five years.
9. Twenty-Four Hour Notice of Noncompliance.	
Permittee must report certain noncompliance by phone. See Part 7.9.	Within 24 hours from the time Permittee is aware of circumstances
10. Notice of Termination of Discharge.	See Part 1.7
11. NPDES Permit Renewal Application/NOI	
See Part 8.2 (Duty to Reapply). At a minimum an updatedSWMP Document, and Final Report summarizing any applicable Monitorin/Assessement and Pollutant Reduction Activities, must be submitted with Application Renewal NOI.	***April 2, 2019 [Effective date + 180 days]****

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

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ACRONYMS

ACM	Alternative Control Measure
BMP	Best Management Practice
CFR	Code of Federal Regulations
CGP	Construction General Permit, i.e., the most current version of the *NPDES General Permit for Storm Water Discharges from Construction Activities in Idaho*
CWA	Clean Water Act
DMR	Discharge Monitoring Report
EFH	Essential Fish Habitat
ERP	Enforcement Response Policy
EPA	United States Environmental Protection Agency, Region 10
ESA	Endangered Species Act
FR	Federal Register
GIS	Geographic Information System
GP	General Permit
IDA	Idaho Department of Agriculture
IDAPA	Idaho Administrative Procedures Act
IDEQ	Idaho Department of Environmental Quality
LA	Load Allocation
µg/L	Micrograms per Liter
mg/L	Milligrams per Liter
MEP	Maximum Extent Practicable
ML	Minimum Levels
MS4	Municipal Separate Storm Sewer System
MSGP	Multi-Sector General Permit, i.e., the most current version of the *NPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activities in Idaho*
NHPA	National Historic Properties Act
NOAA	National Oceanic and Atmospheric Administration
NMFS	National Marine Fisheries Service
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
OWW	EPA Office of Water and Watersheds
pg/L	Picograms per Liter
POTW	Publicly Owned Treatment Works
QAPP	Quality Assurance Project Plan
QA/QC	Quality Assurance/Quality Control
SWMP	Stormwater Management Program
SWPPP	Storm Water Pollution Prevention Plan
TEQ	Toxic Equivalency
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
US	United States
USC	United States Code
USFWS	United States Fish and Wildlife Service
WLA	Wasteload Allocation

1 APPLICABILITY AND NOTIFICATION REQUIREMENTS

1.1 Facilities Eligible for Coverage

Facilities eligible for coverage under this GP are regulated small MS4s located within the State of Idaho. Small MS4s that are designated by EPA are also eligible for coverage under this GP.

1.2 Geographic Area of Permit Coverage

This GP covers regulated small MS4s located within, or partially located within, an Urbanized Area of the State of Idaho as defined by the U.S. Bureau of Census.

1.2.1 Geographic Area for Regulated Small MS4s Owned and/or Operated by a City

For any regulated small MS4 owned and/or operated by a City, the geographic area of permit coverage is the area of the City that is served by the MS4.

1.2.2 Geographic Area for Regulated Small MS4s Owned and/or Operated by Other Entities

For any regulated small MS4 owned and/or operated by a county, highway district, state department of transportation, college, university, or other public entity, the geographic area of permit coverage is the area under that entity's jurisdictional control that is served by the MS4 within an Urbanized Area in Idaho.

1.2.3 Geographic Area for Regulated Small MS4s Designated by EPA

For any regulated small MS4 otherwise designated by EPA, the geographic area of permit coverage is the area under that entity's jurisdictional control that is served by the MS4 within the boundary defined by the EPA designation decision.

1.3 Eligibility Requirements

1.3.1 Regulated MS4 Operators Listed in Appendix A

Regulated small MS4 operators listed in Appendix A meet the eligibility requirements of this Part, and are not required to submit a Notice of Intent (NOI) to obtain coverage under this GP For these entities, prior submittal of a NPDES permit application constitutes submittal of an NOI.

1.3.2 Other Regulated MS4 Operators

Any regulated small MS4 operator that is not listed in Appendix A must submit a timely and complete NOI to EPA in accordance with Part 1.4 (*NOI Requirements*) and include information set forth in Part 1.3.2.1 below:

1.3.2.1 Documentation Regarding Additional Consultation

To consider a regulated small MS4 operator eligible for coverage under this GP, EPA may need to complete additional consultation under the Endangered

Species Act (ESA), the Magnuson-Stevens Fishery Management and Conservation Act, and/or the National Historic Properties Act. The regulated small MS4 operator is required to submit any relevant information that is requested by EPA to complete such consultation. See Appendix C and Appendix D.

1.4 Notice of Intent (NOI) Requirements

1.4.1 Operator Responsibility

When a regulated small MS4 is owned by one entity, and operated by another entity, it is the operator's responsibility to submit a NOI to obtain permit coverage.

The operator's NOI must identify all portions of the MS4 within the geographic area of permit coverage under its control, and summarize the date, title, and general content of any existing agreement between the MS4 owner and the MS4 operator, as appropriate.

1.4.1.1 For the operator of multiple and/or non-contiguous regulated small MS4s (such as those operated by a state transportation department), a single NOI may be submitted to address all MS4 discharges in the geographic areas under that operator's responsibility.

1.4.1.2 A regulated small MS4 operator may seek coverage under this GP as a co-Permittee with one or more regulated small MS4s similarly eligible for this GP. In such instances, a single, joint NOI, that includes all required information and certification signatures for each co-Permittee, must be submitted. See Part 2.3 (*Permittee Responsibilities*).

1.4.2 Content of the Notice of Intent

The NOI must include the information listed in Appendix B. The NOI may consist of a letter, report, or a table, with any attachments as necessary to provide the required information. Operators may use the example NOI Format provided in Appendix B. The NOI must be signed in accordance with Part 8.5 (*Signatory Requirements*).

1.4.3 Where to Submit the NOI

The regulated small MS4 operator must submit the NOI to EPA and IDEQ at the addresses provided in Appendix G.

If applicable, the operator must also submit a copy of the NOI to an affected tribe whose waters may be impacted by the MS4 discharge. See Appendix G.

When EPA notifies the small MS4 operator directly of other NOI submittal options (such as electronic submission of forms or information) that become available at

a later date, the small MS4 operator may use such options to satisfy these NOI requirements.

1.4.4 **Amended Information**

A Permittee covered by this GP must submit to EPA and IDEQ updated and/or amended information whenever there is any material change to the content submitted in its original NPDES permit application materials or NOI. and/or as required by provisions in Part 2.9 (*Alternative Control Measure Request*) or Appendix F (*Requirements for MS4 Discharges to Impaired Waters)*of this GP.

A material change may include, but is not limited to: changes in the operator(s)/owner(s) of the MS4; identification of co-Permittees, if appropriate; identification of new or annexed areas served by the Permittee's MS4; MS4 discharges to waters not previously identified; and/or a summary of any known water quality impacts on the newly identified receiving waters.

EPA may request that a Permittee update or amend its information at any time.

Amended information may be submitted to EPA and IDEQ using the NOI format provided in Appendix B *(Required Information For Notices of Intent & Notices of Termination).*

1.4.5 **Deadlines**

A regulated small MS4 operator not listed in Appendix A must submit a NOI for coverage no later than ***April 2, 2019 (180 days after the permit effective date)***,* unless EPA grants a later date.

A small MS4 operator notified by EPA after the GP effective date that authorization to discharge under the GP is required must submit a NOI no later than 180 days after EPA's written notification, unless EPA grants a later date.

1.5 Authorization to Discharge

Regulated MS4 discharges will be authorized under this GP as of the date of EPA's written notification that EPA has granted permit coverage and has assigned the Permittee a permit number.

1.6 Individual NPDES Permits.

1.6.1 **Permittee Request for Individual Permit.**

Any regulated small MS4 operator eligible for coverage under this GP may request to be excluded from this GP by applying for an individual NPDES permit. The MS4 operator must submit an individual NPDES permit application, with reasons supporting the request, to EPA no later than ***January 29, 2019 (120 days after the effective date of GP)****. Individual NPDES permit application requests must follow the directions in 40 CFR §122.33(b)(2). Coverage under

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

this GP will be automatically terminated on the effective date of the individual permit.

1.6.2 **EPA Requires Individual Permit.**
EPA may require any regulated small MS4 operator requesting coverage under this GP to apply for and obtain an individual NPDES permit, if one of the circumstances set forth below in Part 1.6.3 is met. In such case, the applicant or Permittee will be notified in writing that an individual permit is required, and will be given a brief explanation of the reasons for the decision.

1.6.3 **Circumstances for Individual Permit**
Individual NPDES permits may be appropriate if:

1.6.3.1 The regulated MS4 discharge is not in compliance with the conditions of this GP;

1.6.3.2 A change has occurred in the availability of the demonstrated technology or practices for the control or abatement of pollutants applicable to the regulated MS4 discharges;

1.6.3.3 Effluent limitation guidelines are promulgated for the regulated MS4 discharge;

1.6.3.4 A Total Maximum Daily Load (TMDL) or Water Quality Management Plan containing requirements applicable to the regulated MS4 discharge is approved;

1.6.3.5 Circumstances have changed since the time of the request to be covered so that the regulated MS4 discharge is no longer appropriately controlled under the GP, or either a temporary or permanent reduction or elimination of the authorized MS4 discharge is necessary; and/or

1.6.3.6 The regulated MS4 discharge is a significant contributor of pollutant(s) which is not adequately addressed by this GP, as determined by EPA after considering factors pursuant to 40 CFR §122.28(b)(3)(G).

1.7 Notice of Termination of MS4 Discharge

No later than 30 days prior to discharge termination, a Permittee must notify EPA by submitting a Notice of Termination of MS4 Discharge (NOT). See Appendices B *(Required Information For Notices of Intent & Notices of Termination)* and G (*Addresses*).

Authorization under this GP may be terminated in accordance with 40 CFR §122.64. In the case in which the entire discharge is permanently terminated either by elimination of the flow or by connection to a publicly owned treatment works, termination of discharge

authorization will become effective 30 days after the written determination is sent by EPA to the Permittee, unless the Permittee objects within that time.

Pursuant to Part 8.2 (*Permit Actions*), authorization to discharge may be terminated in accordance with the provisions of 40 CFR §§122.64 and 124.5 for a single Permittee or co-Permittee without terminating authorization for the other Permittees or co-Permittees subject to this GP.

2 LIMITATIONS AND CONDITIONS

2.1 Discharges Authorized Under This General Permit

Subject to the terms and conditions set forth in this GP, the Permittee is authorized to discharge municipal storm water to waters of the United States within the State of Idaho from all portions of its MS4 located within the boundaries described in Part 1.2 (*Geographic Area*).

Pursuant to Parts 2.5, 2.6, and 2.7 below, this GP also conditionally authorizes the Permittee to discharge flows from the regulated MS4 which are categorized as allowable non-storm water discharges.

2.2 Compliance with Water Quality Standards

If the Permittee complies with all the terms and conditions of this GP, it is presumed that the Permittee is not causing or contributing to an excursion above the applicable Idaho Water Quality Standards.

If monitoring or other information shows that a pollutant in the Permittee's MS4 discharge is causing or contributing to an excursion above the applicable Idaho water quality standard, the Permittee must comply with the notification and other requirements outlined in Part 5 (*Required Response to Excursions of Idaho Water Quality Standards*), except where a pollutant of concern in the MS4 discharge is subject to the requirements of Part 4 *(Special Conditions for Discharges to Impaired Waters)* and Appendix F (*Requirements for MS4 Discharges to Impaired Waters)*, or is the result of an illicit discharge and subject to a Permittee response as outlined in Part 3.5.5 (*Follow-up).*

2.3 Snow Disposal to Receiving Waters

The Permittee is not authorized to dispose of snow plowed within the geographic area of permit coverage directly into waters of the United States, or directly into the MS4(s). Discharges from the Permittee's snow disposal and snow management practices are authorized under this GP only when such practices and disposal sites are conducted, operated, designed, and maintained to reduce pollutants in the discharges pursuant to Part 3.4 (*Pollution Prevention/Good Housekeeping for MS4 Operations*) so as to avoid excursions above the Idaho water quality standards,

2.4 Storm Water Discharges Associated with Industrial or Construction Activity

The Permittee is not authorized to discharge storm water associated with industrial activity (as defined in 40 CFR §122.26(b)(14)), and/or storm water associated with construction activity (as defined in 40 CFR §122.26(b)(14)(x) and (b)(15)), unless the discharges are otherwise authorized under the *NPDES General Permit for Stormwater Associated with Construction Activities in Idaho* (Idaho CGP), the *NPDES Multi-Sector General Permit for Stormwater Associated with Industrial Activities in Idaho* (MSGP), or another appropriate NPDES permit.

2.5 Non-Storm Water Discharges

The Permittee is not authorized to discharge non-storm water from the MS4, except where such discharges satisfy one of the following conditions:

2.5.1 The non-storm water discharge is in compliance with a separate NPDES permit; or

2.5.2 The discharge originates from emergency firefighting activities; or

2.5.3 The non-storm water discharge results from a spill, and/or is the result of an unusual and severe weather event where reasonable and prudent measures have been taken to prevent and minimize the impact of such discharge; or

2.5.4 The non-stormwater discharge consists of emergency discharges required to prevent imminent threat to human health or severe property damage, provided that reasonable and prudent measures have been taken to prevent and minimize the impact of such discharges; or

2.5.5 The non-storm water discharge falls under one of the allowable categories listed in Part 2.6 below, and the discharge is not a source of pollution to waters of the United States as defined in Part 2.7.

2.6 Categories of Allowable Non-Storm Water Discharges

Allowable non-storm water discharges include:

2.6.1 Uncontaminated water line flushing;

2.6.2 Landscape irrigation (provided all pesticides, herbicides and fertilizer have been applied in accordance with manufacturer's instructions);

2.6.3 Diverted stream flows;

2.6.4 Uncontaminated ground water infiltration (as defined at 40 CFR § 35.2005(20)) to separate storm sewers;

2.6.5 Rising ground waters;

2.6.6 Uncontaminated pumped ground water;

2.6.7 Discharges from potable water sources;

2.6.8 Foundation drains and footing drains (where flows are not contaminated with process materials such as solvents);

2.6.9 Uncontaminated air conditioning or compressor condensate;

2.6.10 Irrigation water;

2.6.11 Springs;

2.6.12 Water from crawlspace pumps;

2.6.13 Lawn watering;

2.6.14 Individual residential car washing;

2.6.15 Flows from riparian habitats and wetlands;

2.6.16 Dechlorinated swimming pool discharges;

2.6.17 Routine external building washdown which does not use detergents;

2.6.18 Street and pavement washwaters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed); and

2.6.19 Fire hydrant flushing.

2.7 Sources of Pollution to Waters of the United States

A discharge is considered a source of pollution to waters of the United States if it contains:

2.7.1 Hazardous materials in concentrations found to be of public health significance or to impair beneficial uses in receiving waters. (Hazardous materials are those that are harmful to humans and animals from exposure, but not necessarily ingestion); and/or

2.7.2 Toxic substances in concentrations that impair designated beneficial uses in receiving waters. (Toxic substances are those that can cause disease, malignancy, genetic mutation, death, or similar consequences); and/or

2.7.3 Deleterious materials in concentrations that impair designated beneficial uses in receiving waters. (Deleterious materials are generally substances that taint edible species of fish, cause taste in drinking waters, or cause harm to fish or other aquatic life); and/or

2.7.4 Radioactive materials or radioactivity at levels exceeding the values listed in 10 CFR § 20 in receiving waters; and/or

2.7.5 Floating, suspended, or submerged matter of any kind in concentrations causing nuisance or objectionable conditions or in concentrations that may impair designated beneficial uses in receiving waters; and/or

2.7.6 Excessive nutrients that can cause visible slime growths or other nuisance aquatic growths that impair designated beneficial uses in receiving waters; and/or

2.7.7 Oxygen-demanding materials in concentrations that would result in anaerobic water conditions in receiving waters; and/or

2.7.8 Sediment above quantities specified in IDAPA 58.01.02.250.02.e or in the absence of specific sediment criteria, above quantities that impair beneficial uses in receiving waters; and/or

2.7.9 Material in concentrations that exceed applicable natural background conditions in receiving waters (IDAPA 58.01.02.200. 09). Temperature levels may be increased above natural background conditions when allowed under IDAPA 58.01.02.401.

2.8 Permittee Responsibilities

2.8.1 Individual Responsibility

Each Permittee is individually responsible for Permit compliance related only to portions of the MS4 operated solely by that Permittee, or where this GP requires the specific Permittee to take an action.

2.8.2 Joint Responsibility and Joint Agreements

Permittees may elect to work together in joint agreement under this GP as co-Permittees. If regulated small MS4 operators elect to submit a joint NOI, each co-

Permittee is jointly responsible for compliance with this GP:

2.8.2.1 Related to portions of the MS4 where operational or storm water management control measure implementation authority has been transferred from one Permittee to another, in accordance with the written and enforceable agreement between the co-Permittees as described in this Part;

2.8.2.2 Related to portions of the MS4 where co-Permittees jointly own or operate a portion of the MS4;

2.8.2.3 Related to the submission of reports or other documents required by Parts 3, 4 and 5 of this GP; and

2.8.2.4 Where this GP requires action, and a specific Permittee is not named.

Co-Permittees must maintain a written and enforceable agreement between the parties. The written agreement must describe each organization's respective roles and responsibilities related to this GP, and identify all aspects of storm water management where the entities will share implementation responsibility, including the areas served by the MS4(s) where the co-Permittees agree to share such responsibility.

Any previously signed agreement may be updated, as necessary, to comply with this requirement. Any such agreement must be described in the Permittee's SWMP Document, and a copy of the agreement between co-Permittees related to this GP must be available to EPA and/or IDEQ upon request.

The Permittee remains responsible for compliance with the permit obligations if the other entity fails to implement the control measure (or component thereof).

2.8.3 **Shared Implementation with Outside Entities.**
A Permittee may share or delegate implementation of one or more of the storm water management control measures to an entity other than one covered by this GP. A Permittee may rely on another entity if:

2.8.3.1 The other entity, in fact, implements the control measure;

2.8.3.2 The particular control measure, or component thereof, is at least as stringent as the corresponding GP requirement; and

2.8.3.3 The other entity agrees to implement the control measure on the Permittee's behalf.

The Permittee and outside entity must maintain a written and binding agreement

between the parties. The written agreement must describe each organization's respective roles and responsibilities related to this GP, and identify all aspects of storm water management where the entities will share or delegate implementation responsibility.

Any previously signed agreement may be updated, as necessary, to comply with this requirement Any such agreement must be described in the Permittee's SWMP Document, and a copy of the agreement between co-Permittees related to this GP must be available to EPA and/or IDEQ upon request.

The Permittee remains responsible for compliance with the permit obligations if the other entity fails to implement the control measure (or component thereof).

2.8.4 **Maintain Adequate Legal Authority**

The Permittee must maintain relevant ordinances or other regulatory mechanisms to control pollutant discharges into and from its MS4, and meet the requirements of this GP.

In the Storm Water Management Program (SWMP) Document required by Part 2.8.5, the Permittee must summarize all of its legal authorities that address the six criteria listed below.

If existing ordinances or regulatory mechanisms are insufficient to meet the criteria, the Permittee must adopt new ordinances. If the Permittee does not have the authority to adopt ordinances, the Permittee must utilize all relevant regulatory mechanisms available to it as allowed pursuant to applicable Idaho law. The Permittee must report on its progress towards adopting its ordinances, or utilizing available regulatory mechanisms, in each Annual Report required by Part 6.3.2.

No later than (***April 3, 2023 -<u>180 days before expiration of GP</u>),**** and to the extent allowable pursuant to authority granted the Permittee under applicable Idaho law, the Permittee must develop and/or update (as needed) relevant ordinance or other regulatory mechanisms to:

2.8.4.1 Prohibit and eliminate, through statute, ordinance, policy, permit, contract, court or administrative order, or other similar means, illicit discharges to the MS4;

2.8.4.2 Control, through statute, ordinance, policy, permit, contract, court or administrative order, or other similar means, the discharge to the MS4 of spills, dumping or disposal of materials other than storm water, pursuant to Part 3.5.2 (*Illicit Discharge Detection and Elimination –ordinance*);

2.8.4.3 Control the discharge of storm water and pollutants from land disturbance and development, both during the construction phase and

after site stabilization has been achieved, consistent with Parts 3.2 (*Construction Site Runoff Control Program*) and 3.3 (*Storm Water Management for Areas of New Development and Redevelopment*);

2.8.4.4 Control through interagency agreements among Permittees as necessary or appropriate, the contribution of pollutants from one MS4 to another interconnected MS4;

2.8.4.5 Require compliance with conditions in statutes, ordinances, policy, permits, contracts, or court or administrative orders; and

2.8.4.6 Carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with these Permit conditions, including the prohibition of illicit discharges to the MS4.

2.8.5 **SWMP Document.**

The Permittee must maintain a written storm water management program (SWMP) document, or documents, to describe in detail how the Permittee complies with the required control measures in this GP. As necessary the SWMP Document must be updated and must describe the Permittee's interim schedule for implementation of any control measure components to be developed during the term of this GP.The SWMP Document may be organized according to the outline provided in Appendix E.1.

No later than <**December 1, 2019 - 1st year Annual Report Deadline>,*** the Permittee's SWMP Document(s) must be completed and available through the website required in Part 3.6.8 (*Publicly Accessible Website*).

No later than <**December 1, 2020 – 2nd year Annual Report Deadline**>,* an Affected Permittee must update their SWMP Document to describe their intended implementation of relevant Appendix F requirements in their jurisdiction, and any associated implementation date(s). See Part 4.2.2.

The Permittee must submit an updated SWMP Document with the Permit Renewal NOI/Application as required by Part 8.2.

2.8.6 **SWMP Information and Statistics**

The Permittee must maintain a method of gathering, tracking, and using SWMP information to set priorities, and assess Permit compliance. Permittees must track activities and document program outcomes to illustrate progress on the respective SWMP control measure (e.g., the number of inspections, official enforcement actions, and/or types of public education actions, etc.), and cite relevant information and statistics, reflecting the specific reporting period, in each Annual Report.

2.8.7 **SWMP Resources**

The Permittee must provide adequate finances, staff, equipment and other support capabilities to implement the control measures and other requirements outlined in this GP.

2.8.8 **Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation.**

The Permittee must implement the required control measures of this GP in all new areas added or transferred to the Permittee's MS4 (or for which a Permittee becomes responsible for implementation of storm water quality controls) as expeditiously as practicable. The Permittee must notify EPA and IDEQ in the next Annual Report of any additions and schedules for implementation in new areas and must revise the SWMP Document accordingly.

2.9 Alternative Control Measure Requests

2.9.1 **General Requirement.**

The Permittee may request that EPA consider any alternative documents, plans, or programs that the Permittee believes to be equivalent to a required control measure or control measure component specified in Part 3 or Part 4 of this Permit. Such alternative documents, plans, or programs must be submitted pursuant to Part 1.4.4 (*NOI – Amended Information*) and Part 2.9.3 for EPA review and consideration no later than <***April 2, 2019 -180 days from Effective Date>.****

2.9.2 **Actions to Address Discharges to Impaired Waters**

As specified in Appendix F, an Affected Permittee named therein must submit the Monitoring/Assessment Plan (if applicable) and the written description of its two (2) Pollutant Reduction Activities. Such documents, plans or programs must be submitted pursuant to Part 1.4.4 (*NOI – Amended Information*) and Part 2.9.3 for EPA review and consideration no later than <***April 2, 2019- 180 days from Effective Date>.****

2.9.3 **Content of Alternative Control Measure Request**

In support of its Alternative Control Measure Request, the Permittee must submit a complete copy of the relevant alternative document, plan, or program, and include the following information:

2.9.3.1 A detailed written discussion identifying the original required minimum control measure or component that is addressed by the Permittee's submittal, and the reasons, rationale, citations, and/or references sufficient to demonstrate that the alternative document, plan, or program

meets or exceeds the requirements of the control measure or component it is meant to replace;

2.9.3.2 A detailed implementation schedule the Permittee intends to follow to enact the Alternative Control Measure in its jurisdiction prior to the expiration date of this GP; and

2.9.3.3 A description of any local public notice or public engagement process, including relevant results of such public engagement, that the Permittee conducted regarding the Alternative Control Measure prior to submittal.

2.9.4 **Recognition of Alternative Control Measures**

Upon receipt of a Permittee's Alternative Control Measure Request, EPA will review and assess if the alternative document, plan**,** or program meets the requirements of this GP to be deemed equivalent to the required control measure or control measure component.

Based on this review, EPA will determine whether additional permit terms and conditions, specific to the requesting Permittee, must be referenced in this GP. If new, specific permit terms or conditions are warranted, EPA will notify the requesting Permittee and the public of its intent to add such terms or conditions to this GP. EPA will accept public comment for a minimum of 30 days on those permit terms or conditions, and offer opportunity for public hearing, pursuant to 40 CFR §§ 122.28(d)(2), 122.62 and 124.

As specified in Part 8.1 (*Permit Actions*), a Permittee's Alternative Control Measure Request does not stay any permit condition, and does not replace the required minimum control measure or control measure component until EPA completes a permit revision procedure as outlined above.

Upon completion of a permit revision process outlined above, EPA will notify the requesting Permittee, in writing, of its final decision to include a new or additional permit condition that authorizes the Permittee to use the specified Alternative Control Measure(s).

3 STORMWATER MANAGEMENT PROGRAM (SWMP) CONTROL MEASURES

3.1 Compliance Dates

Compliance dates are established for each SWMP control measure cited in Parts 3.2 through 3.6.

3.1.1 Existing MS4 Permittees

Existing MS4 Permittees listed in Appendix A.1 must continue to implement their existing SWMP control measures within their jurisdiction.

After the effective date of this GP, Existing Permittees must begin to revise their SWMP control measures, as needed, in order to implement any new control measure components by the compliance date specified for that control measure.

3.1.2 New MS4 Permittees

Upon the effective date of this GP, new MS4 Permittees listed in Appendix A.2 must begin to develop and implement the SWMP control measures outlined in this Part .

New MS4 Permittees listed in Appendix A.2 must fully implement all applicable SWMP control measure components no later than by the compliance date specified for that control measure.

Any MS4 operator authorized to discharge after the effective date of this GP must fully implement all applicable SWMP control measures in accordance with schedules established in Appendix H.

3.2 Construction Site Runoff Control

3.2.1 Compliance Dates

3.2.1.1 No later than ***[April 3, 2023- 180 Days before Permit Expiration Date*]*,*** the Permittee must update its existing construction site runoff control requirements to enact control measure components in Parts 3.2.2 through 3.2.7 below.

3.2.1.2 If the Permittee seeks to comply with any component or combination of components in Part 3.2 using one or more Alternative Control Measures, the Permittee must submit an Amended NOI in accordance with Parts 1.4.4 (*Amended Information*) and 2.9 (*Alternative Control Measure Requests*) no later than <(***April 2, 2019- 180 days from effective date***)*.*

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

3.2.1.3 A regulated small MS4 operator authorized to discharge after the effective date of this GP must enact the control measure components in Parts 3.2.2 through 3.2.7 as specified in Appendix H.

3.2.2 **Ordinance and/or other regulatory mechanism.**
Through ordinance or other regulatory mechanism to the extent allowable under Idaho state law, the Permittee must require erosion controls, sediment controls, and waste materials management controls to be used and maintained at construction projects from initial clearing through final stabilization.

To be considered adequate, the Permittee's ordinance or other regulatory mechanism must require construction site operators to maintain effective controls to reduce pollutants in storm water discharges to the MS4 from sites within the Permittee's jurisdiction, as described in Part 3.2.3. The Permittee must require construction site operators to submit construction site plans for projects disturbing one or more acres for Permittee review , as described in Part 3.2.4. The Permittee must use inspections and enforcement actions (for example, written warnings, stop work orders and/or fines) to ensure compliance, as described in Part 3.2.5 below, and must maintain a written enforcement response policy, as described in Part 3.2.6.

3.2.2.1 **Compliance with Other NPDES Permit Requirements:** For construction projects within the Permittee's jurisdiction that disturb one or more acres (or that disturb less than one acre but part of a common plan of development or sale that exceeds one acre), the Permittee must refer project site operators to obtain NPDES permit coverage under the current version of the Idaho CGP. See also Part 2.4 (*Storm Water Discharges Associated with Industrial or Construction Activity*).

3.2.3 **Construction Site Runoff Control Specifications**
The Permittee must require construction site operators to use erosion, sediment, and waste material management controls at construction project site activity that results in land disturbance of 5,000 square feet (ft^2) or more. The Permittee may define appropriate controls for different types and/or sizes of construction activity occurring in their jurisdiction.

The Permittee must maintain written specifications that address the proper installation and maintenance of suchcontrols during all phases of construction activity occurring in their jurisdiction. The Permittee, at its discretion, may adopt specifications created by another entity which complies with this Part. Construction site runoff control specifications must consist of :

3.2.3.1 Requirements for use of erosion control, sediment control, and waste materials management/pollution prevention practices that complement, and do not conflict with, the current version of the Idaho CGP.

3.2.3.2 Sizing criteria, performance criteria, illustrations, and design examples, as well as recommended operation and maintenance of each practice and guidance on selection and location of construction site runoff control practices; and

3.2.3.3 Specifications for long term operation and maintenance of such construction site runoff control practices to ensure that the control practices continue to perform as designed, including appropriate inspection interval and self-inspection checklists for use by the responsible party/construction site operator.

3.2.4 **Preconstruction Site Plan Review**

At a minimum, the Permittee must review preconstruction site plans from construction project site activity that will result in land disturbance of one (1) or more acres using a checklist or similar process to determine compliance with the ordinance or other regulatory mechanism required by Part 3.2.2.

The Permittee must use individuals knowledgeable in the technical understanding of erosion, sediment, and waste material management controls to conduct such preconstruction site plan reviews.

Site plan review procedures must include consideration of the site's potential water quality impacts, and must provide an opportunity for the public to submit information about whether the site plan under consideration demonstrates compliance with the ordinance or other regulatory mechanism required by Part 3.2.2.

The Permittee must ensure that any preconstruction site plan contains site-specific measures that meet the Permittee's runoff control specifications as outlined in Part 3.2.3 above, and includes any permanent storm water management controls as outlined in Part 3.3.3 (*Permanent Storm Water Control Specifications*).

3.2.5 **Construction Site Inspection and Enforcement**

At a minimum, the Permittee must inspect construction sites in their jurisdiction that disturb 1 or more acres to ensure compliance with the Permittee's applicable requirements required by Part 3.2.2. The Permittee must establish an inspection prioritization system to identify the minimum frequency and type of inspections, using such factors as project type, total area of disturbance, location, and potential threat to water quality, as described in 3.2.6 below. The Permittee must

describe its construction site inspection prioritization system in the SWMP Document required by Part 2.8.5. In each Annual Report, the Permittee must summarize the nature and number of site inspections, follow-up actions, and any subsequent enforcement actions conducted during the relevant reporting period.

Based on the findings of individual site inspections conducted during the term of this GP, the Permittee must take follow-up actions (i.e., re-inspection, enforcement) to ensure compliance with its applicable requirements.

Construction site inspections conducted by the Permittee, or its designated representative, must include, but not be limited to:

3.2.5.1 A review of the site plan to determine if the intended control measures were installed, implemented, and maintained;

3.2.5.2 An assessment of the site's compliance with the Permittee's ordinances/requirements, including the implementation and maintenance of required control measures;

3.2.5.3 Visual observation of any existing or potential non-storm water discharges, illicit connections, and/or discharge of pollutants from the site, and recommendations to the site operator for follow-up;

3.2.5.4 Education or instruction to the construction site operator related to additional storm water pollution prevention practices, if needed; and

3.2.5.5 A written or electronic inspection report.

3.2.6 **Enforcement Response Policy for Construction Site Runoff Control**
The Permittee must develop, implement and maintain a written escalating enforcement response policy (ERP) or plan appropriate to its organization. The Permittee must submit the ERP for construction site runoff control to EPA and IDEQ with the Permit Renewal NOI no later than (***April 3, 2023 - 180 days before expiration date)*.***

3.2.6.1 The ERP for a Permittee/MS4 owned or operated by Cities, Counties, and Highway Districts must address enforcement of construction site runoff controls for all construction projects within their jurisdictions, to the extent allowable under Idaho State law.

3.2.6.2 The ERP for a Permittee/MS4 owned or operated by Idaho Transportation Department, Drainage Districts, colleges, universities, or other municipal entities must address the enforcement of construction site runoff controls for all construction projects within their jurisdictions,

through the use of contracts, to the extent allowable under Idaho State law.

3.2.6.3 Each ERP must describe the Permittee's potential response to violations with appropriate educational or enforcement responses. The ERP must address repeat violations through progressively stricter responses, as needed, to achieve compliance. The ERP must describe how the Permittee will use their available techniques to ensure compliance, such as: verbal warnings; written notices; escalated enforcement measures such as stop work orders, monetary penalties; and/or other escalating measures to the extent allowable under Idaho State law.

3.2.7 Construction Runoff Control Training for Staff

The Permittee must ensure that all persons responsible for preconstruction site plan review, site inspections, and enforcement of the Permittee's requirements are trained or otherwise qualified to conduct such activities.

The Permittee must provide training for new staff working on construction runoff control issues within the first six (6) months of employment.

If the Permittee utilizes outside parties to review plans and/or conduct inspections, outside staff must be trained or otherwise qualified to conduct such activities.

This training may be coordinated with other staff training required by Parts 3.3.7 (*Permanent Stormwater Controls Training for Staff*), 3.4.11 (*Stormwater Infrastructure Training for Staff*) and 3.5.8 (*Illicit Discharge Training for Staff*).

3.3 Storm Water Management for Areas of New Development and Redevelopment

The Permittee must develop, implement, and enforce a program to reduce discharges of pollutants and control storm water runoff from new development and redevelopment project sites in its jurisdiction.

3.3.1 Compliance Dates

3.3.1.1 No later than ***[April 3, 2023- 180 Days before Permit Expiration Date]****** the Permittee must update their existing controls to impose the required SWMP components in Parts 3.3.2 through 3.3.7 below.

3.3.1.2 If the Permittee seeks to comply with any component or combination of components in Part 3.3 using one or more Alternative Control Measures, the Permittee must submit an Amended NOI in accordance with Parts 1.4.4 (*Amended Information*) and 2.9 (*Alternative Control Measure Requests*) no later than (***April 2, 2019- 180 days from effective date***)****.***

3.3.1.3 A regulated small MS4 operator authorized to discharge after the effective date of this GP must enact the control measure components in Parts 3.3.2 through 3.3.7 as specified in Appendix H.

3.3.2 Ordinance and/or other regulatory mechanism

Through ordinance or other regulatory mechanism to the extent allowable under Idaho state law, the Permittee must require the installation and long-term maintenance of permanent storm water controls at new development and redevelopment project sites in its jurisdiction.

Required permanent stormwater controls must be sufficient to retain onsite the runoff volume produced from a 24-hour, 95th percentile storm event; or sufficient to provide the level of pollutant removal greater than pollutant removal expected by using onsite retention of runoff volume produced from a 24-hour, 95th percentile storm event.

3.3.2.1 **Treatment equivalent to the onsite storm water design standard**: Using a continuous simulation hydrologic model or other comparable evaluation tool, the Permittee may establish storm water treatment requirements which attain an equal or greater level of water quality benefits as onsite retention of storm water discharges from new development and redevelopment sites. Such equivalent expressions of the onsite retention of the 95th percentile storm volume must be be

submitted to EPA as an Alternative Control Measure Request pursuant to Part 3.3.1.2 and Part 2.9.

3.3.2.2 **Alternatives for Local Compliance.** The Permittee's ordinance or regulatory mechanism may allow alternatives for project operators to comply with the Permittee's onsite retention requirement at a particular project site based on factors of technical infeasibility, and/or site constraints. Such feasibility or constraint factors may include, but are not limited to: shallow bedrock; high groundwater; groundwater contamination; soil instability as documented by a thorough geotechnical analysis; and/or a land use that is inconsistent with capture, reuse and/or infiltration of storm water.

3.3.2.3 **Plan Review and Approval:** The ordinance or other regulatory mechanism must include procedures for the Permittee's review and approval of permanent storm water control plans for new development and redevelopment projects, consistent with Parts 3.2.4 (*Preconstruction Site Plan Review and Approval*) and 3.3.4 (*Permanent Controls Plan Review and Approval*).

3.3.3 Permanent Storm Water Controls Specifications

The Permittee must specify permanent storm water controls for project sites within their jurisdiction to install for sites that result from land disturbance of 5,000 square feet (ft^2) or more. The Permittee may define appropriate controls for different types and/or sizes of site development activity occurring in their jurisdiction.

The Permittee must develop, or update as necessary, any written specifications to address proper design, installation, and maintenance of required permanent storm water controls. A Permittee may adopt specifications created by another entity that complies with this Part.

The written specifications must include:

3.3.3.1 **Specifications** for the use of site-based practices suitable to local soils and hydrologic conditions;

3.3.3.2 **Acceptable control practices**, including sizing criteria, performance criteria, illustrations, design examples, and guidance on selection and location of practices; and

3.3.3.3 **Specifications for proper long term operation and maintenance**, including appropriate inspection interval and self-inspection checklists for responsible parties.

3.3.4 **Permanent Storm Water Controls Plan Review and Approval**

At a minimum, the Permittee must review and approve preconstruction plans for permanent storm water controls at new development and redevelopment sites that result from land disturbance of one (1) or more acres. The Permittee must review plans for consistency with the ordinance/regulatory mechanism and specifications required by this Part. The Permittee must not approve or recommend for approval any plans for permanent controls that do not meet minimum requirements specified in their written specifications.

The Permittee must use individuals knowledgeable in the technical understanding of permanent storm water controls to conduct such plan reviews.

3.3.5 **Permanent Storm Water Controls Inspection and Enforcement**

The Permittee must inspect high priority permanent storm water controls at new development and redevelopment sites that result from land disturbance of one (1) or more acres within their jurisdictions. The purpose of such inspections is to ensure proper installation, and long-term operation and maintenance, of such controls.

The Permittee must establish an inspection prioritization system to identify sites for inspections of permanent control installation and operation. Factors to consider when establishing priority regarding where, and when, inspections occur must include, but are not limited to: size of new development or redevelopment drainage area; potential to discharge to portions of the MS4 discharging to impaired waters; sensitivity and/or impairment status of receiving water(s); and history of non-compliance at the site during the construction phase.

3.3.5.1 **Inspect High Priority Locations**: At a minimum, the Permittee must identify permanent storm water controls at new development and redevelopment sites that result from land disturbance of at least one (1) or more acres as “high priority”, and schedule associatedinspections to occur at least once annually. The inspections must determine whether permanent storm water management or treatment practices have been properly installed (i.e., an “as built” verification). At appropriate intervals determined by the Permittee and established in compliance with Part 3.3.6 below, scheduled inspections must evaluate the ongoing operation and maintenance of such practices, identify deficiencies, and identify potential solutions to reduce negative water quality impacts to receiving waters. The Permittee must use inspection checklists, and maintain records of actions taken in response to inspections of permanent storm water controls at high priority new development and redevelopment sites.

3.3.5.2 **Enforce Requirements:** The Permittee must develop and implement an enforcement response policy similar to that required in Part 3.2.6

(*Enforcement Response Policy for Construction Site Runoff Control*) sufficient to ensure and maintain the functional integrity of permanent storm water controls in their jurisdiction. The Permittee must submit the ERP for permanent storm water controls to EPA and IDEQ with the Permit Renewal Application no later than (***April 3, 2023- 180 days before expiration***).

3.3.6 **Operation and Maintenance (O&M) of Permanent Storm Water Controls**

The Permittee must maintain a database inventory to track and manage the operational condition of permanent storm water controls within its jurisdiction. All available data on existing permanent controls known to the Permittee must be included in the database inventory. At a minimum, the Permittee must begin tracking at the time the Permittee takes ownership using a database that incorporates geographic information system (GIS) information and/or developed in conjunction with the MS4 Map required in Part 3.4.2 (*MS4 Map and Outfall Inventory*). The tracking system must also include reference to the type and number of permanent storm water controls; O&M requirements; activity and schedule; responsible party; and any applicable self-inspection schedule.

3.3.6.1 **O&M Agreements**: Where parties other than the Permittee are responsible for the O&M of permanent storm water controls, the Permittee should require a legally enforceable and transferable O&M agreement with the responsible party, or other mechanism, that assigns permanent responsibility for maintenance of such permanent storm water control practices.

3.3.7 **Permanent Storm Water Controls Training For Staff**

The Permittee must ensure that all persons responsible for reviewing site plans for permanent storm water controls, and/or for inspecting the installation and operation of permanent storm water controls, are trained or otherwise qualified to conduct such activities.

The Permittee must provide training for new staff working on permanent storm water control issues within the first six (6) months of employment.

If the Permittee utilizes outside parties to review plans and/or conduct inspections, outside staff must be trained or otherwise qualified to conduct such activities.

This training may be coordinated/combined with other Permittee staff training requirements in Parts 3.2.7 (*Construction Runoff Control Training for Staff)*, 3.4.11 (*Stormwater Infrastructure Training for Staff*) and 3.5.8 (*Illicit Discharge Training for Staff*).

3.4 Pollution Prevention/Good Housekeeping for MS4 Operations

The Permittee must properly operate and maintain the MS4 and its facilities, using prudent pollution prevention and good housekeeping as required by this Part to reduce the discharge of pollutants through the MS4.

3.4.1 Compliance Dates

3.4.1.1 No later than [***April 3, 2023- 180 days before permit expiration]****** the Permittee must ensure that their storm water infrastructure and management program includes the required components described in Parts 3.4.2 through 3.4.11 below.

3.4.1.2 If the Permittee seeks to comply with any component or combination of components in Part 3.4 using one or more Alternative Control Measures, the Permittee must submit an Amended NOI in accordance with Parts 1.4.4 (*Amended Information*) and 2.9 (*Alternative Control Measure Requests*) no later than (***April 2, 2019- 180 days from effective date***)****.***

3.4.1.3 A regulated small MS4 operator authorized to discharge after the effective date of this GP must enact the control measure components in Parts 3.4.2 through 3.4.11 as specified in Appendix H

3.4.2 MS4 Map and Outfall Inventory

The Permittee must update, or develop if not already completed, its map of the MS4 and all associated outfall locations under its operational control in the geographic area of permit coverage.

The Permittee must maintain an outfall and interconnection inventory to accompany the MS4 map. The purpose of the inventory is to identify each outfall and interconnection discharging from the Permittee's MS4; record its location (by latitude and longitude) and overall physical condition; and provide a framework for the Permittee to track its outfall inspections, dry weather discharge screenings, and other activities required by Part 3.5 (*Illicit Discharge Detection and Elimination*). The Permittee may integrate these efforts into any existing asset management program, provided the Permittee explains its management approach in the SWMP Document required by Part 2.8.5.

No later than (***April 3, 2023- 180 days before expiration***],* an electronic GIS version of the MS4 map, and the accompanying Outfall Inventory, must be submitted to EPA and IDEQ as part of the Permit Renewal NOI required by Part 8.2. Prior to this date, all available GIS data layers must be shared with EPA and/or IDEQ upon request.

To be considered adequate, the MS4 Map and Outfall Inventory must depict

and/or contain the following information:

3.4.2.1 Location of all inlets, catch basins and outfalls owned/operated by the Permittee, including a unique identifier for each outfall, spatial location (latitude and longitude, with a minimum accuracy of +/-30 feet), and general information regarding dimensions, shape, material (concrete, PVC, etc.);

3.4.2.2 Location of all MS4 collection system pipes, open channel conveyances, (laterals, mains, etc.) owned/operated by the Permittee, including locations where the MS4 is physically interconnected to the MS4 of another operator;

3.4.2.3 Location of structural flood control devices, if different from the characteristics listed above;

3.4.2.4 Names and locations of waters of the U.S. that receive discharges from the inventoried MS4 outfalls, including an indication of all use impairments as identified by IDEQ in the most recent Integrated Report;

3.4.2.5 Location of all existing permanent storm water controls which are part of the MS4 owned and/or operated by the Permittee, including structural or treatment controls (e.g., detention and retention basin, infiltration systems, bioretention areas, swales, oil/water separators and/or other proprietary systems);

3.4.2.6 If applicable, the location and characteristics of any MS4 outfalls with ongoing dry weather flows identified by the Permittee as being caused by irrigation return flows and/or groundwater seepage, particularly in MS4 discharges to phosphorus- and/or nitrogen- impaired waters listed in Appendix F; and

3.4.2.7 Location of Permittee-owned vehicle maintenance facilities, material storage facilities, maintenance yards, and snow disposal sites; Permittee-owned or operated parking lots and roads in areas served by the MS4.

3.4.3 Inspection and Cleaning of Catch Basins and Inlets

The Permittee must inspect all Permittee-owned or operated catch basins and inlets within the MS4 at least once every five years, and take all appropriate maintenance or cleaning action based on those inspections to ensure the catch basins and inlets continue to function as designed. The Permittee may establish a catch basin inspection prioritization system, and establish alternate inspection frequency, provided the Permittee describes all relevant factors it uses to target its inspections to specificareas of its MS4 in the SWMP Document required by

Part 2.8.5. Material removed from MS4 catch basins and inlets must be managed in accordance with Part 7.13 (*Removed Substances*) and any applicable provisions of Appendix F. Catch basin and inlet inspection records, and material removal/cleaning records, must be maintained by the Permittee, and summarized in each Annual Report.

3.4.4 Operation and Maintenance (O&M) Procedures for Streets, Roads, Highways and Parking Lots

A Permittee responsible for the operation and maintenance of streets, roads, highways, and/or parking lots must review and update as necessary any existing O&M procedures to ensure all procedures are conducted in a manner to protect water quality and reduce the discharge of pollutants through the MS4.

3.4.4.1 At a minimum, O&M procedures must include: practices to reduce road and parking lot debris/other pollutants from entering the MS4; practices related to road deicing, anti-icing, and snow removal; operation of snow disposal areas; storage areas for street/road traction material (e.g. salt, sand, or other chemicals); and the long term O&M of permanent storm water control measures associated with the Permittee's streets, roads, highways, and parking lots.

3.4.4.2 For each type of maintenance activity, practice, or facility, the Permittee must specific schedules for inspection and maintenance, and appropriate pollution prevention/good housekeeping actions.

3.4.4.3 Where site conditions allow, the Permittee must consider and utilize water conservation measures for all landscaped areas as part of these updated operation and maintenance procedures to prevent landscape irrigation water from discharging through the MS4.

3.4.5 Inventory and Management of Street/Road Maintenance Materials

Any Permittee responsible for the O&M of streets, roads, highways, and/or parking lots must reduce pollutants in discharges to the MS4 and waters of the U.S. from street/road maintenance material storage stockpiles (such as sand, salt, and/or sand with salt stockpiles).

The Permittee must maintain an inventory of street /road maintenance materials stored at locations that are served by the MS4. The Permittee must assess the physical adequacy of each Material Storage Location to prevent potential adverse water quality impacts, and must make any structural or nonstructural improvements as necessary to eliminate any such impacts.

No later than ***April 3, 2023- 180 days before expiration,**** the Permittee must include in the SWMP Document a complete description of all Material Storage

Locations located in areas served by the MS4 described in Part 1.2 (*Geographic Area of Permit Coverage*). The description of each Material Storage Location must, at a minimum, include a narrative of the individual location, an estimated average annual quantity of materials stored at the location; a short description of how/where the Permittee typically uses the material(s) in its jurisdiction; and a summary description of any structural or non-structural controls used by the Permittee to prevent pollutants at material storage locations from discharging to the MS4 and to waters of the U.S.

3.4.6 Street, Road, Highway and Parking Lot Sweeping

Any Permittee responsible for the O&M of streets, roads, highways, and/or parking lots must sweep areas that discharge to the MS4 at least once annually.

No later than ***April 3, 2023- 180 days before expiration***, the Permittee must include in the SWMP Document a written description of its sweeping management plan. The sweeping management plan must include:

3.4.6.1 An inventory and/or map of all streets, roads, highways and public parking lots owned, operated, or maintained by the Permittee in the geographic area of permit coverage that discharge to the MS4 or directly to waters of the U.S., and identify their selected sweeping frequency;

3.4.6.2 A discussion of any areas where sweeping is technically infeasible; for such areas, the Permittee must document the reasons why sweeping in the particular area of their jurisdiction served by the MS4 is infeasible, and describe any alternative means the Permittee uses to minimize pollutant discharges from these areas into the MS4 and into any adjacent waters of the U.S;

3.4.6.3 An overall description of their street sweeping activities to minimize pollutant discharges into the MS4 and receiving water; including the types of sweepers used, number of swept curb and/or lane miles; general schedule or dates of sweeping by location and frequency category; volume or weight of materials removed; and any public outreach efforts or other means to address areas that are infeasible to sweep.

3.4.7 O&M Procedures for Other Municipal Areas and Activities

The Permittee must conduct its municipal O&M activities in a manner that reduces the discharge of pollutants through the MS4 to protect water quality. The Permittee must review, and update as necessary, existing procedures for inspection and maintenance schedules to ensure pollution prevention and good housekeeping practices are conducted for the following activities: :

- grounds/park and open space maintenance;

- fleet maintenance and vehicle washing operations;
- building maintenance;
- snow management and snow disposal site O&M;
- solid waste transfer activities;
- municipal golf course maintenance;
- materials storage;
- hazardous materials storage;
- used oil recycling; and
- spill control and prevention measures for municipal refueling facilities.

3.4.8 Requirements for Pesticide, Herbicide, and Fertilizer Applications

The Permittee must implement practices to reduce the discharge of pollutants to the MS4 associated with the Permittee's application and storage of pesticides, herbicides and fertilizers in the geographic area of permit coverage. At a minimum, such areas include the Permittee's public right-of-ways, parks, recreational facilities, golf courses, and landscaped areas. All employees or contractors of the Permittee applying pesticides must follow all label requirements, including those regarding application methods, rates, number of applications allowed, and disposal of the pesticide/herbicide/fertilizer and rinsate.

3.4.9 Storm Water Pollution Prevention Plans (SWPPPs) for Permittee Facilities

The Permittee must develop and implement site-specific SWPPPs to manage storm water discharges fromall Permittee-owned material storage facilities and maintenance yards identified in the inventory required by Part 3.4.2 (*MS4 Map and Outfall Inventory*). Permittee-owned facilities discharging storm water associated with industrial activity, as defined in 40 CFR §122.26(b)(14), must obtain separate NPDES permit coverage pursuant to Part 2.4 (*Storm Water Discharges Associated with Industrial or Construction Activity*).

3.4.10 Litter Control

Throughout the Permit term, the Permittee must implement methods to reduce litter within its jurisdiction. The Permittee must work cooperatively with others, to control litter on a regular basis, and after major public events, in order to reduce the discharge of pollutants to the MS4.

3.4.11 Storm Water Infrastructure Staff Training

The Permittee must ensure that all persons responsible for the storm water infrastructure management and O&M activities as required by this Part are trained or otherwise qualified to conduct such activities.

The Permittee must provide training for new staff working on infrastructure management and O&M activities as required by this Part within the first six (6)

months of employment.

If the Permittee utilizes outside parties to perform infrastructure management and O&M activities as required by this Part , outside staff must be trained or otherwise qualified to conduct such activities.

This training may be coordinated/combined with other Permittee staff education and training requirements in Parts 3.2.7 (*Construction Runoff Control Staff Training)*, 3.3.7 (*Permanent Storm Water Control Staff Training*) and 3.5.8 (*Illicit Discharge Detection and Elimination Staff Training*).

3.5 Illicit Discharge Detection and Elimination

The Permittee must implement and enforce a program to detect and eliminate illicit discharges into the MS4, to the extent allowable pursuant to authority granted the individual Permittee under Idaho law.

An illicit discharge is any discharge to an MS4 that is not composed entirely of storm water. Any exceptions are conditional as identified in Parts 2.5, 2.6 and 2.7 of this GP.

3.5.1 Compliance Dates

3.5.1.1 No later than [***April 3, 2023- 180 days before Permit expiration],**** the Permittee must revise and update their existing illicit discharge management program as necessary to include the required components described in Parts 3.5.2 through 3.5.8 below.

3.5.1.2 If the Permittee seeks to comply with any component or combination of components in Part 3.5 using one or more Alternative Control Measures, the Permittee must submit an Amended NOI in accordance with Parts 1.4.4 (*Amended Information*) and 2.9 (*Alternative Control Measure Requests*) no later than ***[April 2, 2019- 180 days from Effective date]*.***

3.5.1.3 A regulated small MS4 operator authorized to discharge after the effective date of this GP must enact the control measure components in Parts 3.5.2 through 3.5.8 as specified in Appendix H.

3.5.2 Ordinance and/or other regulatory mechanisms

The Permittee must prohibit non-storm water discharges into the MS4 (except those conditionally allowed by Parts 2.5, 2.6 and 2.7) through enforcement of an ordinance or other regulatory mechanism, to the extent allowable under Idaho state law. The Permittee must implement appropriate enforcement procedures and actions, including a written policy of enforcement escalation procedures for recalcitrant or repeat offenders, to ensure compliance.

To be considered adequate, the ordinance or regulatory mechanism must:

3.5.2.1 Authorize the Permittee to control and respond to the discharge of spills into the MS4 to the extent allowable pursuant to authority granted the individual Permittee under Idaho law;

3.5.2.2 Authorize the Permittee to prohibit illicit connections, and the dumping or disposal of materials other than storm water, into the MS4; and

3.5.2.3 Authorize the Permittee to prohibit, and eliminate, at a minimum, the following discharges to the MS4 to the extent allowable pursuant to authority granted the individual Permittee under Idaho law:

- Sewage;
- Discharges of wash water resulting from the hosing or cleaning of gas stations, auto repair garages, or other types of automotive services facilities;
- Discharges resulting from the cleaning, repair, or maintenance of any type of equipment, machinery, or facility, including motor vehicles, cement-related equipment, and port-a-potty servicing, etc.;
- Discharges of wash water from mobile operations, such as mobile automobile or truck washing, steam cleaning, power washing, and carpet cleaning, etc.;
- Discharges of wash water from the cleaning or hosing of impervious surfaces in municipal, industrial, commercial, and residential areas - including parking lots, streets, sidewalks, driveways, patios, plazas, work yards and outdoor eating or drinking areas, etc. - where detergents are used and spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
- Discharges of runoff from material storage areas containing chemicals, fuels, grease, oil, or other hazardous materials;
- Discharges of pool or fountain water containing chlorine, biocides, or other chemicals; discharges of pool or fountain filter backwash water;
- Discharges of sediment, pet waste, vegetation clippings, or other landscape or construction-related wastes; and
- Discharges of food-related wastes (grease, fish processing, and restaurant kitchen mat and trash bin wash water, etc.).

3.5.3 **Illicit Discharge Complaint Report and Response Program**

At a minimum, the Permittee must respond in the following manner to reports of illicit discharges from the public:

3.5.3.1 **Receipt of Complaints or Reports from the Public**: The Permittee, or group of Permittee(s), must maintain a dedicated telephone number, email address, and/or other publicly available and accessible means (in addition to the website required in Part 3.6.8) for the public to report illicit discharges. This complaint/reporting function must be answered by trained staff during normal business hours. During non-business hours, a system must be in place to record incoming calls or reports, and to guarantee timely response by the Permittee. The Permittee's means of receiving complaints/reports from the public must be printed or advertised through the education, training, and public participation materials produced under Part 3.6 (*Education, Outreach and Public Involvement*) as appropriate.

3.5.3.2 **Response to Complaints or Reports from the Public**: The Permittee must respond to and investigate all complaints or reports of illicit discharges as soon as possible, but no later than within two working days.

3.5.3.3 **Tracking of Complaints or Reports and Actions Taken:** The Permittee must maintain a log or other means of documenting all complaints or reports of illicit discharges into the MS4, and the response or action taken by the Permittee to address the complaint or report. Such program information must be summarized for the relevant reporting period and included in each Annual Report.

3.5.4 Dry Weather Outfall Screening Program

The Permittee must conduct a dry weather analytical and field screening monitoring program to identify non-storm water flows from MS4 outfalls during dry weather. This program must emphasize screening activities to detect and identify illicit discharges and illegal connections, and to reinvestigate potentially problematic MS4 outfalls throughout the permit area defined in Part 1.2 (*Geographic Area of Permit Coverage)*. At a minimum, this program must include the following components:

3.5.4.1 **Outfall Identification and Screening Protocols**: The Permittee must use reconnaissance activities, information recorded through the complaint reporting program, and (if available) existing watershed assessment or TMDL analyses, to prioritize and target outfalls for screening throughout their permit area defined in Part 1.2 (*Geographic Area of Permit Coverage)*.

The Permittee must develop a written plan that outlines how chemical and microbiological field screening analysis will be conducted on the dry weather flows identified during the reconnaissance and screening

efforts, including field screening methodologies and associated trigger thresholds used by the Permittee for determining follow-up action(s).

3.5.4.2 **Number of Outfalls to be Screened**: The Permittee must conduct visual dry weather screeningof their MS4 outfalls, emphasizing those outfalls or portions of the MS4 that have not yet been inventoried or screened during the previous permit term.

Photos may be used to document the physical conditions associated with selected MS4 outfalls. If the individual MS4 outfall is dry (no flows or ponded runoff), the Permittee must also document and record such observations.

If the total number of MS4 outfalls in the area described in Part 1.2 (*Geographic Area of Permit Coverage*) is less than 50, the Permittee must screen all outfalls at least annually.

If the total number of MS4 outfalls in the area described in Part 1.2 (*Geographic Area of Permit Coverage*) is more than 50, the Permittee must screen a minimum of 50 outfalls annually.

3.5.4.3 **Monitoring of Illicit Discharges**: Where dry weather flows from the MS4 are identified by the Permittee, the Permittee must identify the source of such flows, and take appropriate action to eliminate such flows to the extent allowable pursuant to authority granted the individual Permittee under Idaho law. The Permittee must conduct sampling of dry weather flows via grab samples of the discharge for in-field analysis and identification, and may use the following as indicator constituents: pH; total chlorine; detergents as surfactants; total phenols; *E. coli*; total phosphorus; turbidity; temperature; and suspended solids concentrations. Results of any field sampling must be compared to established trigger threshold levels and/or existing state water quality standards to direct appropriate follow-up actions by the Permittee in accordance with existing protocols and the ordinance/regulatory mechanism established by the Permittee.

3.5.4.4 **Maintain Records of Dry Weather Outfall Screening Program**: In each Annual Report, the Permittee must include a general summary of the results of dry weather screening program activities conducted over the preceding reporting period.

The Permittee must keep detailed records of its dry weather screening program activities conducted throughout the permit term, including the following information for each location:

- Time since last rain event; estimated quantity of last rain event;

- Site description (e.g., conveyance type, adjacent land uses); flow estimation (e.g., width of water surface, approximate depth of water, approximate flow velocity, flow rate);
- Visual observations (e.g., odor, color, clarity, floatables, deposits/stains, vegetation condition, structural condition, and biology);
- Results and documentation of any in-field sampling; recommendations for follow-up actions to address identified problems to the extent allowable pursuant to authority granted the individual Permittee under Idaho law; and/or completed follow-up actions taken by the Permittee.

3.5.5 **Follow-up**

Within thirty (30) days of its detection, the Permittee must investigate recurring illicit discharges identified as a result of complaints, or identified as a result of the dry weather screening investigations and sampling, to determine the source of such discharge.

The Permittee must take appropriate action to address the source of an ongoing illicit discharge within sixty (60) days of its detection to the extent allowable to the Permittee under Idaho law.

3.5.5.1 For each MS4 outfall where the ongoing dry weather discharge is identified by the Permittee as being associated with irrigation return flows and/or groundwater seepage, "*appropriate action*" means, at a minimum, the Permittee includes documentation in the next Annual Report of the MS4 outfall location, and the facts supporting the determination that the source is from either irrigation or groundwater seepage.

3.5.5.2 The updated SWMP Document submitted with the Permit Renewal NOI required by Part 8.2 must include the complete list of any MS4 outfall locations with dry weather flows identified by the Permittee as being associated with irrigation return flows and/or groundwater seepage.

3.5.6 **Prevention and Response to Spills to the MS4**

The Permittee must maintain written spill response procedures, and must coordinate appropriate spill prevention, containment, and response activities among the appropriate departments, programs and agencies in their area to prevent discharges to waters of the U.S. The Permittee must respond to, contain, and clean up any spill of sewage and other material that may discharge into the MS4 from any source (including private laterals and/or failing septic systems) within their geographic area of permit coverage to the extent allowable pursuant

to authority granted the individual Permittee under Idaho law. In the case of a spill of hazardous materials, the Permittee must contact the appropriate local entity to respond to, contain, and clean up the spill. This entity and the procedure for contact must be outlined in the spill response procedures.

3.5.7 Proper Disposal of Used Oil and Toxic Materials

The Permittee must coordinate with appropriate local entities to educate the Permittee's employees and members of the public of the appropriate management, disposal, or recycling of used oil, vehicle fluids, toxic materials, and other household hazardous wastes within the Permittee's jurisdiction. See also Part 3.6.7 (*Education on SWMP Control Measures*).

3.5.8 Illicit Discharge Detection and Elimination Staff Training

The Permittee must ensure that all persons responsible for investigating, identifying and eliminating illicit discharges and illicit connections into the MS4 are appropriately trained to conduct such activities. At a minimum, the Permittee's construction inspectors, maintenance field staff, and code compliance officers must be sufficiently trained to conduct dry weather screening activities and to respond to reports of illicit discharges and spills into the MS4.

The Permittee must provide orientation and training for new staff working on illicit discharge detection and elimination issues within the first six (6) months of employment.

If the Permittee utilizes outside parties to perform illicit discharge detection and elimination actions, outside staff must be appropriately trained to conduct such activities.

This training may be coordinated/combined with other Permittee staff education and training requirements in Parts 3.2.7 (*Construction Runoff Control Training for Staff)*, 3.3.7(*Permanent Storm Water Controls Training Training for Staff*) and 3.4.11 (*Storm Water Infrastructure Staff Training*).

3.6 Education, Outreach and Public Involvement.

The Permittee must conduct, or contract with other entities to conduct, an ongoing education, outreach, and public involvement program based on storm water issues of significance within the Permittee's jurisdiction. When applicable, the Permittee must comply with State and local public notice requirements when conducting public involvement activities.

3.6.1 Compliance Dates

3.6.1.1 No later than [**October 1, 2019- one year from Effective Date**],,* the Permittee must begin implementation of the required components described in Parts 3.6.2 through 3.6.8 0 below.

3.6.1.2 If the Permittee seeks to comply with any component or combination of components in Part 3.6 using one or more Alternative Control Measures, the Permittee must submit an Amended NOI in accordance with Parts 1.4.4 (*Amended Information*) and 2.9 (*Alternative Control Measure Requests*) no later than ***[April 2, 2019 - 180 days from Effective Date]*.***

3.6.1.3 A regulated small MS4 operator authorized to discharge after the effective date of this GP must enact the control measure components in Parts 3.6.2 through 3.6.8 as specified in Appendix H.

3.6.2 Conduct an Education, Outreach and Public Involvement Program

The Permittee's education and outreach program must include coordination and educational efforts targeting at least one of the four audiences listed in Part 3.6.4 below. The goal of the education and outreach program is to reduce the behaviors and practices that cause or contribute to adverse storm water impacts on receiving waters by increasing audience understanding of actions they can take to prevent pollutants in storm water runoff entering the MS4 and into local receiving waters.

The public involvement program must inform and engage interested stakeholders in the Permittee's development and implementation of the SWMP control measures, to the extent allowable pursuant to authority granted the individual Permittee under Idaho law.

To be considered adequate, the Permittee's implementation of the education, outreach and public involvement program must include the activities in Parts 3.6.3 through 3.6.8 below.

3.6.3 Stormwater Education Activities

The Permittee must distribute and/or offer at least eight (8) educational

messages or activities over the permit term to the selected audience(s) identified in Part 3.6.4 below.

Educational messages or activities may include printed materials such as brochures or newsletters; electronic materials such as websites; mass media such as newspaper articles or public service announcements; targeted workshops, or other educational events; or other viable format. The Permittee may use existing materials if the materials conveythe message the Permittee chooses to deliver. The Permittee may develop its own educational materials and means of delivering its message(s). Based on the target audience's demographic, the Permittee must consider delivering its selected messages and/or activities in an appropriate manner in language(s) other than English.

3.6.4 Target Audience(s) and Topics

The Permittee must, at a minimum, select at least one audience and focus its efforts on conveying relevant messages using one or more of the topics listed below for the selected target audience. Topics listed are not exclusive, and the Permittee may focus its efforts on the audience(s) and topics most relevant to the community.

For any Permittee without legal authority over private property (i.e., a college, university, highway district, state department of transportation, school district, drainage district, and/or other public entity), the term "target audience" is clarified to mean any employees, consultants, students, clients or members of the public for whom the Permittee provides its services.

3.6.4.1 General Public (including homeowners, homeowner's associations, landscapers, and property managers)

- General impacts of storm water flows into surface water, and appropriate actions to prevent adverse impacts;
- Impacts from impervious surfaces and appropriate techniques to avoid adverse impacts;
- Yard care techniques protective of water quality, such as composting;
- Best management practices (BMPs) for proper use, application and storage of pesticides, herbicides, and fertilizers;
- Litter and trash control and recycling programs;
- BMPs for power washing, carpet cleaning and auto repair and maintenance;
- Low Impact Development/green infrastructure techniques, including site design, pervious paving, retention of mature trees/vegetation, landscaping and vegetative buffers;
- Appropriate maintenance of landscape features providing water quality benefits;
- Source control BMPs and environmental stewardship;

- Impacts of illicit discharges and how to report them;
- Actions and opportunities for pet waste control/disposal,
- Water wise landscaping, water conservation, water efficiency.

3.6.4.2 Business/Industrial/Commercial/Institutions (including home based and mobile businesses)

- General impacts of storm water flows into surface water, and appropriate actions to prevent adverse impacts;
- Impacts from impervious surfaces and appropriate techniques to avoid adverse impacts;
- BMPs for use and storage of automotive chemicals, hazardous cleaning supplies, vehicle wash soaps and other hazardous materials;
- BMPs for power washing, carpet cleaning and auto repair and maintenance;
- BMPs for proper use, application and storage of pesticides, herbicides, and fertilizers;
- Low Impact Development/green infrastructure techniques, including site design, pervious paving, retention of mature trees/vegetation, landscaping and vegetative buffers;
- Appropriate maintenance of landscape features providing water quality benefits;
- Impacts of illicit discharges and how to report them;
- Litter and trash control and recycling programs
- Water wise landscaping, water conservation, water efficiency.

3.6.4.3 Construction/Development (e.g., Engineers, Contractors, Developers, Landscape Architects, Site Design Professionals)

- General impacts of storm water flows into surface water, and appropriate actions to prevent adverse impacts;
- Impacts from impervious surfaces and appropriate techniques to avoid adverse impacts;
- Storm water treatment and flow/volume control practices;
- Technical standards for storm water site plans; including appropriate selection, installation, and use of required construction site control measures
- Low Impact Development/green infrastructure techniques, including site design, pervious paving, retention of mature trees/vegetation, landscaping and vegetative buffers;
- Appropriate maintenance of landscape features providing water quality benefits;
- Water wise landscaping, water conservation, water efficiency.

3.6.4.4 Elected Officials, Land Use Policy and Planning Staff

- General impacts of storm water flows into surface water, and appropriate actions to prevent adverse impacts;
- Impacts from impervious surfaces and appropriate techniques to avoid adverse impacts;
- Low Impact Development/green infrastructure techniques, including site design, pervious paving, retention of mature trees/vegetation, landscaping and vegetative buffers.

3.6.5 **Assessment**

The Permittee must begin to assess, or participate in one or more efforts to assess, the understanding of the relevant messages and adoption of appropriate behaviors by their target audience(s). The resulting assessments must be used to direct future storm water education and outreach resources most effectively. Information summarizing the Permittee's incremental assessment of any specific education, outreach and/or public involvement activities conducted over the relevant reporting period must be included in each Annual Report.

3.6.6 **Tracking**

The Permittee must track and maintain records of their education, outreach and public involvement activities and include descriptive summary of their activities in the corresponding Annual Report.

3.6.7 **Education on SWMP Control Measures**

For each SWMP control measure listed below, the Permittee must provide educational opportunities and materials for appropriate audiences within their jurisdiction.

3.6.7.1 **Outreach/Training on Construction Site Control Measures:** At least twice during the Permit term, the Permittee must provide educational materials for construction operators working within their jurisdiction pertaining to the Permittee's requirements for appropriate selection, design, installation, use and maintenance of required construction site control measures.

3.6.7.2 **Outreach/Training on Permanent Storm Water Controls:** At least twice during the Permit term, the Permittee must provide opportunity and/or conduct training sufficient to educate and ensure that engineers, site designers, and/or other locally appropriate audiences working within their jurisdiction are aware and informed of appropriate selection, design, installation, use and maintenance and use of of permanent storm water controls imposed by the Permittee as described in Part 3.3.7.

3.6.8 **Publicly Accessible Website**

The Permittee must maintain and promote at least one publicly-accessible website with information on the Permittee's SWMP implementation, points of contact, and educational materials for audience(s) listed in Part 3.6.4. The website must be updated at least annually prior to the submittal of Annual Reports to EPA, and/or as new material is available. The Permittee's website must incorporate the following features:

3.6.8.1 Information, phone numbers, and/or links to assist the public to report illicit connections and illegal dumping activity;

3.6.8.2 Any reports, plans, strategies, or documents generated by each Permittee in compliance with this GP, in draft form when the Permittee is soliciting input from the public, and in final form when the document is completed.

3.6.8.3 Links to all ordinances, policies and/or guidance documents related to the Permittees' construction and post-construction (i.e.,permanent) storm water management control program information, including education, training, licensing, and permitting for the Permittee's jurisdiction; and

3.6.8.4 Permittee contact information, including phone numbers for relevant staff, mailing addresses, and electronic mail addresses.

4 SPECIAL CONDITIONS FOR DISCHARGES TO IMPAIRED WATERS

4.1 Applicability

The requirements in this Part apply to Affected Permittees.

An Affected Permittee is any regulated small MS4 operator listed in Appendix F that:

- Discharges to a water with an EPA-approved TMDL that includes a Wasteload Allocation (WLA) for the regulated MS4 discharges,
- Discharges to a water with an EPA-approved TMDL that specifies requirements appropriate for the management of the regulated MS4 discharge;
  and/or
- Discharges to an impaired water, where EPA determines monitoring and/or other assessment activities are necessary for the management of MS4 discharges potentially contributing to that impairment.

4.2 General Requirements for Affected Permittees

Affected Permittees named in Appendix F (*Requirements for MS4 Discharges To Impaired Waters)* must comply with additional quantitative monitoring/assessment and pollutant-specific control requirements as specified in Appendix F for their respective receiving water.

4.2.1 Shared Implementation

Affected Permittees may demonstrate compliance with relevant Appendix F requirements through one or more collaborative, joint, or shared effort(s). See also Part 2.8 (*Permittee Responsibilities*), Part 2.9 (*Alternative Control Measure Requests*) and Part 6.2.1 (*Optional Cooperative Monitoring/Assessment*).

4.2.2 SWMP Document

No later than <***December 1, 2019 - 1st Year Annual Report Deadline>,****** each Affected Permittee must update their SWMP Document required in Part 2.8.5 to describe their intended implementation of relevant Appendix F requirements in their jurisdiction, and any associated implementation date(s).

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

5 REQUIRED RESPONSE TO EXCURSIONS OF IDAHO WATER QUALITY STANDARDS

A Permittee will be presumed to be in compliance with applicable Idaho water quality standards if the Permitee is in compliance with the conditions of this GP. If the Permittee, EPA, and/or IDEQ determines that the discharge from the MS4 causes or contributes to an exceedance of Idaho water quality standards, then the Permittee must undertake the following corrective action. A Permittee remains in compliance with this GP despite any discharges prohibited by Part 2.2 (*Compliance with Water Quality Standards*) when the Permittee implements all applicable control measures required by this GP and undertakes the following response toward long-term improvement:

5.1 Notification

The Permittee must notify EPA and IDEQ in writing at the addresses listed in Appendix G within 30 days of becoming aware that, based on credible site-specific information, a discharge from the Permittee's MS4 is causing or contributing to a known or likely excursion of Idaho water quality standards.

Written notification under this Part must, at a minimum, identify the source of the site-specific information; describe the location, nature and extent of the known or likely water quality standard excursion in the receiving water; and explain the reasons why the MS4 discharge is believed to be causing or contributing to the problem. For on-going or continuing excursions, a single written notification provided to both EPA and IDEQ will fulfill this requirement.

Nothing in this Part precludes any required notification required by Part 7.9 (*24-hour Notice of NonCompliance Reporting)*, the institution of any legal action, or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state/Tribal law or regulation under authority preserved by Section 510 of the CWA. No condition of the GP releases the Permittee from any responsibility or requirements under other environmental statutes or regulations.

5.1.1 EPA Response

Based on a notification provided under this Part or through any other means, EPA may notify the Permittee, in writing, that an adaptive management response is required if EPA and IDEQ determine that a discharge from the MS4 owned or operated by the Permittee is causing or contributing to an excursion of Idaho water quality standards in a receiving water.

5.1.1.1 EPA and IDEQ may elect not to require an adaptive management response from the Permittee if EPA and IDEQ determine that the excursion of Idaho water quality standards is already being addressed by a Total Maximum Daily Load (TMDL) implementation plan or other enforceable water quality cleanup plan; or if EPA and IDEQ conclude the

Permittee's contribution to the excursion will be eliminated through implementation of other permit requirements, regulatory requirements, or Permittee actions.

5.2 Adaptive Management Report

Within 60 days of receiving a response from EPA and IDEQ under Part 5.1.1, or by an alternative date established by EPA, the Permittee must review its Storm Water Management Program and submit a report to EPA & IDEQ. The Adaptive Management Report must include:

5.2.1 Existing BMPs

A description of the operational and/or structural BMPs that are currently being implemented at the location to prevent or reduce any pollutants that are causing or contributing to the violation of water quality standards, including a qualitative assessment of the effectiveness of each BMP.

5.2.2 Potential BMPs

A description of potential additional operational and/or structural BMPs that will or may be implemented in order to prevent or reduce any pollutants that are causing or contributing to the violation of water quality standards.

5.2.3 Monitoring/Assessment

A description of the potential monitoring or other assessment and evaluation efforts that will or may be implemented to monitor, assess, or evaluate the effectiveness of the additional BMPs.

5.2.4 Schedule

A schedule for implementing the additional BMPs including, as appropriate: funding, training, purchasing, construction, monitoring, and other assessment and evaluation components of implementation.

5.3 Review and Approval of Adaptive Management Report

EPA and IDEQ will, in writing, acknowledge receipt of the Adaptive Management Response Report within a reasonable time and notify the Permittee when it expects to complete its review of the report. EPA, in consultation with IDEQ, will either approve the additional BMPs and implementation schedule, or require the Permittee to modify the report as needed. If modifications to the Adaptive Management Report are required, EPA and IDEQ will specify a time frame in which the Permittee must submit the revised Report for EPA and IDEQ review.

5.4 Implementation

The Permittee must begin implementation of any additional BMPs pursuant to the schedule approved by EPA and IDEQ immediately upon receipt of EPA's written notification of approval.

5.5 Reporting

The Permittee must include with each subsequent Annual Report a summary of the status of implementation and the results of any monitoring, assessment or evaluation efforts conducted during the reporting period to assess progress towards addressing the the original water quality excursion. A final summary of such adaptive management efforts must be included with the Permit Renewal NOI required by Part 8.2.

5.6 Permit Revision

EPA will determine whether additional permit terms and conditions specific to the Permittee must be added based on the Adaptive Management Report. If new or specific permit conditions are warranted, EPA will notify the Permittee and the public of its intent to propose additional requirements affecting the Permittee and will accept public comment for a minimum of 30 days on any proposed modifications, pursuant to 40 CFR §§ 122.28(d)(2), 122.62 and 124.

6 MONITORING, RECORDKEEEPING, AND REPORTING REQUIREMENTS

6.1 Compliance Evaluation

At least once per year, the Permittee must evaluate their compliance with the requirements of this GP. This self-evaluation includes assessment of progress toward implementing the SWMP control measures in Part 3, and implementation of individual or collective actions to comply with any additional requirements identified pursuant to Part 4 (*Special Conditions For Discharges To Impaired Waters).* The Permittee may document this self compliance evaluation using the optional Annual Report format provided in Appendix E.

6.2 Monitoring/Assessment Activities

Affected Permittees named in Appendix F must conduct monitoring and/or assessment actions consistent with this Part.

6.2.1 Optional Cooperative Monitoring/Assessment

Two or more Affected Permittees named in Appendix F may cooperate to conduct, or contract with others to conduct, any of the required monitoring/assessment activities specified herein.

Affected Permittee[s] who choose to participate in cooperative monitoring/assessment efforts must notify EPA and IDEQ of such intended arrangement in their Alternative Control Measure Request as required by Part 2.9.2 (*Actions to Address Discharges to Impaired Waters*)

Affected Permittees who choose to work together must submit a joint Monitoring/Assessment Plan as specified in Part 6.2.2 below.

6.2.2 Monitoring/Assessment Plan and Objectives

No later than (***April 2, 2019-180 days from Effective Date***), * the Affected Permittee(s) named in Appendix F must develop and submit a Monitoring/Assessment Plan to address the required monitoring/assessment specified in the relevant section of Appendix F and quality assurance (QA) objectives defined in Part 6.2.7 below. Any existing Monitoring Plan(s) may be modified to comply with this Part. The Affected Permittee(s) must submit the complete Monitoring/Assessment Plan as part of an Alternative Control Measure (ACM) Request. See Part 2.9.2 (*Actions to Address Discharges to Impaired Waters*)

6.2.2.1 EPA will review the Permittee's ACM Request and, as necessary, propose to revise Appendix F to incorporate by reference the Affected

Permittee(s)' specific monitoring/assessment and pollutant reduction activities.

Affected Permittee(s) must begin implementation their identified monitoring/assessment activities no later than 30 days following EPA's written notice that the GP has been revised to incorporate their activities, pursuant to Part 2.9.4 (*Recognition of Alternative Control Measures*).

6.2.3 **Representative Sampling**

Samples and measurements must be representative of the nature of the monitored discharge or activity.

6.2.4 **Additional Monitoring**

If the Affected Permittee(s) quantitatively monitors or assesses pollutants in their MS4 discharges more frequently, or in more locations, than specified in the Monitoring/Assessment Plan named in Appendix F of this GP, the results of any additional monitoring must be included with other data submitted to EPA as required in Part 6.4.3 (*Monitoring/Assessment Report*).

6.2.5 **Wet Weather Discharge Monitoring**

If Affected Permittee(s) named in Appendix F (*Requirements for MS4 Discharges To Impaired Waters*) are required to monitor wet weather discharges from MS4 outfalls:

6.2.5.1 **Location -** the locations of such monitoring must be identified in the Monitoring/Assessment Plan required by the relevant section of Appendix F.

6.2.5.2 **Sample Type**. The sample collection must be identified in the Monitoring/Assessment Plan required by the relevant section of Appendix F.

6.2.5.3 **Parameters**. The pollutants to be sampled must be identified in the Monitoring/Assessment Plan required by the relevant section of Appendix F.

6.2.5.4 **Frequency**. The samples must be collected at a frequency identified in the Monitoring/Assessment Plan required by the relevant section of Appendix F.

6.2.5.5 **QA Requirements.** The Affected Permittee(s) must develop a Quality Assurance Project Plan (QAPP), or revise an existing QAPP, as required

by Part 6.2.7 (*Quality Assurance Requirements*) to clearly identify all methods and protocols to be used in the wet weather sampling effort.

6.2.5.6 **Reporting.** The Affected Permittee(s) must submit all data collected to EPA as required in Part 6.4.2 (*Annual Report*).

6.2.6 Polychlorinated Biphenyls (PCB) Monitoring

6.2.6.1 **Options:** To address the potential for PCB pollutant loading from their MS4 discharges, Affected Permittee(s) named in Appendix F.2 [(*Panhandle Basin – Spokane River (Idaho and Washington*)], Appendix F.5 (*Clearwater Basin – Paradise Creek and South Fork Palouse River*),, must choose to implement at least one of the following options to comply with the required monitoring/assessment activity:

6.2.6.1.1 Following EPA's written notice pursuant to Part 6.2.2, the Permittee must sample the MS4 discharge from at least one location at least once per calendar year for PCB congeners using EPA Method 1668C as described in Part 6.2.6.3 and 6.2.6.4 below;

or

6.2.6.1.2 Following EPA's written notice pursuant to Part 6.2.2 , the Permittee must monitor MS4 catch basin sediment solids from at least one location at least once per calendar year for PCB congeners using EPA Method 8082 as directed in Part 6.2.6.5 below;

or

6.2.6.1.3 The Permittee must submit an alternative frequency and method in the Monitoring/Assessment Plan that describes in detail how the Permittee intends to monitor/assess the potential for PCB pollutant loading (in the form of PCB congeners) from their MS4 discharge. Any quantitative analysis of PCBs must use the analytical methods cited in Parts 6.2.6.3, 6.2.6.4, and/or 6.2.6.5 below.

6.2.6.2 **Reporting:** The Affected Permittee must report the toxic equivalency of "dioxin-like" PCB congeners listed in Table 6.2.7 below as calculated using the WHO2005 convention, and submit a complete congener analysis as part of the required monitoring data report. See: https://academic.oup.com/toxsci/article/93/2/223/1707690/The-2005-World-Health-Organization-Reevaluation-of#63170191

6.2.6.3 **Analysis using EPA Method 1668C**: For any analysis of PCB congeners using EPA Method 1668C, the Affected Permittee(s) must target method detection limits (MDLs) no greater than the MDLs listed in

Table 2 of EPA Method 1668 Revision C, and must analyze for each of the 209 individual congeners. See EPA Method 1668 Revision C (EPA-820-R-10-005) at https://www.epa.gov/sites/production/files/2015-09/documents/method_1668c_2010.pdf

6.2.6.4 **Quality Assurance**: For the purposes of monitoring PCB in MS4 discharges, the Affected Permittee(s) should follow the provisions for data validation and blank censoring in Section 4.2.2 of the Spokane River Regional Toxics Task Force Quality Assurance Project Plan (Task Force QAPP). See Task Force QAPPP at *http://srrttf.org/wp-content/uploads/2013/05/QAPP_FINAL_081114.pdf*. Analytes found in samples at concentrations less than 3 times the associated blank concentration must be flagged with a "B" qualifier. The Task Force QAPP states that "all qualified data will be reported with validation qualifiers, however B flagged data will not be used in congener summations for total PCB" (see page 41 of the Task Force QAPP).

6.2.6.5 **Analysis using EPA Method 8082:** If the Affected Permittee chooses to monitor and assess PCBs in sediment solids from one or more MS4 catch basins, the Affected Permittee may use EPA Method 8082 and use a quantitation level for total PCBs no greater than 10 µg/kg dry weight.

Table 6.2.7 PCB Congeners

Dioxin-Like PCBs Congener #	Homolog Group	Substitution Group	Chlorinated Biphenyl (CB) Congener Name
non-*ortho* substituted PCBs			
77	tetra-CB	non-ortho	3,3',4,4'-tetra-CB
81	tetra-CB	non-ortho	3,4,4',5-tetra-CB
126	penta-CB	non-ortho	3,3',4,4',5-penta-CB
169	hexa-CB	non-ortho	3,3',4,4',5,5'-hexa-CB
mono-*ortho* substituted PCBs			
105	penta-CB	mono-ortho	2,3,3',4,4'-penta-CB
114	penta-CB	mono-ortho	2,3,4,4',5-penta-CB
118	penta-CB	mono-ortho	2,3',4,4',5-penta-CB
123	penta-CB	mono-ortho	2,3',4,4',5-penta-CB
156	hexa-CB	mono-ortho	2,3,3',4,4',5-hexa-CB
157	hexa-CB	mono-ortho	2,3,3',4,4',5'-hexa-CB
167	hexa-CB	mono-ortho	2,3',4,4',5,5'-hexa-CB
189	hepta-CB	mono-ortho	2,3,3',4,4',5,5'-hepta-

6.2.7 **Quality Assurance Requirements**

The Affected Permittee(s) must develop a Quality Assurance Project Plan (QAPP) for any monitoring or quantitative assessment activities required or conducted in compliance with this GP. Any existing QAPP may be modified to meet the requirements of this Part.

6.2.7.1 **QAPP Content**: The QAPP must be designed to assist the Permittee in planning for the collection and analysis of any storm water discharge, receiving water quality, catch basin sediments, and/or other types of information collected in compliance with this GP, and in explaining data anomalies when they occur.

At a minimum, the QAPP must reflect the content specified in the EPA documents listed in Part 6.2.7.3, including:

6.2.7.1.1 Details on the number of samples, identified sampling locations, type of sample containers, preservation of samples, holding times, analytical detection and quantitation limits for each target compound, analytical methods, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements;

6.2.7.1.2 A map with GPS coordinates indicating the location of each monitoring point;

6.2.7.1.3 Qualifications and training of all personnel involved with water quality and discharge sampling;

6.2.7.1.4 Specifications for the collection and analysis of quality assurance samples for each sampling event, including matrix spiked and duplicate samples and analysis of field transfer blanks (sample blanks); and,

6.2.7.1.5 Name(s), address(es), and telephone number(s) of the laboratories used by, or proposed to be used by, the Permittee.

6.2.7.2 **QAPP Procedures**: Throughout all sample collection and analysis activities, the Affected Permittee must use the EPA-approved and chain-of-custody procedures described in *Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5). Copies of these documents can be found at *http://www.epa.gov/quality/qs-docs/g5-final.pdf*

6.2.7.3 **QAPP Updates and Availability**

6.2.7.3.1 The Affected Permittee(s) must amend and update the QAPP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAPP.

6.2.7.3.2 Copies of the QAPP must be maintained by the Affected Permittee(s) as part the Monitoring/Assessment Plan, updated as necessary, and made available to EPA and/or IDEQ upon request.

6.2.8 **Analytical Methods**

Sample collection, preservation, and analysis must be conducted according to sufficiently sensitive methods/test procedures approved under 40 CFR §136, unless otherwise approved by EPA, unless another method is required under 40 CFR subchapters N or O, or other test procedures have been specified in this Permit and/or approved by EPA as an alternative test procedure under 40 CFR §136.5. Where an approved 40 CFR § 136 method does not exist, and other test procedures have not been specified, any available method may be used after approval from EPA.

Affected Permittee(s) must use sufficiently sensitive analytical methods as follows:

6.2.8.1 Affected Permittee(s) must use a method that detects and quantifies the level of the pollutant, or

6.2.8.2 Affected Permittee(s) must use a method that can achieve a maximum Minimum Level (ML) less than or equal to those specified in Table 6.2 .8 below;

6.2.8.3 Affected Permittee(s) may request different MLs. The request must be in writing and must be approved by EPA.

Table 6.2.8: Minimum Levels

Pollutant & CAS No. (if available)	**Minimum Level (ML) in µg/L, unless otherwise specified**
Total Ammonia (as N)	50
Cadmium, Total (7440-43-9)	0.1
Copper, Total (7440-50-8)	2.0
Dissolved oxygen	0.2 mg/L
Total Hardness	200 as CaCO3
Lead, Total (7439-92-1)	0.16
Nitrate + Nitrite Nitrogen (as N)	100
Oil and Grease (HEM) (Hexane Extractable Material)	5,000
Soluble Reactive Phosphorus (as P)	10
Phosphorus, Total (as P)	10
Temperature	0.2º C
Total Suspended Solids	5 mg/L
Zinc, Total (7440-66-6)	2.5

6.3 Recordkeeping

6.3.1 Retention of Records.

The Permittee must retain records and information documenting implementation of all control measures required by this GP (including a copy of this GP and all Annual Reports) for a period of at least five years from the date of the report, sample, or measurement, or for the term of this GP, whichever is longer. This period may be extended at the request of EPA or IDEQ at any time.

Information and records includes, but is not limited to, records of all data or information used to develop and implement the SWMP control measures and/or used to complete the application for this GP; such material may include inspection and maintenance records; all monitoring, calibration, and monitoring equipment maintenance records; all original strip chart recordings for any continuous monitoring instrumentation; copies of reports required by this GP; etc.

6.3.2 Availability of Records.

At a minimum, the Permittee must retain all records associated with this GP in a location and format that are accessible to EPA and IDEQ. The Permittee must make all records described above available to the public if requested to do so in writing. The public must be able to view the records during normal business hours. The Permittee may charge the public a reasonable fee for copying requests

The Permittee must submit the records referred to in Part 6.3.1 above to EPA and IDEQ when such information is requested..

6.4 Reporting Requirements

At a minimum, the Permittee must submit reports and/or documents required by this GP to EPA and IDEQ in an electronic portable document format (PDF) that is saved and stored on a compact disc or other portable electronic storage device.

All submittals must be sent to the Addresses in Appendix G.

6.4.1 Electronic Copy Submissions using NetDMR

Prior to the Permit expiration date, EPA may provide the Permittee with instructions for submitting required Annual Reports and/or other documents electronically using NetDMR. The Permittee may then use NetDMR for this GP only after requesting and receiving permission from EPA Region 10. After a Permittee begins using NetDMR, the Permittee is no longer required to submit such materials to EPA and IDEQ. .

6.4.2 Annual Report.

No later than ***December 1*** of each year beginning in ***2019**** the Permittee must

submit an Annual Report to EPA and IDEQ. EPA recommends the Permittee use the Annual Report Format provided in Appendix E.

6.4.2.1 The reporting period for the Year 1 Annual Report will be from ***October 1, 2018 – September 30, 2019****. Reporting periods for subsequent Annual Reports are specified in Table 6.4.1 below.

Table 6.4.1 Annual Report Deadlines*		
	Reporting Period	Due Date
Year 1 Annual Report	Oct 1, 2018 – Sept 30, 2019	December 1, 2019 [*end of reporting period + 61 days*]
Year 2 Annual Report	Oct 1, 2019 – Sept 30, 2020	December 1, 2020 [*end of reporting period + 61 days*]
Year 3 Annual Report	Oct 1, 2020 – Sept 30, 2021	December 1, 2021 [*end of reporting period + 61 days*]
Year 4 Annual Report	Oct 1, 2021 – Sept 30, 2022	December 1, 2022 [*end of reporting period + 61 days*]
Year 5 Annual Report	Oct 1, 2022 – Sept 30, 2023	September 30, 2023

6.4.2.2 EPA recommends the Permittee use the Annual Report Format provided in Appendix E. The Annual Report must reflect the status of the Permittee's implementation of the GP requirements during the relevant reporting period, and must include:

6.4.2.2.1 Any summaries, descriptions, and/or other information the Permittee uses to demonstrate compliance with the GP during the relevant reporting period.

6.4.2.2.2 A current website address where the Permittee's SWMP Document is available as an electronic portable data format (PDF) document;

6.4.2.2.3 If applicable, notification to EPA and IDEQ that the Permittee is relying on another Permittee or outside entity to satisfy any obligations under this GP;

6.4.2.2.4 Notification of any annexations, incorporations, or jurisdictional boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period; and

6.4.2.2.5 Notification of any changes to the point(s) of contact responsible for authorization, certification and signature pursuant to Part 8.5 (*Signatory Requirements*).

6.4.2.3 The Permittee must make a copy of each Annual Report (including any required attachments) available to the public through the Permittee-maintained website required by Part 3.6.8 (*SWMP Website*).

6.4.3 **Monitoring/Assessment Report**

If applicable, an Affected Permittee must submit a final report summarizing any/all discharge monitoring/assessment data collected during the permit term as an attachment to the Permit Renewal NOI/Application as required by Part 8.2 no later than (***April 3, 2023 - 180 days before expiration***)*. All Final Discharge Monitoring/Assessment Reports must summarize and evaluate the information collected, and include reference to:

6.4.3.1 the date, exact place, and time of sampling or measurements;

6.4.3.2 the name(s) of the individual(s) who performed the sampling or measurements;

6.4.3.3 the date(s) analyses were performed;

6.4.3.4 the names of the individual(s) who performed the analyses;

6.4.3.5 the analytical techniques or methods used; and

6.4.3.6 the results of such analyses, including a summary interpretation of the data collected and a discussion of quality assurance issues and comparison to previously collected information, as appropriate. Raw monitoring data must be submitted in a spreadsheet or text-format electronic file.

6.4.4 **Pollutant Reduction Activity Report**

An Affected Permittee named in Appendix F must submit a final report summarizing any/all Pollutant Reduction Activities conducted during the permit term as an attachment to the Permit Renewal NOI/Application as required by Part 8.2 no later than (***April 3, 2023- 180 days before expiration)****. The final Pollutant Reduction Activity Report must summarize the actions taken to reduce pollutant loadings from the Affected Permittee's MS4 as articulated in Appendix F, and quantify any load reductions accomplished to date.

6.5 Addresses

All reports must be sent to the Addresses as described in Appendix G.

7 COMPLIANCE RESPONSIBILITIES

7.1 Duty to Comply

The Permittee must comply with all conditions of this GP. Any permit noncompliance constitutes a violation of the CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application/NOI.

7.2 Penalties for Violations of Permit Conditions

7.2.1 **Civil and Administrative Penalties.**

Pursuant to 40 CFR §19 and the CWA, any person who violates sections 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the CWA, is subject to a civil penalty not to exceed the maximum amounts authorized in the United States Code (USC) by section 309(d) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $51,570 per day for each violation).

7.2.1.1 **Administrative Penalties**: Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR §19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by section 309(g)(2)(A) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) [currently $16,000 per day for each violation, with the maximum amount of any Class I penalty assessed not to exceed $37,500]. Pursuant to 40 CFR §19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by section 309(g)(2)(B) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) [currently $16,000 per day for each violation, with the maximum amount of any Class II penalty not to exceed $187,500].

7.2.1.2 **Criminal Penalties**:

7.2.1.2.1 **Negligent Violations**.

The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement

imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

7.2.1.2.2 **Knowing Violations**.

Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both.

7.2.1.2.3 **Knowing Endangerment**.

Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

7.2.1.2.4 **False Statements**.

The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this GP shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two years, or both. If a conviction of a person is for a violation committed after a first

conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both. The CWA further 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 GP, including monitoring reports or reports of compliance or non-compliance shall, 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.

7.3 Need to Halt or Reduce Activity Not a Defense

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

7.4 Duty to Mitigate

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

7.5 Proper Operation and Maintenance

The Permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this GP. Proper operation and maintenance also includes BMPs, adequate laboratory controls, and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of this GP.

7.6 Toxic Pollutants

The Permittee must comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

7.7 Planned Changes.

The Permittee must give notice to the Director and the responsible IDEQ office as soon as possible of any planned physical alterations or additions to the permitted facility whenever:

- The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as determined in 40 CFR §122.29(b); or

- The alteration or addition could significantly change the nature or increase the quantity of the pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in the permit.

7.8 Anticipated Noncompliance

The Permittee must give advance notice to the Director and IDEQ, using the addresses provided in Part 5.4, of any planned changes in the permitted facility or activity which may result in noncompliance with this GP.

7.9 Twenty-Four Hour Notice of Noncompliance Reporting

The Permittee must report the following occurrences of noncompliance by telephone at (206) 553-1846, within 24 hours from the time the Permittee becomes aware of the circumstances:

- Any discharge to or from the MS4 which could result in noncompliance that may endanger human health or the environment;
- Any unanticipated bypass that results in or contributes to an exceedance of any effluent limitation in this GP. See Part 7.10 (*Bypass of Treatment Facilities*);
- Any upset that results in or contributes to an exceedance of any effluent limitation in this GP. See Part 7.11 (*Upset Conditions*).

7.9.1 Written Report

The Permittee must also provide a written submission within five (5) business days of the time that the Permittee becomes aware of any event required to be reported under subpart 1 above. The written submission must contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; the estimated time noncompliance is expected to continue if it has not been corrected; and all steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Permittee must submit its written report to EPA and IDEQ as specified in Part 6.4(*Addresses*).

7.9.2 Written Report Waiver

EPA may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance Hotline in Seattle, Washington, by telephone, (206) 553-1846.

7.10 Bypass of Treatment Facilities

7.10.1 Bypass not exceeding limitations.

The Permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 7.10.2 and 7.10.3 of this Part.

7.10.2 **Notice**

7.10.2.1 Anticipated bypass: If the Permittee knows in advance of the need for a bypass, it must submit prior notice, to the Director, if possible at least 10 days before the date of the bypass.

7.10.2.2 Unanticipated bypass: The Permittee must submit notice of an unanticipated bypass as required under Part 7.9. (*Twenty-four Hour Notice of Noncompliance Reporting*).

7.10.3 **Prohibition of bypass.**
Bypass is prohibited, and the Director may take enforcement action against the Permittee for a bypass, unless:

- The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
- The Permittee submitted notices as required under Part 7.10.2 above.

7.10.4 **Optional Approval.**
The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in Part 7.10.3.

7.11 Upset Conditions

7.11.1 **Effect of an Upset.**
An upset constitutes an affirmative defense to an action brought for noncompliance with a technology-based permit effluent limitation if the Permittee meets the requirements of Part 7.11.2 of this section. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

7.11.2 **Conditions Necessary for a Demonstration of Upset.**
To establish the affirmative defense of upset, the Permittee must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- An upset occurred and that the Permittee can identify the cause(s) of the upset;
- The permitted facility was at the time being properly operated;
- The Permittee submitted notice of the upset as required under Part 7.9 (*Twenty-four Hour Notice of Noncompliance Reporting*) and,
- The Permittee complied with any remedial measures required under Part 7.4 (*Duty to Mitigate*).

7.11.3 **Burden of proof.**
In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

7.12 Other Noncompliance
The Permittee must report all instances of noncompliance, not required to be reported within 24 hours, as part of each Annual Report. Such noncompliance reports must contain all the information listed above in Part 7.10.

7.13 Removed Substances
All collected screenings, grit, solids, sludges, filter backwash water, decant water, and/or other pollutants removed in the course of maintenance, and/or treatment or control of storm water and other wastewaters must be managed and disposed of in a manner such as to prevent such pollutants from entering the waters of the U.S.

8 GENERAL REQUIREMENTS

8.1 Permit Actions.

This GP or coverage under this GP may be modified, revoked and reissued, or terminated for cause by EPA as specified in 40 CFR §§122.62, 122.64, or 124.5. The filing of a request by the Permittee for a permit modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

Permit coverage may be terminated, in accordance with the provisions of 40 CFR §§122.64 and 124.5, for a single Permittee or co-Permittee without terminating coverage for other permittees or co-permittees subject to this GP.

8.2 Duty to Reapply

If the Permittee intends to continue its operational control and management of MS4 discharges regulated by this GP after the Permit expiration date, the Permittee must either apply for and obtain an individual permit, or submit a new NOI to be covered under a new MS4GP. In accordance with 40 CFR §122.21(d), and unless permission for the application to be submitted at a later date has been granted by the Director, the Permittee must submit an application for an individual permit, or submit a new Permit Renewal Application/NOI as provided in Appendix B, no later than (***April 3, 2023 - 180 days before expiration***)*.

8.2.1 Contents of a Permit Renewal Application/NOI

In addition to the information summarized in the NOI format provided in Appendix B, the following attachments must be submitted as part of a complete Permit Renewal NOI:

8.2.1.1 Updated SWMP Document, as required by Part 2.8.5 and described in Appendix E.2;

8.2.1.2 Enforcement Response Policy for Construction Site Runoff Control, as required by Part 3.2.6

8.2.1.3 Enforcement Response Policy for Permanent SW Management Controls, as required by Part 3.3.5.2

8.2.1.4 MS4 Map, and the accompanying Outfall Inventory, as required by Part 3.4.2;

8.2.1.5 List of MS4 outfall locations with dry weather flows identified by the Permittee as being associated with irrigation return flows and/or

groundwater seepage, including latitude/longitude and physical description/characteristics, as required by Part 3.5.5;

8.2.1.6 If applicable, a written summary of the Permittee's adaptive management actions to date, as required by Part 5.5;

8.2.1.7 If applicable, a Final Report summarizing any required Monitoring/Assessment activities; see Part 6.4.3, and Appendix F; and

8.2.1.8 If applicable, a Final Report summarizing implementation and effectiveness of Pollutant Reduction Activities to date; see Part 6.4.4 and Appendix F.

8.2.2 **Continuation of the Expired General Permit.**
If this GP is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with section 558(c) of the Administrative Procedure Act (5 U.S.C. 558(c)) and EPA's implementing regulations at 40 CFR §122.6 and remain in full force and effect for discharges that were authorized prior to this GP's expiration and the Permittee meets the requirements of Part 8.2 above. Permittees granted authorization to discharge prior to this GP's expiration date will automatically remain covered by this GP until the earliest of:

8.2.2.1 Authorization for coverage under a reissuance or replacement of this GP following timely and appropriate submittal of a complete NOI requesting authorization to discharge under the new GP and compliance with the requirements of the new GP;

8.2.2.2 Submittal of a Notice of Termination in accordance with Part 1.7 of this GP and 40 CFR §122.64;

8.2.2.3 Issuance of a new MS4 GP that authorizes regulated MS4 discharges and provides discharge authorization without requiring re-submittal of an NOI to obtain coverage;

8.2.2.4 Issuance or denial of an individual permit for the regulated MS4's discharges; or,

8.2.2.5 A formal permit decision by EPA not to reissue this GP, at which time EPA will identify a reasonable time period for covered dischargers to seek coverage under an alternative GP or an individual Permit. Coverage under this GP will cease at the end of this time period.

8.3 Duty to Provide Information

The Permittee must furnish to EPA and IDEQ, within the time specified in the request, any information that the Director may request to determine whether cause exists for

modifying, revoking and reissuing, or terminating this GP, or to determine compliance with this GP. The Permittee must also furnish to EPA or IDEQ, upon request, copies of the records required to be kept by this GP.

8.4 Other Information

When the Permittee becomes aware that it failed to submit any relevant facts in a Notice of Intent, or that it submitted incorrect information in a NOI, permit application, or any report or document to EPA or IDEQ, it must promptly submit the omitted facts or corrected information in writing.

8.5 Signatory Requirements

All permit applications, NOIs, reports, or information submitted to EPA and IDEQ must be signed and certified as follows:

8.5.1 **All NOIs must be signed and certified:**

- For a corporation: by a principal corporate officer.
- For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
- For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

8.5.2 **Duly Authorized Representative.**

All reports required by this GP and other information requested by EPA or IDEQ must be signed by a person described in Part 8.5.1 above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

8.5.2.1 The authorization is made in writing by a person described above and submitted to the Director

8.5.2.2 The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, Such as the position of plant manager, owner or operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

8.5.2.3 Written authorization is submitted to the Director and IDEQ.

8.5.3 **Changes to Authorization.**

If an authorization under Part 8.5.2 above 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 8.5.2 must be

submitted to the and the responsible IDEQ office prior to or together with any reports, information, or applications to be signed by an authorized representative.

8.5.4 **Certification.**

Any person signing a document 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 gather and evaluate 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 have no personal knowledge that the information submitted is other than 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."

8.6 Availability of Reports

In accordance with 40 CFR §2, information submitted to EPA pursuant to this GP may be claimed as confidential by the Permittee. In accordance with the CWA, permit applications, permits, and effluent data are not considered confidential. Any confidential claim must be asserted at the time of submission by stamping the words “confidential business information” on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice to the Permittee. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR §2, Subpart B (Public Information) and 41 Federal Register 36924 (September 1, 1976), as amended.

8.7 Inspection and Entry

The Permittee must allow the Director; IDEQ; or an authorized representative (including an authorized contractor acting as a representative of the Director), upon the presentation of credentials and other documents as may be required by law, to:

8.7.1 **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 GP;

8.7.2 **Access**

Have access to and copy, at reasonable times, any records that must be kept under the conditions of this GP;

8.7.3 **Inspect**

Inspect at reasonable times any facilities, equipment (including monitoring and

control equipment), practices, or operations regulated or required under this GP; and

8.7.4 **Sample, monitor, evaluate or audit**
At reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the CWA, any discharges, substances or parameters at any location.

8.8 Property Rights
The issuance of this GP 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.

8.9 Transfers
Coverage under this GP is not transferable to any person except after written notice to the Director of the Office of Water and Watersheds. The Director may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the CWA.

8.10 State/Tribal Laws
Nothing in this GP 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/Tribal law or regulation under authority preserved by Section 510 of the CWA. No condition of the GP releases the Permittees from any responsibility or requirements under other environmental statutes or regulations.

8.11 Oil and Hazardous Substance Liability
Nothing in this GP shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject under Section 311 of the Clean Water Act or Section 106 of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA).

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

8.13 Re-opener Clause
This GP is subject to modification, revocation and reissuance, or termination at the request of any interested person (including the Permittee) or upon EPA initiative. However, permits may only be modified, revoked or reissued, or terminated for the

reasons specified in 40 CFR §§122.62 or 122.64, and 40 CFR §124.5. This includes new information which was not available at the time of permit issuance and would have justified the application of different permit conditions at the time of issuance, including but not limited to future monitoring results. All requests for Permit modification must be addressed to EPA in writing and shall contain facts or reasons supporting the request.

9 DEFINITIONS

Administrator means the Administrator of the United States Environmental Protection Agency, or an authorized representative [40 CFR §122.2].

Affected Permittee means a regulated small MS4 operator authorized under this GP and listed in Appendix F that discharges to a water body with an EPA-approved TMDL, and that TMDL contains a WLA for the regulated MS4 discharge, and/or includes requirements appropriate for the management of the regulated MS4 discharge. *Affected Permittee* also means a regulated small MS4 operator authorized under this GP and listed in Appendix F that discharges to an impaired water body without an EPA-approved TMDL, where EPA determines that monitoring and/or additional requirements are necessary for the management of MS4 discharges contributing to that impairment.

Appropriate Action, as used in Part 3.5.5 of this GP, means, at a minimum, documentation in the Permittee's Annual Reports and SWMP Document of the MS4 outfall location(s) and the Permittee's determination concluding that the source of the ongoing dry weather flow is from either irrigation or groundwater seepage.

Applicable Total Maximum Daily Load (TMDL) is any TMDL which has been approved by EPA on or before the issuance date of this GP. See also: TMDLs.

Best Management Practice, or *BMP,* means schedules of activities, prohibition of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also mean treatment requirements operating procedures, and practices to control ruhnoff, spillage, or leads, sludge, or waste disposal, or drainage from raw material storages. See 40 CFR 122.2 and 122.44(k). For the purposes of this GP, *BMP* broadly refers to any type of structural or non-structural practice or activity undertaken by the Permittee in the course of implementing its SWMP.

Bioretention means the water quality and water quantity storm water management practice using the chemical, biological and physical properties of plants, microbes and soils for the removal of pollution from storm water runoff.

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

CFR means the Code of Federal Regulations, which is the official annual compilation of all regulations and rules promulgated during the previous year by the agencies of the United States government, combined with all the previously issued regulations and rules of those agencies that are still in effect.

CGP and/or *Construction General Permit* means the current available version of EPA's

NPDES *General Permit for Storm Water Discharges for Construction Activities in Idaho*, Permit No. IDR12- 0000. EPA's CGP is posted on EPA's website at www.epa.gov/npdes/stormwater/cgp.

Common Plan of Development means a contiguous construction project or projects where multiple separate and distinct construction activities may be taking place at different times on different schedules but under one plan. The "plan" is broadly defined as any announcement or piece of documentation or physical demarcation indicating construction activities may occur on a specific plot; included in this definition are most subdivisions and industrial parks

Construction activity includes, but is not limited to, clearing, grading, excavation, and other site preparation work related to the construction of residential buildings and non-residential buildings, and heavy construction (e.g., highways, streets, bridges, tunnels, pipelines, transmission lines and industrial non-building structures).

Control Measure, as used in this GP, refers to any action, activity, Best Management Practice or other method used to control the discharge of pollutants in MS4 discharges.

CWA means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, 33 U.S.C. § 1251 et seq. [40 CFR §122.2].

Director means the Regional Administrator of EPA Region 10, or the Director of the EPA Region 10 Office of Water and Watersheds, or an authorized representative.

Discharge when used without qualification means the "discharge of a pollutant."

Discharge Monitoring Report (DMR) means the uniform national EPA form, including any subsequent additions, revisions, or modifications for the reporting of self-monitoring results by Permittees [40 CFR §122.2].

Discharge of a pollutant means any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source," or any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any "indirect discharger" [40 CFR §122.2].
Erosion means the process of carrying away soil particles by the action of water.

Effluent limitation means any restriction imposed by the Director on quantities, discharge rates, and concentrations of "pollutants" which are "discharged" from "point sources" into "waters of the United States," [40 CFR §122.2]. The terms and conditions of this GP are a type of effluent limitations, and refers to actions designed to reduce pollutant discharges. See also 40 CFR §122.34 and 81 FR 89337 (Dec. 9, 2016).

ESA listed species means any species listed as Threatened or Endangered by the USFWS and/or the NMFS-NOAA.

Existing Permanent Controls, in the context of this GP, means post- construction or permanent storm water management controls designed to treat or control runoff on a permanent basis and that were installed prior to the effective date of this GP.

Facility means any NPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

General permit, or GP, means this NPDES permit issued under 40 CFR §122.28 authorizing a category of discharges under the CWA within a geographical area [40 CFR §122.2].

Geographic Area of Coverage means the area in which the requirements of this GP applies. Also referred to as the *Permit Area*. See Part 1.2.

Grab sample means a single water sample or measurement of water quality taken at a specific time.

Green infrastructure means runoff management approaches and technologies that utilize, enhance and/or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse.

Impaired water means any water body that does not meet applicable water quality standards for one or more beneficial uses by one or more pollutants. For the purposes of this GP, *impaired water* includes any water body that IDEQ includes in its 2014 Integrated Report, as a "Category 4a" water of the state for which a total maximum daily load has been completed and approved; as a "Category 4b" water of the state that have pollution control requirements in place other than a TMDL and are expected to meet standards; and/or as a "Category 5" water of the state where a TMDL is necessary. The term *impaired water* also includes any interstate surface water body that originates in Idaho and flows into Washington that the Washington Department of Ecology categorizes as Category 4a, 4b, or 5 in its latest *Water Quality Assessment 305(b) Report and 303(d) List* as approved by EPA on July 22, 2016.

Indian Tribe means any Indian Tribe, band, group, or community recognized by the

Secretary of the Interior and exercising governmental authority over a Federal Indian Reservation [40 CFR §122.2].

Infiltration is the process by which storm water penetrates into soil.

Illicit connections include, but are not limited to, pipes, drains, open channels, or other conveyances that have the potential to allow an illicit discharge to enter the MS4.

Illicit discharge means any discharge to a municipal storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges from firefighting activities. See 40 CFR 122.26(b)(2).

Interconnection means the point (excluding sheet flow over impervious surfaces) where the Permittee's MS4 discharges to another MS4 or other storm sewer system, through which the discharge is eventually conveyed to a water of the United States. Interconnections shall be treated similarly to outfalls throughout the Permit.

Low Impact Development or LID means storm water management and land development techniques, controls and strategies applied at the parcel and subdivision scale that emphasize conservation and use of on-site natural features integrated with engineered, small scale hydrologic controls to more closely mimic pre-development hydrologic functions.

Method Detection Limit (MDL) means the minimum concentration of a substance (analyte) that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.

Minimum Level (ML) means either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL). Minimum levels may be obtained in several ways: They may be published in a method; they may be sample concentrations equivalent to the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a lab, by a factor.

MEP or *maximum extent practicable*, means the technology-based discharge standard for municipal separate storm sewer systems to reduce pollutants in storm water discharges that was established by Section 402(p) of the Clean Water Act, 33 U.S.C §1342(p).

Minimize means to reduce and/or eliminate to the extent achievable using control measures (including BMPs) that are technologically available, economically practicable, and achievable in light of best industry or municipal practices.

MS4 means "municipal separate storm sewer system," and is used in this document to refer to Small Municipal Separate Storm Sewer System as defined in 40 CFR 122.26(b)(16). The term, as used within the context of this GP, refers to those portions of the municipal separate storm sewer systems operated by the entities listed in Appendix A of this GP. See also *Municipal Separate Storm Sewer.*

Municipality means a city, town, borough, county, parish, district, association, or other public body created by or under State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA.

Municipal Separate Storm Sewer is defined in 40 CFR §122.26(b)(8) and 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): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR §122.2.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA [40 CFR §122.2].

New MS4 permittee, for the purposes of this GP means the operator of any small MS4 in Idaho that is required to obtain NPDES permit coverage pursuant to federal storm water regulations at 40 CFR §122.32, but has not previously received final NPDES permit coverage from EPA, and therefore is covered for its first five-yearpermit term under this Idaho MS4GP.

Notice of Intent (NOI) means a request, or application, to be authorized to discharge under a general NPDES permit. See Part 1.4 and Appendix B.

Nuisance means anything which is injurious to the public health or an obstruction to the free use, in the customary manner, of any waters of the State [IDAPA 58.01.02.010.67].

Outfall is defined at 40 CFR §122.26(b)(9) means a point source (see definition below) at the point where a municipal separate storm sewer discharges to waters of the United

States, 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 United States and are used to convey waters of the United States.

Outfall Catchment means the land area draining to a single outfall or interconnection. The extent of an outfall's catchment is determined not only by localized topography and impervious cover but also by the location of drainage structures and the connectivity of MS4 pipes.

Owner or operator means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

Permanent Storm Water Controls, or practices, permanent controls, and/or *Post-construction storm water management controls* means those structural and non-structural controls that are designed to treat or control pollutants in storm water runoff on a permanent basis.

Point Source is defined at 40 CFR §122.2 and means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials [except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. § 2011 et seq.)], heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water [40 CFR §122.2].

Pollutant(s) of concern, for the purposes of this GP, means any pollutant identified by IDEQ as a cause of impairment of any water body that receives MS4 discharges authorized under this GP. See Appendix F.

*Post- construction storm water management control*s or "permanent storm water controls" means those controls designed to treat or control runoff on a permanent basis once construction is complete. See also "new permanent controls" and "existing permanent controls."

Redevelopment, for the purposes of this GP, means the alteration, renewal or restoration of any developed land or property that results in land disturbance of 5,000 square feet or more, and that has one of the following characteristics: land that currently

has an existing structure, such as buildings or houses; or land that is currently covered with an impervious surface, such as a parking lot or roof; or land that is currently degraded and is covered with sand, gravel, stones, or other non-vegetative covering.

Regulated Small MS4, for the purposes of this GP, means 1) any municipal separate storm sewer system located within a Census-defined Urbanized Area of the State of Idaho. Regulated small MS4s are automatically designated as needing a NPDES permit pursuant to federal requirements found in 40 CFR §§ 122.30-37. Regulated small MS4 also mean any MS4 designated by EPA pursuant to 40 CFR §§122.26((a)(1)(v) and/or 123.35 as needing a NPDES permit. See also "small MS4."

Source control means practices that control storm water before pollutants have been introduced into storm water.

Storm water and *storm water runoff* as used in this GP means storm water runoff, snow melt runoff, and surface runoff and drainage, and is defined at 40 CFR §122.26(b)(13). In this GP, the term is spelled as two words. "Storm water" means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, channels, or pipes into a defined surface water channel or a constructed infiltration facility.

Storm Water Control Measure (SCM) or *Stormwater Management Program Control Measure*, , means the physical, structural, and/or managerial measures that, when used singly or in combination, reduce the downstream quality and quantity impacts of storm water runoff. Also, SCM means a permit term or condition used to prevent or control the discharge of pollutants. This may include a schedule of activities, prohibition of practices, maintenance procedures, or other management practices. SCMs may include, but are not limited to, treatment requirements; operating procedures; practices to control plant site runoff, spillage, leaks, sludge, or waste disposal; or drainage from raw material storage. See *best management practices* (BMPs). Minimum control measures are defined 40 CFR §122.34(b).

Storm Water Management Practice or *Storm Water Management Control* means practices that manage storm water, including structural and vegetative components of a storm water system.

Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system. For the purposes of this GP, the SWMP consists of the actions and activities conducted by the Permittees as required by this GP and described in the Permittees' SWMP Document. A "SWMP Document" is the written summary describing the unique and/or cooperative means by which an individual Permittee or entity implements the specific storm water management control measures required by this GP in their jurisdiction.

Storm Water Pollution Prevention Plan (SWPPP) means a site-specific plan designed to describe the control of soil, raw materials, or other substances to prevent pollutants in storm water runoff; a SWPPP is generally developed for a construction site, or an industrial facility. For the purposes of this GP, a SWPPP means a written document that identifies potential sources of pollution, describes practices to reduce pollutants in storm water discharges from the site, and identifies procedures or controls that the site operator will implement to reduce impacts to water quality and comply with applicable Permit requirements.

Small municipal separate storm sewer system, or Small MS4, is defined at 40 CFR 122.26(b)(16) and (17), respectively, and means all separate storm sewers that are: (i) owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; (ii) not defined as "large" or "medium" municipal separate storm sewer systems pursuant to 40 CFR 122.26(b)(4) and (b)(7), or designated under paragraph 40 CFR 122.26(a)(1)(v); and (iii) 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.

Snow management means the plowing, relocation, and collection of snow.

Total Maximum Daily Load (TMDL) means the sum of the individual wasteload allocations (WLAs) for point sources, load allocations (LAs) for non-point sources, and natural background. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality [IDAPA 58.012.02.010.100]. See also: *Applicable Total Maximum Daily Loads.*

Treatment means the reduction and removal of pollutants from storm water..

Uncontaminated, for the purposes of this GP, means that the MS4 discharge does not:

- result in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 117.21 or 40 CFR 302.6 at any time since November 16, 1987; or
- result in the discharge of a reportable quantity for which notification is or was required pursuant to 40 CFR 110.6 at any time since November 16, 1987; or
- Contribute to a violation or exceedance of an applicable Idaho water quality standard.

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [40 CFR §122.41(n)].

Waters of the United States or *waters of the U.S*. means:

(a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
(b) All interstate waters, including interstate "wetlands;"
(c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;
(2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
(3) Which are used or could be used for industrial purposes by industries in interstate commerce;
(d) All impoundments of waters otherwise defined as waters of the United States under this definition;
(e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;
(f) The territorial sea; and
(g) "Wetlands" adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition [40 CFR §122.2].

APPENDIX A - REGULATED MS4 DISCHARGES COVERED BY THIS GENERAL PERMIT

A.1 Existing Regulated Small MS4 Permittees

Census Urbanized Area	MS4 Operator
Boise City UA	Ada County Highway District
Boise City UA	Idaho Transportation Department District #3
Coeur d'Alene UA	Lakes Highway District
Coeur d'Alene UA	Post Falls Highway District
Coeur d'Alene UA	City of Coeur d'Alene
Coeur d'Alene UA	City of Post Falls
Coeur d'Alene UA	Idaho Transportation Department District #1
Idaho Falls UA	City of Idaho Falls
Idaho Falls UA	Idaho Transportation Department District #6
Nampa UA& Boise UAs	Idaho Transportation Department District #3
Nampa UA	Canyon Highway District #4
Nampa UA	Nampa Highway District #1
Nampa UA	City of Caldwell
Nampa UA	City of Middleton
Nampa UA	City of Nampa
Pocatello UA	Bannock County
Pocatello UA	City of Chubbuck
Pocatello UA	City of Pocatello
Pocatello UA	Idaho Transportation Department District #5

A.2 New Regulated Small MS4 Permittees

The MS4 operators listed below have submitted an appropriate NPDES permit application to EPA for MS4 permit coverage.

Census Urbanized Area	MS4 Operator
Coeur d'Alene UA	**Eastside Highway District**
Lewiston UA	**City of Lewiston**
Lewiston UA	**Idaho Transportation Department District #2**
Lewiston UA	**Lewis-Clark State College**
Pocatello UA	**Idaho State University**
Not located in UA	**City of Moscow**

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

APPENDIX B – REQUIRED INFORMATION FOR NOTICES OF INTENT & NOTICES OF TERMINATION

This Appendix contains information about seeking authorization to discharge, amending information previously submitted, and seeking to terminate discharge authorization under this GP.

Appendix B.1- Notice of Intent (NOI) information *(see also Part 1.4).*
Appendix B.2- Amended NOI information, including Alternative Control Measure Requests (*see also Part 1.4.4 and Part 2.9*).
Appendix B.3 - Permit Renewal Application/NOI (*see also Part 8.2*)
Appendix B.4 - Notice of Termination (NOT) information (*see Part 1.7*).

B.1 NOI Format (see also Part 1.4)

1. *Suggested Format:* The NOI may consist of a letter, report or a table, along with all necessary attachments to address the topics listed in this Appendix.

   - Operators are encouraged to use the optional NOI Format **provided {INSERT WEB LINK HERE – See separate document}.**

2. *Purpose*: EPA Region 10 will review the information provided in the NOI to determine if a MS4 operator is eligible for authorization to discharge (aka, to receive permit coverage) under this Idaho MS4GP.

3. *Content*: A NOI submitted for permit coverage must include:
   - The name of the municipal entity/tribe/state agency/federal agency that operates the small MS4,
   - a physical location address,
   - complete mailing address,
   - Contact information for the primary administrative and technical contacts, including relevant name(s), title(s), telephone numbers and email addresses;
   - An indication of ownership status;
   - A map and narrative physical description of the small MS4 that includes: the MS4 location, including the latitude and longitude of an approximate center of the small MS4 jurisdiction. The narrative description should include relevant statistics summarizing number of outfalls, catch basins, and other characteristics;
   - A narrative summary of the major receiving water(s), including whether the small MS4 discharges to a water listed as impaired by the State of Idaho and/or that is subject to any applicable TMDL analysis;
   - A SWMP Document, describing the manner in which the small MS4 operator intends to implement the required storm water control measures in MS4GP Parts 3 & 4, including (if feasible) any interim implementation schedules and milestones leading to full implementation of all required measures;

- Documentation and agreement that the applicant will work with EPA to complete any necessary consultation as may be required to comply with Endangered Species Act, Essential Fish Habitat, and protection of historic properties; and
- If the MS4 applicant is relying on another entity to satisfy one or more of the permit obligations, identification of the entity and the program components the other entity will be implementing on the applicant's behalf.

4. Other information:

- Two or more applicants may submit a NOI package as co-applicants. When multiple applicants submit a combined request for permit coverage, the applicants may provide EPA and IDEQ with a cover letter summarizing the combined request(s). Each Permittee must submit their own signed copy of the NOI form provided in this Appendix. All signed NOI forms may be submitted as part of a single package with any attachments supporting the NOI request

- The NOI must be signed/certified in accordance with Part 8.5 (*Signatory Requirements*). Use of the NOI format provided in this Appendix provides the certification statement required by Part 8.5.4.

- The complete NOI package must be submitted to the EPA Region 10 and IDEQ addresses indicated in Appendix G.

- EPA Region 10 will send each NOI applicant an acknowledgment of receipt. If you have questions about the Notice of Intent, contact EPA Region 10 at 800-424-4372, extension 6650.

B.2 Amended NOIs (including Alternative Control Measure Requests)
See also Part 1.4.4 and Part 2.9

1. ***Suggested Format***
   - An Amended NOI may consist of a letter, report or a table, with all the necessary attachments. Permittees are encouraged to use the NOI format provided **provided {INSERT WEB LINK HERE – See separate document}** as a framework for identifying any new or revised information. Use of the NOI format is optional.

2. ***Purpose:*** A Permittee must submit an updated or Amended NOI whenever:

   - There is a material change in the information submitted in its original NOI or application materials;
   - The Permittee requests one or more ACM(s) as allowed by Part 2.9.1;
   - The Affected Permittee submits any documents required by Appendix F (*Requirements for Discharges to Impaired Waters*); or
   - As may otherwise be required by specific provisions of this GP.

3. ***Other Information***:

- A material change includes such information as new operator(s)/owner(s) of the MS4;

identification of new co-Permittees, if appropriate; identification of shared implemention by other entities; identification of new or additional areas served by the Permittee's MS4, or other receiving waters, not previously identified; and/or a summary of any known water quality impacts on the newly identified receiving waters.

- An Amended NOI must be signed/certified in accordance with Part 8.5 (*Signatory Requirements*). Use of the NOI format provided in this Appendix provides the certification statement required by Part 8.5.4.

- Amended NOIs and any associated ACM Requests must be submitted to EPA and IDEQ at the addresses in Appendix G.

- EPA Region 10 will send the Permittee an acknowledgment of receipt of an Amended NOI and any associated ACMRequest.

- A Permittee may use a single amended NOI to convey multiple ACM requests and/or required documents. Where several requests are combined, the Permittee may consider providing a cover letter addressed to EPA and IDEQ to summarizee the requests, and attach the signed copy of the NOI format, with any attachments needed to justify the Permittee's request as referenced in Part 2.9.3.

- Two or more Permittees may submit a joint Amended NOI to convey any ACM Request(s) for cooperative monitoring/assessment or other control measure activities. When multiple Permittees submit a combined Amended NOI or ACM request, the Permittees may consider providing EPA and IDEQ with a cover letter summarizing the combined ACM request(s). Each Permittee must submit their own signed copy of the NOI form provided in this Appendix. All signed NOI forms may be submitted as part of a single package with any attachments needed to justifythe Permittees' request as referenced in Part 2.9.3.

If you have questions about the Amended NOI or Alternative Control Measure(s) Request, contact EPA Region 10 at 800-424-4372, extension 6650.

B.3 Permit Renewal Application/NOI (*see also Part 8.2)*

1. **Suggested Format and Content**
   - A Permit Renewal Application/NOI may consist of a letter, report or a table, along with all the necessary attachments. Permittees are encouraged to use the NOI format provided **provided {INSERT WEB LINK HERE – See separate document}.** as a framework for identifying any new or revised information. Use of the NOI format is optional. The Permit Renewal Application/NOI must include the information listed in Part 8.2.1.

2. **Purpose:**

A Permittee must submit an Permit Renewal Application/NOI if the Permittee intends to continue its operational control and management of MS4 discharges regulated by this GP after the Permit expiration date, and seeks to continue to be covered under a new MS4GP.

B.4 Notice of Termination of Discharge (NOT) *see also Part 1.7*

A Permittee must notify EPA, and the appropriate IDEQ regional office, no later than 30 days prior to discharge termination.

In the written request for discharge termination, the Permittee must fully document all capital improvement projects and/or physical changes that result in permanent elimination of all MS4 discharges to waters of the United States controlled by the Permittee under this GP.

EPA will consider a written request seeking to terminate authorization to discharge under the GP, pursuant to 40 CFR §122.64(a)(4).

If the facts support such a request to terminate permit coverage, EPA will follow the NPDES permit modification procedures described in 40 CFR §§124.5(d) and 124.6. In certain circumstances, this process may include EPA proposing for public comment a decision to terminate the Permittee's authorization under the GP.

Requests to terminate authorization to discharge under this GP must be made in writing, signed in accordance with Part 8.5, and submitted to EPA and IDEQ at the addresses provided in Appendix G.

In accordance with 40 CFR §122.64(b), authorization under this GP may be terminated if EPA determines in writing that the entire MS4 discharge is permanently terminated either by elimination of the flow or by connection to a publicly owned treatment works (POTW).

Termination of a Permittee's authorization to discharge under this GP will become effective 30 days after EPA's written determination is sent to the Permittee, unless the Permittee objects within that time. Pursuant to Part 8.1(*Permit Actions*), authorization to discharge may be terminated in accordance with the provisions of 40 CFR §§122.64 and 124.5 for a single permittee or co-permittee without terminating authorization for the other permittees or co-permittees subject to this GP.

APPENDIX C - ENDANGERED SPECIES ACT ELIGIBILITY GUIDANCE

To be eligible for coverage under this GP, the MS4 applicant must agree to assist EPA demonstrate compliance with applicable requirements of the Endangered Species Act (ESA) and/or the applicable Essential Fish Habitat (EFH) requirements of the Magnuson-Stevens Fishery Management and Conservation Act.

Permit Parts 1.3.2.1 and 1.3.2.2 require a MS4 applicant to include relevant information, if available, as part of its NOI that can help demonstrate that their MS4 discharges:

- are not likely to adversely affect any ESA listed species;
- are not likely to result in the adverse modification or destruction of designated critical habitat under the ESA; and
- do not cause adverse effects on any designated EFH.

EPA is responsible for completing either formal or informal consultation with the NMFS and/or USFWS regarding the MS4 discharges to be authorized under this GP. Any applicant seeking coverage under this GP after the permit effective date must agree to assist EPA to consult with the NMFS or USFWS about their MS4 discharges if needed.

Where ESA-listed species are present in the applicant's jurisidiction, permit coverage will be available only if EPA determines (or the applicant determines and EPA concurs) that the MS4 discharge or discharge related activities will either have "no effect" on the listed species or critical habitat, or the applicant or EPA determines that the discharge or discharge related activities are "not likely to adversely affect" listed species or critical habitat.

Consultation, and authorization to discharge under this GP, will occur more quickly if EPA and the MS4 applicant work together to fulfill these other federal requirements.

EPA has determined that MS4 discharges from entities listed in GP Appendix A are not likely to adversely affect any ESA listed species or critical habitat under the jurisdiction of the National Marine Fisheries Service (NMFS).

- NOTE: EPA is preparing to consult with the NMFS regarding this GP and the MS4 discharges from entities listed in Appendix A. EPA anticipates that it will conclude its ESA consultation with NMFS prior to issuance of this GP.

EPA has determined that MS4 discharges from entities listed in GP Appendix A are not likely to adversely affect any ESA listed species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS).

- NOTE: As of the date of this JULY 2017 DRAFT, EPA is actively preparing to consult with the USFWS regarding this GP and the MS4 discharges from entities listed in Appendix A. EPA anticipates that it will conclude its ESA consultation with USFWS prior to issuance of this GP.

Questions should be directed to EPA Region 10 at 206-553-6650. EPA will work with new MS4 applicants to comply with ESA and EFH requirements to be authorized under this GP.

APPENDIX D – NATIONAL HISTORIC PROPERTIES ACT ELIGIBILITY GUIDANCE

To be eligible for authorization to discharge under this GP, the MS4 applicant must agree to assist EPA demonstrate compliance with applicable requirements of the National Historic Preservation Act (NHPA).

Permit Part 1.3.2.3 requires a MS4 applicant to include relevant information, if available, as part of its NOI that can help demonstrate that their MS4 discharges comply with the NHPA.

While EPA is responsible for completing consultation with the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) regarding the MS4 discharges to be authorized under this GP, an applicant seeking coverage under this GP after the permit effective date must assist EPA consult with these parties where appropriate.

Permit coverage will be available only if EPA determines (or the applicant determines and EPA concurs) that the MS4 discharge or discharge related activities to be authorized under this GP do not affect a property that is listed or is eligible for listing on the National Register of Historic Places as maintained by the Secretary of the Interior, and/or the applicant has obtained and is in compliance with a written agreement with the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) that outlines all measures the MS4 operator will undertake to mitigate or prevent adverse effect to the historic property.

Consultation, and authorization to discharge under this GP, can occur more quickly if EPA and the MS4 applicant work together to fulfill these other federal requirements.

- NOTE: EPA is preparing to engage with the SHPO and any Tribal governments if neeced on this draft permit to authorize discharges from the MS4 discharges in the areas listed in Appendix A.
- EPA has tentatively determined that MS4 discharges from entities listed in Appendix A meet the eligibility compliance requirements for NPHA.

After the effective date of this Permit, EPA is available to work with new MS4 applicants to develop the appropriate documentation that demonstrates compliance with applicable NPHA requirements. Contact EPA at 206-553-6650.

Applicable Idaho State, Tribal, or Local Laws: MS4 operators are reminded that they must comply with applicable State, Tribal and local laws concerning the protection of historic properties and places, pursuant to Part 8.10 ("…*no condition of the Permit releases Permittees from any responsibility or requirements under other environmental statutes or regulations*.") In Idaho, such requirements include, but are not limited to, the Idaho Title 67 Chapter 46 (*Preservation of Historic Sites*) and relevant local ordinances in Certified Local Governments (CLGs) that have shown a commitment to historic preservation by adopting a local ordinance and creating a historic preservation commission. The following resources may also assist EPA and a MS4 applicant:

- The Idaho Historic Preservation Office: http://www.history.idaho.gov/state-historic-preservation-office

- The National Register of Historic Places in Idaho: http://history.idaho.gov/sites/default/files/uploads/National_Register_Properties_Idaho.pdf

- The National Register of Historic Places in Idaho, Addendum 1997-2014: http://history.idaho.gov/sites/default/files/uploads/ADDENDUM_Jan2014.pdf

- National Register of Historic Places in Idaho, by County: http://www.history.idaho.gov/listings-county

- Local Government Contacts for historic properties in Idaho: http://www.history.idaho.gov/sites/default/files/uploads/CURRENTLISTOFCERTIFEDLOCALGOVERNMENTS1%20Jan%202013.pdf;

- National Park Service's web page: http://www.nps.gov/nr/

APPENDIX E –SWMP DOCUMENT TEMPLATE AND ANNUAL REPORT FORM

This Appendix outlines the content of the SWMP document and Annual Reports, and provides an example format for each required document.

Appendix E.1 - SWMP Document Template (see Separate Document)
Appendix E.2 - Annual Report Form (See separate Document)

APPENDIX F – REQUIREMENTS FOR MS4 DISCHARGES TO IMPAIRED WATERS

This Appendix contains additional requirements for Affected Permittees discharging to waters with applicable Total Maximum Daily Loads (TMDLs), and/or discharging to an impaired water body where a TMDL has not been completed or approved by EPA. Additional requirements are listed in this Appendix by Basin, and Water Body Assessment Unit (WAU) as follows:

F.1 - Panhandle Basin – Couer d'Alene Lake
F.1.1 - *City of Coeur d'Alene*
F.1.2 - *Eastside Highway District*
F.1.3 – *Idaho Trans Department District #1*
F.1.4 - *Reserved*

F.2 - Panhandle Basin – Spokane River
F.2.1 - *City of Coeur d'Alene*
F.2.2 – *City of Post Falls*
F.2.3 – *Post Falls Highway District*
F.2.4 – *Idaho Trans. Department District #1*
F.2.5 - *Reserved*

F.3 - Upper Snake Basin – Portneuf River
F.3.1 - *City of Pocatello*
F.3.2 – *City of Chubbuck*
F.3.3 – *Bannock County*
F.3.4 – *Idaho Trans. Department District #5*
F.3.5 – *Idaho State University*
F.3.6 - *Reserved*

F.4 - Southwest Basin – Boise River and Tributaries
F.4.1 - *Ada County Highway District*
F.4.2 - *Idaho Trans. Department District #3*
F.4.3 – *City of Middleton*
F.4.4 –*City of Caldwell*
F.4.5 – *City of Nampa*
F.4.6 – *Canyon County Highway District*
F.4.7 – ~~*Nampa Highway District*~~
~~F.4.8 -~~ *Reserved*

F.5 - Clearwater Basin – Paradise Creek and South Fork Palouse River
F.5.1 - *City of Moscow*
F.5.2 – *Reserved*

F.6 - Clearwater Basin – Snake River, Tammany Creek and Lindsay Creek
F.6.1 - *City of Lewiston*
F.6.2 - *Lewis Clark College*
F.6.3 – *Idaho Trans. Department District #2*
F.6.4 - *Reserved*

"Applicable TMDLs" are those analyses identified in the EPA approved 2014 *IDEQ Integrated Report -Appendix G (Category 4a- Total Maximum Daily Load Completed and Approved)*, and/or any EPA approved analyses for any interstate surface water body that originates in Idaho and that the Washington Department of Ecology categorizes as Category 4a, or 4b in its latest *Water Quality Assessment 305(b) Report and 303(d) List* as approved by EPA on July 22, 2016.

Impaired waters without a TMDL are those identified from the 2012 *IDEQ Integrated Report* - Appendix *J. Category 5 (§303(d) list)—Waters of the State for which a TMDL is needed*, and/or any interstate surface water body that originates in Idaho and that the Washington Department of Ecology categorizes as Category 5 in its latest *Water Quality Assessment 305(b) Report and 303(d) List* as approved by EPA on July 22, 2016.

F.1 Panhandle Basin- Couer d'Alene Lake

F.1.1 - City of Coeur d'Alene
F.1.2 - Eastside Highway District
F.1.3 – Idaho Trans Department District #1
F.1.4 – Reserved

Table F.1

IDEQ Waterbody/Assessment Unit/Description	***Pollutants of Concern***
Coeur d'Alene Lake *ID17010303PN001L_0L / Coeur d'Alene Lake*	*Cadmium,* *Lead,* *Zinc* *Total Phosphorus*
Relevant Documents	***Dated***

F.1.1 City of Coeur d'Alene

Pursuant to Part 4 (*Special Conditions For Discharges To Impaired Waters*), City of Coeur d'Alene is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: No
Impairments without a TMDL: Yes – Coeur d'Alene Lake
Presence of ESA listed species? Yes

1. Monitoring/Assessment Activities: At a minimum, City of Coeur d'Alene must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Coeur d'Alene Lake for the parameters listed in Table F.1.1 below.

Table F.1.1: Minimum Monitoring/Assessment Expectations

Location(s)	**Pollutant Parameters**
City of Coeur d'Alene MS4 Discharges into Coeur d'Alene Lake	*Cadmium, Lead, Zinc,* *Total Phosphorus*

2. Pollutant Reduction Activities: City of Coeur d'Alene must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Coeur d'Alene Lake for pollutants identified in Table F.1, and to quantify such load reductions.

City of Coeur d'Alene must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Coeur d'Alene Lake, based on

consideration of relevant and available information, such as: previously collected Cadmium, Lead, Zinc, and/or Total Phosphorus monitoring data by City of Coeur d'Alene or other parties; cleanup activities at sites with these parameters identified as contaminant(s); and/or readily available local business records

3. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* the City of Coeur d'Alene must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.1.1.1 and the written description of its selected Pollutant Reduction Activities required by Part F.1.1.2, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing. See Part 2.9.4 (*Recognition of ACMs*).

4. Reporting Requirements: Upon any revision to this Part by EPA, City of Coeur d'Alene must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4 (*Reporting Requirements*).

No later than (**April 3, 2023- *180 days before expiration***),* City of Coeur d'Alene must submit a Final Report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

F.1.2 Eastside Highway District

Pursuant to Part 4 (*Special Conditions*), Eastside Highway District is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: No
Impairments without a TMDL: Yes – Coeur d'Alene Lake
Presence of ESA listed species? Yes

1. Joint Responsibility and Joint Agreement: As allowed by Part 2.8.2, Eastside Highway District may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with Lakes Highway District and Post Falls Highway District. See GP Part 2.8.2.

2. Monitoring/Assessment Activities: At a minimum, Eastside Highway District must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Coeur d'Alene Lake for the parameters listed in Table F.1.2 below.

Table F.1.2: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
Eastside Highway District, et al MS4 Discharges into Coeur d'Alene Lake	*Cadmium, Lead, Zinc, Total Phosphorus*

3. Pollutant Reduction Activities: Eastside Highway District must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Coeur d'Alene Lake for pollutants identified in Table F.1, and to quantify such load reductions.

Eastside Highway District must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Coeur d'Alene Lake, based on consideration of relevant and available information, such as: previously collected Cadmium, Lead, Zinc, and/or Total Phosphorus monitoring data by Eastside Highway District or other parties; cleanup activities at sites with these parameters identified as contaminant(s); and/or readily available local business records.

4. Alternative Control Measure Request: No later than (***April 2, 2019- 180 days from effective date***),* Eastside Highway District must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.1.2.2 and the written description of its selected Pollutant Reduction Activities required by Part F.1.2.3, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. Reporting Requirements: Upon any revision to this Part by EPA,, Eastside Highway District must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4 (*Reporting Requirements*).

No later than (**April 3, 2023-** ***180 days before expiration***)*, Eastside Highway District must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.1.3 Idaho Transportation Department District #1

Pursuant to Part 4 (*Special Conditions*), Idaho Transportation Department #1 (ITD#1) is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: No
Impairments without a TMDL: Yes – Coeur d'Alene Lake
Presence of ESA listed species? Yes

1. Monitoring/Assessment Activities: At a minimum, ITD#1 must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Coeur d'Alene Lake for the parameters listed in Table F.1.3 below.

Table F.1.3: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
ITD#1, et al MS4 Discharges into Coeur d'Alene Lake	*Cadmium, Lead, Zinc, Total Phosphorus*

2. Pollutant Reduction Activities: ITD#1 must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Coeur d'Alene Lake for pollutants identified in Table F.1, and to quantify such load reductions.

ITD#1 must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into Coeur d'Alene Lake based on consideration of relevant and available information, such as: previously collected Cadmium, Lead, Zinc, and/or Total Phosphorus monitoring data by ITD#1 or other parties; cleanup activities at sites with these parameters identified as contaminant(s); and/or readily available local business records.

3. Alternative Control Measure Request: No later than ((***April 2, 2019- 180 days from effective date***)*, ITD#1 must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.1.3.1 and the written description of its selected Pollutant Reduction Activities required by Part F.1.3.2, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

4. Reporting Requirements: Upon any revision to this Part by EPA,, ITD#1 must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

No later than (**April 3, 2023-** ***180 days before expiration***)*, ITD#1 must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.1.4 [Reserved]

F.2 Panhandle Basin – Spokane River (Idaho and Washington)

F.2.1 - City of Coeur d'Alene
F.2.2 – City of Post Falls
F.2.3 – Post Falls Highway District
F.2.4 – Idaho Trans. Department District #1
F.2.5 – Reserved

Table F.2

IDEQ Waterbody/Assessment Unit/Description	***Pollutants of Concern***
Spokane River *ID17010305PN004_04 / Spokane River-Coeur d'Alene Lake to Post Falls Dam*	*Cadmium, Lead, Zinc,* *Total Phosphorus*
Spokane River *ID17010305PN003_04 / Spokane River- Post Falls Dam to Idaho/Washington border*	*Cadmium, Lead, Zinc,* *Total Phosphorus*
Spokane River - WA portion downstream of *Idaho/Washington border*	*Polychlorinated Biphenyls*
Relevant Documents	***Dated***

F.2.1 City of Coeur d'Alene

Pursuant to Part 4 (Special Conditions), City of Coeur d'Alene is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: No
Impairments without a TMDL: Yes – Spokane River
Presence of ESA listed species? No

1. **Monitoring/Assessment Activities:** City of Coeur d'Alene must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Spokane River for the parameter(s) listed in Table F.2.1 below.

Table F.2.1: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
City of Coeur d'Alene MS4 Discharges into Spokane River	*Cadmium, Lead, Zinc, Total Phosphorus, PCBs*

2. **Pollutant Reduction Activities:** City of Coeur d'Alene must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Spokane River for pollutants identified in Table F.2, and to quantify such load reductions.

City of Coeur d'Alene must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into Spokane River, based on consideration of relevant and available information, including but not limited to: previously collected Cadmium, Lead, Zinc, Total Phosphorus, and/or PCB monitoring data by City of Coeur d'Alene or other parties; cleanup activities at sites with PCBs as a identified contaminant; and/or available local business inspection compliance records.

3. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* the City of Coeur d'Alene must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.2.1.2 and the written description of its selected Pollutant Reduction Activities required by Part F.2.1.3, as part of an Alternative Control Measure Request.

   EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

4. **Reporting Requirements**: Upon any revision to this Part by EPA, City of Coeur d'Alene must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4 (*Reporting Requirements*).

   No later than (**April 3, 2023- *180 days before expiration***)*, City of Coeur d'Alene must submit a final report summarizing all Monitoring /Assessment and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.2.2 City of Post Falls

Pursuant to Part 4 (Special Conditions), City of Post Falls is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: No
Impairments without a TMDL: Yes – Spokane River
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, City of Post Falls may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with another regulated MS4 subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** City of Post Falls must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Spokane River for the parameter(s) listed in Table F.2.2 below.

Table F.2.2: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
City of Post Falls MS4 Discharges into Spokane River	*Cadmium, Lead, Zinc, Total Phosphorus, PCBs*

3. **Pollutant Reduction Activities:** City of Post Falls must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Spokane River for pollutants identified in Table F.2, and to quantify such load reductions.

   City of Post Falls must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into Spokane River, based on consideration of relevant and available information, such as: previously collected Cadmium, Lead, Zinc, Total Phosphorus, and/or PCB monitoring data; cleanup activities at sites with PCBs as a identified contaminant; and/or available local business inspection compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***)*, the City of Post Falls must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.2.2.2 and the written description of its selected Pollutant Reduction Activities required by Part F.2.2.3, as part of an Alternative Control Measure Request.

   EPA will review the ACM Request and, as necessary, propose to modify this

Appendix to incorporate the specific monitoring/assessment plan and pollutant reduction activities into this GP. See Part 2.9.

5. **Reporting Requirements**: Upon EPA's potential modification of this GP, City of Post Falls must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4.

   No later than (**April 3, 2023-** ***180 days before expiration***)*, City of Post Falls must submit a final report summarizing all Monitoring /Assessment and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.2.3 Post Falls Highway District

Pursuant to Part 4 (Special Conditions), Post Falls Highway District is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: No
Impairments without a TMDL: Yes – Spokane River
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, Post Falls Highway District may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with another regulated MS4 subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** Post Falls Highway District must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Spokane River for the parameter(s) listed in Table F.2.3 below.

Table F.2.3: Minimum Monitoring/Assessment Expectations

Location(s)	Parameters
Post Falls Highway District MS4 Discharges into Spokane River	*Cadmium, Lead, Zinc, Total Phosphorus, PCBs*

3. **Pollutant Reduction Activities:** Post Falls Highway District must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Spokane River for pollutants identified in Table F.2, and to quantify such load reductions.

   Post Falls Highway District must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into Spokane River, based on consideration of relevant and available information, such as: previously collected Cadmium, Lead, Zinc, Total Phosphorus, and/or PCB monitoring data; cleanup activities at sites with PCBs as a identified contaminant; and/or available local business inspection compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***)*, Post Falls Highway District must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.2.3.2 and the written description of its selected Pollutant Reduction Activities required by Part F.2.3.3, as part of an Alternative Control Measure Request.

   EPA will review the ACM Request and, as necessary, will propose to revise this

Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. **Reporting Requirements**: Upon any revision to this Part by EPA, Post Falls Highway District must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

   No later than (**April 3, 2023- *180 days before expiration***)*, Post Falls Highway District must submit a final report summarizing all Monitoring /Assessment and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.2.4 Idaho Transportation Department District #1

Pursuant to Part 4 (Special Conditions), ITD#1 is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: No
Impairments without a TMDL: Yes – Spokane River
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, ITD#1 may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with another regulated MS4 subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** ITD#1 must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Spokane River for the parameter(s) listed in Table F.2.4below.

Table F.2.4: Minimum Monitoring/Assessment Expectations

Location(s)	Parameters
ITD#1 MS4 Discharges into Spokane River	*Cadmium, Lead, Zinc, Total Phosphorus, PCBs*

3. **Pollutant Reduction Activities:** ITD#1 must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Spokane River for pollutants identified in Table F.2, and to quantify such load reductions.

   ITD#1 must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into Spokane River, based on consideration of relevant and available information, such as: previously collected Cadmium, Lead, Zinc, Total Phosphorus, and/or PCB monitoring data; cleanup activities at sites with PCBs as a identified contaminant; and/or available local business inspection compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* ITD#1 must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.2.3.2 and the written description of its selected Pollutant Reduction Activities required by Part F.2.3.3, as part of an Alternative Control Measure Request.

   EPA will review the ACM Request and, as necessary, will propose to revise this

Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. **Reporting Requirements**: Upon any revision to this Part by EPA, ITD#1 must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

   No later than (**April 3, 2023-** ***180 days before expiration***)*, ITD#1 must submit a final report summarizing all Monitoring /Assessment and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.2.5 [Reserved]

F.3 Upper Snake Basin – Portneuf River

F.3.1 - City of Pocatello
F.3.2 – City of Chubbuck
F.3.3 – Bannock County
F.3.4 – Idaho Trans. Department District #5
F.3.5 – Idaho State University
F.3.6 – Reserved

Table F.3

IDEQ Waterbody/Assessment Unit/Description	***Pollutants of Concern***
Portneuf River *ID17040208SK001_05 Portneuf River - Marsh Creek to American Falls Reservoir*	*Total Nitrogen;* *Oil & Grease;* *Total Phosphorus;* *E coli;* *Sedimentation/siltation*
Portneuf River *ID17040208SK025_02 South Fork Pocatello Creek - source to mouth*	*Fecal coliform bacteria*
Relevant Documents	***Dated***
ID Dept of Env. Quality. Portneuf River TMDL Revision and Addendum,	*February 2010.* *EPA Approved: July 2010.*

F.3.1 City of Pocatello

Pursuant to Part 4 (*Special Conditions*), City of Pocatello is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Portneuf River
Impairments without a TMDL: Yes – Portneuf River
Presence of ESA listed species? No

1. Joint Responsibility and Joint Agreement: As allowed by Part 2.8.2, City of Pocatello demonstrates compliance with one or more requirements of this GP through a co-permittee relationship with City of Chubbuck, ITD#5, Bannock County and Idaho State University. See GP Part 2.8.2.

2. Monitoring/Assessment Activities: At a minimum, City of Pocatello must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Portneuf River for the parameters listed in Table F.3.1 below.

Table F.3.1: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameter
City of Pocatello, et al MS4 Discharges into Portneuf River	Sedimentation/Siltation

3. Pollutant Reduction Activities: City of Pocatello must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Portneuf River for pollutants identified in Table F.3, and to quantify such load reductions.

City of Pocatello must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Portneuf River, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. Alternative Control Measure Request: No later than (***April 2, 2019- 180 days from effective date***),* the City of Pocatello must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.3.1.2 and the written description of its selected Pollutant Reduction Activities required by Part F.3.1.3, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. Reporting Requirements: Upon any revision to this Part by EPA, City of Pocatello must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4 (*Reporting Requirements*)

No later than (**April 3, 2023- *180 days before expiration***),* City of Pocatello must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

F.3.2 City of Chubbuck

Pursuant to Part 4 (*Special Conditions*), City of Chubbuck is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Portneuf River
Impairments without a TMDL: Yes – Portneuf River
Presence of ESA listed species? No

1. Joint Responsibility and Joint Agreement: As allowed by Part 2.8.2, City of Chubbuck demonstrates compliance with one or more requirements of this GP through a co-permittee relationship with City of Pocatello, ITD#5, Bannock County and Idaho State University. See GP Part 2.8.2.

2. Monitoring/Assessment Activities: At a minimum, City of Chubbuck must work cooperatively with City of Pocatello to submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Portneuf River for the parameters listed in Table F.3.1 above.

3. Pollutant Reduction Activities: City of Chubbuck must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Portneuf River for pollutants identified in Table F.3, and to quantify such load reductions.

City of Chubbuck must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Portneuf River, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. Alternative Control Measure Request: No later than (***April 2, 2019- 180 days from effective date***),* the City of Chubbuck must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.3.2.2 and the written description of its selected Pollutant Reduction Activities required by Part F.3.2.3, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. Reporting Requirements: Upon any revision to this Part by EPA, City of

Chubbuck must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

No later than (**April 3, 2023-** ***180 days before expiration***)*, City of Chubbuck must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.3.3 Bannock County

Pursuant to Part 4 (*Special Conditions*), Bannock County is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Portneuf River
Impairments without a TMDL: Yes – Portneuf River
Presence of ESA listed species? No

1. Joint Responsibility and Joint Agreement: As allowed by Part 2.8.2, Bannock County demonstrates compliance with one or more requirements of this GP through a co-permittee relationship with City of Pocatello, City of Chubbuck, ITD#5, and Idaho State University. See GP Part 2.8.2.

2. Monitoring/Assessment Activities: At a minimum, Bannock County must work cooperatively with City of Pocatello to submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Portneuf River for the parameters listed in Table F.3.1 above.

3. Pollutant Reduction Activities: Bannock County must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Portneuf River for pollutants identified in Table F.3, and to quantify such load reductions.

Bannock County must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Portneuf River, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. Alternative Control Measure Request: No later than (***April 2, 2019- 180 days from effective date***),* the Bannock County must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.3.3.3 and the written description of its selected Pollutant Reduction Activities required by Part F.3.3.4, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*)..

5. Reporting Requirements: Upon any revision to this Part by EPA, Bannock County must thereafter document in each Annual Report its individual or collective

progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

No later than (**April 3, 2023-** ***180 days before expiration***),* Bannock County must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.3.4 Idaho Transportation Department District #5

Pursuant to Part 4 (*Special Conditions*), ITD#5 is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Portneuf River
Impairments without a TMDL: Yes – Portneuf River
Presence of ESA listed species? No

1. Joint Responsibility and Joint Agreement: As allowed by Part 2.8.2, ITD#5 demonstrates compliance with one or more requirements of this GP through a co-permittee relationship with City of Pocatello, City of Chubbuck, Bannock County, and Idaho State University. See GP Part 2.8.2.

2. Monitoring/Assessment Activities: At a minimum, ITD#5 must work cooperatively with City of Pocatello to submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Portneuf River for the parameters listed in Table F.3.1 above.

3. Pollutant Reduction Activities: ITD#5 must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Portneuf River for pollutants identified in Table F.3, and to quantify such load reductions.

ITD#5 must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Portneuf River, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. Alternative Control Measure Request: No later than (***April 2, 2019- 180 days from effective date***)*, ITD#5 must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.3.4.2 and the written description of its selected Pollutant Reduction Activities required by Part F.3.4.3, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. Reporting Requirements: Upon any revision to this Part by EPA, ITD#5 must thereafter document in each Annual Report its individual or collective progress on

conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

No later than (**April 3, 2023-** ***180 days before expiration***)*, ITD#5 must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.3.5 Idaho State University

Pursuant to Part 4 (*Special Conditions*), Idaho State University is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Portneuf River
Impairments without a TMDL: Yes – Portneuf River
Presence of ESA listed species? No

1. Joint Responsibility and Joint Agreement: As allowed by Part 2.8.2, Idaho State University demonstrates compliance with one or more requirements of this GP through a co-permittee relationship with City of Pocatello, City of Chubbuck, Bannock County, and ITD#5. See GP Part 2.8.2.

2. Monitoring/Assessment Activities: At a minimum, Idaho State University must work cooperatively with City of Pocatello to submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Portneuf River for the parameters listed in Table F.3.1 above.

3. Pollutant Reduction Activities: Idaho State University must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Portneuf River for pollutants identified in Table F.3, and to quantify such load reductions.

Idaho State University must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Portneuf River, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* Idaho State University must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.3.5.2 and the written description of its selected Pollutant Reduction Activities required by Part F.3.5.3, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. Reporting Requirements: Upon any revision to this Part by EPA, Idaho State University must thereafter document in each Annual Report its individual or

collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

No later than (**April 3, 2023- *180 days before expiration***),* Idaho State University must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.3.6 [Reserved]

F.4 Southwest Basin – Boise River and Tributaries

F.4.1 - Ada County Highway District
F.4.2 - Idaho Trans. Department District #3
F.4.3 – City of Middleton
F.4.4 – City of Caldwell
F.4.5 – City of Nampa
F.4.6 – Canyon County Highway District
F.4.7 – Nampa Highway District
F.4.8 – Reserved

Table F.4

IDEQ Waterbody/Assessment Unit/Description	***Pollutants of Concern***
Boise River and tributaries ID17050114SW011a_06 *Boise R.-Diversion Dam to Veterans Memorial Pkwy* ID17050114SW005_06 *Boise R.-Veterans Memorial Pkwy to Star Bridge* ID17050114SW005_06a- *Boise R –Star to Middleton*	Temperature; Fecal Coliform; Sedimentation/ Siltation
Boise River and tributaries ID17050114SW005_06b *Boise R.-Middleton to Indian Creek* ID17050114SW001_06 *Boise R. - Indian Creek to mouth*	Temperature; Fecal Coliform; Sedimentation/ Siltation; Total Phosphorus
Indian Creek ID17050114SW002_*04 Indian Creek - 4th order below Sugar Ave. in Nampa*	Temperature; Cause Unknown (Nutrients Suspected); E. coli; Sedimentation/ Siltation
Indian Creek ID17050114SW003a_04 Indian Creek - New York Canal to Sugar Avenue	Temperature; Cause Unknown; (Nutrients suspected)
Mill Slough ID17050114SW005_02 *Mill Slough and East Hartley Gulch*	Temperature
Mason Creek ID17050114SW006_02 *Mason Creek - entire watershed*	Sedimentation/ Siltation; Temperature; Chlorpyrifos; Malathion; E. coli; Cause unknown (Nutrients suspected)
Fifteen Mile Creek ID17050114SW007_04 *Fifteenmile Creek - 4th order (Fivemile Creek to mouth*)	Sedimentation/Siltation; Chlorpyrifos;*E.* coli
Ten Mile Creek ID17050114SW008_03 *Tenmile Creek - 3rd order below Blacks Creek Reservoir*	Sedimentation/Siltation; Chlorpyrifos; *E*. coli; Cause Unknown (Nutrients suspected)
Five Mile Creek ID17050114SW010_03- *Fivemile Creek - 3rd order tributaries*	Sedimentation/Siltation; Chlorpyrifos; *E.*coli; Cause Unknown (Nutrients suspected)
Five Mile Creek ID17050114SW010_02 *Fivemile Crk, Eightmile and Ninemile Creeks -1st & 2nd order*	*E.*coli
Willow Creek ID17050114SW015_03 *Willow Creek - 3rd order*	Sedimentation/Siltation
Relevant Documents	***Dated***
ID Dept of Env. Quality. Lower Boise River TMDL Subbasin Assessment Total Maximum Daily Loads	September 1999. EPA Approved Jan 2000
ID Dept of Env. Quality. Lower Boise River TMDL 2015 Sediment and Bacteria Addendum..	*June 2015. EPA Approved Sept. 2015.*

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

ID Dept of Env. Quality. Lower Boise River TMDL 2015 Total Phosphorus Addendum.	*August 2015. EPA Approved December 2015*

F.4.1 Ada County Highway District

Pursuant to Part 4 (*Special Conditions*), Ada County Highway District (ACHD) is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Boise River & its tributaries
Impairments without a TMDL: Yes – Boise River & its tributaries
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, ACHD may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with another regulated MS4 subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** At a minimum, ACHD must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Boise River and/or its tributaries for the parameters listed in Table F.4.1 below.

Table F.4.1: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
ACHD MS4 Discharges into Boise River	Temperature; Fecal Coliform; Sedimentation/ Siltation; Total Phosphorus

3. **Pollutant Reduction Activities:** ACHD must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Boise River and/or its tributaries for pollutants identified in Table F.4, and to quantify such load reductions.

   ACHD must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Boise River and/or its tributaries, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* ACHD must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.4.1.2 and the written description of its selected Pollutant Reduction Activities required by Part F.4.1.3, as part of

an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. **Reporting Requirements**: Upon any revision to this Part by EPA, ACHD must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

   No later than (**April 3, 2023- *180 days before expiration***),* ACHD must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.4.2 Idaho Department of Transportation District #3

Pursuant to Part 4 (*Special Conditions),* Idaho Department of Transportation District #3 (ITD#3) is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Boise River & its tributaries
Impairments without a TMDL: Yes – Boise River & its tributaries
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, ITD#3 may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with one or more regulated MS4 operators subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** At a minimum, ITD#3 must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Boise River and/or its tributaries for the parameters listed in Table F.4.2 below.

Table F.4.2: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
ITD#3 MS4 Discharges into Boise River	Temperature; Fecal Coliform; Sedimentation/ Siltation; Total Phosphorus

3. **Pollutant Reduction Activities:** ITD#3 must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Boise River and/or its tributaries for pollutants identified in Table F.4. and to quantify such load reductions.

   ITD#3 must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Boise River and/or its tributaries, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* ITD#3 must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.4.2.2 and the written description of its selected Pollutant Reduction Activities required by Part F.4.2.3, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*)..

5. **Reporting Requirements**: Upon any revision to this Part by EPA, ITD#3 must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

   No later than (**April 3, 2023- *180 days before expiration***),* ITD#3 must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.4.3 City of Middleton

Pursuant to Part 4 (*Special Conditions),* City of Middleton is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Boise River & its tributaries
Impairments without a TMDL: Yes – Boise River & its tributaries
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, City of Middleton may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with another regulated MS4 subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** At a minimum, City of Middleton must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Boise River and/or its tributaries for the parameters listed in Table F.4.3 below.

Table F.4.3: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
City of Middleton MS4 Discharges into Boise River tributaries	Temperature; Fecal Coliform; Sedimentation/ Siltation; Total Phosphorus

3. **Pollutant Reduction Activities:** City of Middleton must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Boise River and/or its tributaries for pollutants identified in Table F.4, and to quantify such load reductions.

   City of Middleton must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Boise River and/or its tributaries, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***)***,** City of Middleton must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.4.3.2 and the written description of its selected Pollutant Reduction Activities required by Part F.4.3.3, as part of

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. **Reporting Requirements**: Upon any revision to this Part by EPA, City of Middleton must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

   No later than (**April 3, 2023- *180 days before expiration***),* City of Middleton must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.4.4 City of Caldwell

Pursuant to Part 4 (*Special Conditions),* City of Caldwell is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Boise River & its tributaries
Impairments without a TMDL: Yes – Boise River & its tributaries
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, City of Caldwell may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with another regulated MS4 subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** At a minimum, City of Caldwell must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Boise River and/or its tributaries for the parameters listed in Table F.4.4 below.

Table F.4.4: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
City of Caldwell MS4 Discharges into Boise River tributaries	Temperature; Fecal Coliform; Sedimentation/ Siltation; Total Phosphorus

3. **Pollutant Reduction Activities:** City of Caldwell must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Boise River and/or its tributaries for pollutants identified in Table F.4, and to quantify such load reductions.

   City of Caldwell must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Boise River and/or its tributaries, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* City of Caldwell must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.4.4.2 and the written description of its selected Pollutant Reduction Activities required by Part F.4.4.3, as part of

an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. **Reporting Requirements**: Upon any revision to this Part by EPA, City of Caldwell must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

   No later than (**April 3, 2023- *180 days before expiration***),* City of Caldwell must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.4.5 City of Nampa

Pursuant to Part 4 (*Special Conditions),* City of Nampa is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Boise River & its tributaries
Impairments without a TMDL: Yes – Boise River & its tributaries
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, City of Nampa may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with another regulated MS4 subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** At a minimum, City of Nampa must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Boise River and/or its tributaries for the parameters listed in Table F.4.5 below.

Table F.4.5: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
City of Caldwell MS4 Discharges into Boise River tributaries	Temperature; Fecal Coliform; Sedimentation/ Siltation; Total Phosphorus

3. **Pollutant Reduction Activities:** City of Nampa must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Boise River and/or its tributaries for pollutants identified in Table F.4, and to quantify such load reductions.

   City of Nampa must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Boise River and/or its tributaries, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* City of Nampa must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.4.5.2 and the written description of its selected Pollutant Reduction Activities required by Part F.4.5.3, as part of an Alternative Control Measure Request.

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. **Reporting Requirements**: Upon any revision to this Part by EPA, City of Nampa must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4(*Reporting Requirements*).

   No later than (**April 3, 2023- *180 days before expiration***),* City of Nampa must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.4.6 Canyon County Highway District

Pursuant to Part 4 (*Special Conditions),* Canyon Highway District #4 is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes – Boise River & its tributaries
Impairments without a TMDL: Yes – Boise River & its tributaries
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, Canyon Highway District #4 may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with another regulated MS4 subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** At a minimum, Canyon Highway District #4 must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Boise River and/or its tributaries for the parameters listed in Table F.4.6 below.

Table F.4.6: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
Canyon Highway District #4 MS4 Discharges into Boise River tributaries	Temperature; Fecal Coliform; Sedimentation/ Siltation; Total Phosphorus

3. **Pollutant Reduction Activities:** Canyon Highway District #4 must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Boise River and/or its tributaries for pollutants identified in Table F.4, and to quantify such load reductions.

   Canyon Highway District #4 must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Boise River and/or its tributaries, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant local inspections and other compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* Canyon Highway District #4 must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.4.6.2 and the written description of its selected Pollutant Reduction Activities required by Part F.4.6.3, as part of an Alternative Control Measure Request.

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. **Reporting Requirements**: Upon any revision to this Part by EPA, Canyon Highway District #4 must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4 (*Reporting Requirements*).

   No later than (**April 3, 2023- *180 days before expiration***),* Canyon Highway District #4 must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.4.7 [Reserved]

F.5 Clearwater Basin – Paradise Creek and South Fork Palouse River

F.5.1 - City of Moscow
F.5.2 – [Reserved]

Table F.5

IDEQ Waterbody/Assessment Unit/Description	***Pollutants of Concern***
Paradise Creek *ID17060108CL005_02* Paradise Creek - *Urban boundary to Idaho/Washington border*	*Ammonia* *E. coli; Fecal Coliform; Nutrient/Eutrophication; Biological Indicators; Sedimentation/Siltation; Temperature*
Paradise Creek (WA portion): Paradise Creek 10443; 10439; 10444	*Fecal coliform bacteria*
South Fork Palouse River ID17060108CL002_03 S. Fork Palouse River *Gnat Cr. to Idaho/Washington border*	*E.* coli; Nutrient/Eutrophication Biological Indicators; Sedimentation/Siltation; Temperature
S. Fork Palouse River (WA portion): SF Palouse River 6712; 6711; 6710; 6707	*Fecal coliform bacteria; Chlorinated pesticides; Polychlorinated Biphenyls*
Relevant Documents	***Dated***
ID Dept of Env. Quality. *Paradise Creek TMDL Water Body Assessment and Total Maximum Daily Load & Paradise Creek Total Maximum Daily Load Implementation Plan.*	December 1999. EPA Approved 2000
ID Dept of Env. Quality. Paradise Creek TMDL 2015 Bacteria Addendum.	*October 2015.*
WA Dept of Ecology. South Fork Palouse River Fecal Coliform Bacteria Total Maximum Daily Load - Water Quality Improvement Report WDOE Publication No. 09-10-060.	October 2009. EPA Approved 2009.
ID Dept of Env Quality. South Fork Palouse River Watershed Assessment and TMDLs.	July 2007. EPA Approved Nov. 2007.
WA Dept of Ecology. Palouse River Chlorinated Pesticide and PCB Total Maximum Daily Load, Water Quality Improvement Report and Implementation Plan; WDOE Publication No. 07-03-018.	July 2007. EPA Approved Nov 2007.

F.5.1 City of Moscow

Pursuant to Part 4 (*Special Conditions*), City of Moscow is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes - Paradise Creek, S.Fork Palouse River
Impairments without a TMDL: No.
Presence of ESA listed species? No

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, City of Moscow may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with another regulated MS4 subject to this permit. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities:** City of Moscow must submit a Monitoring/Assessment Plan as outlined in Part 6.2 that is designed to quantify pollutant loadings from the MS4 into Paradise Creek and South Fork Palouse River for the parameter(s) listed in Table F.5.1 below.

Table F.5.1: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
City of Moscow MS4 Discharges into South Fork Palouse River and Paradise Creek	PCBs; fecal coliform/E. coli

3. **Pollutant Reduction Activities:** City of Moscow must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Paradise Creek and South Fork Palouse River for pollutants identified in Table F.5, and to quantify such load reductions.

   City of Moscow must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into Paradise Creek and South Fork Palouse River, based on consideration of relevant and available information, such as: previously collected *E. coli*, PCBs; nutrients; sediment/siltation; and/or temperature monitoring data; cleanup activities at sites with PCBs as a identified contaminant; and/or available local business inspection compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* the City of Moscow must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.5.1.2 and the written description of its selected Pollutant Reduction Activities required by Part F.5.1.3, as part of an Alternative Control Measure Request.

   EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. **Reporting Requirements**: Upon any revision to this Part by EPA, City of Moscow must thereafter document in each Annual Report its individual or

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4 (*Reporting Requirements*).

No later than (**April 3, 2023-** ***180 days before expiration***),* City of Moscow must submit a final report summarizing all Monitoring /Assessment and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.5.2 - [Reserved]

F.6 Clearwater Basin – Snake River, Tammany Creek and Lindsay Creek

F.6.1 - City of Lewiston
F.6.2 - Lewis Clark College
F.6.3 – Idaho Trans. Department District #2
F.6.4 – Reserved

Table F.6

IDEQ Waterbody/Assessment Unit/Description	***Pollutants of Concern***
Snake River/ Lower Granite Dam Pool ID17060103SL001_08 *Snake River - Asotin River (Idaho/Oregon border) to Lower Granite Dam pool*	*Temperature*
Tammany Creek ID17060103SL014_02 *Tammany Crk WBID 015 to unnamed tributary* ID17060103SL014_03 *Tammany Crk Unnamed Tributary to mouth* ID17060103SL016_02 *Tammany Crk Source to Unnamed Tributary (T34N, R04W, Sec19)*	*E. coli;* Nitrogen, Nitrate; Total Phosphorus; Sedimentation/Siltation
Lindsay Creek ID17060306CL003_02 Lindsay Creek *Source to mouth* ID17060306CL003_03 Lindsay Creek *Source to mouth*	*E.* coli; Nutrient/Eutrophication Biological Indicators; Sedimentation/Siltation
Relevant Documents	***Dated***
ID Dept of Env. Quality. Tammany Creek Watershed (HUC 17060103) TMDL Addendum	Sept. 2010; EPA Approved Dec. 2010
ID Dept of Env. Quality. Lindsay Creek Watershed Assessment and Total Maximum Daily Loads	Dec. 2006, Amended March 2007. EPA Approved, June 2007

F.6.1 City of Lewiston

Pursuant to Part 4 (*Special Conditions*), City of Lewiston is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes - Tammany Creek, Lindsay Creek
Impairments without a TMDL: Yes - Snake River/ Lower Granite Dam Pool
Presence of ESA listed species? Yes

1. **Joint Responsibility and Joint Agreement**: As allowed by Part 2.8.2, City of Lewiston demonstrates compliance with one or more requirements of this GP through a co-permittee relationship with Lewis-Clark State College. See GP Part 2.8.2.

2. **Monitoring/Assessment Activities - Lower Granite Dam Pool:** At a minimum, City of Lewiston must submit a Monitoring/Assessment Plan as outlined in Part

6.2 that is designed to quantify pollutant loadings from the Lewiston MS4 into Lower Granite Dam Pool for the parameters listed in Table F.6.1 below.

Table F.6.1: Minimum Monitoring/Assessment Expectations

Location(s)	Pollutant Parameters
City of Lewiston MS4 Discharges into Lower Granite Dam Pool	Temperature, (*To Be Determined through ESA Consultation*)

3. **Pollutant Reduction Activities:** City of Lewiston must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Snake River/Lower Granite Dam Pool, Tammany Creek, and/or Lindsay Creek for pollutants identified in Table F.6, and to quantify such load reductions.

   City of Lewiston must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Snake River/Lower Granite Dam Pool, Tammany Creek, and/or Lindsay Creek, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant City inspections and other compliance records.

4. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* the City of Lewiston must submit, at a minimum, the Monitoring/Assessment Plan required by Part F.6.1.2 and the written description of its selected Pollutant Reduction Activities required by Part F.6.1.3, as part of an Alternative Control Measure Request.

   EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

5. **Reporting Requirements**: Upon any revision to this Part by EPA, City of Lewiston must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating the effectiveness of its actions to achieve pollutant load reductions. See also Part 6.4 (*Reporting Requirements*).

   No later than (**April 3, 2023- *<u>180 days before expiration</u>***),* City of Lewiston must submit a final report summarizing all Monitoring/Assessment information and Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

**** All Compliance dates are provided in this Draft assuming a permit effective date of October 1, 2018.***

F.6.2 Lewis-Clark State College

Pursuant to Part 4 (*Special Conditions*), Lewis-Clark State College is an Affected Permittee subject to the additional requirements listed below based on water quality impairments and/or presence of ESA listed species.

Impairments with Applicable TMDL: Yes - Lindsay Creek
Impairments without a TMDL: Yes - Snake River/ Lower Granite Dam Pool
Presence of ESA listed species? Yes

1. **Joint Responsibility and Joint Agreements**: As allowed by Part 2.8.2, Lewis-Clark College demonstrates compliance with one or more requirements of this GP through a co-permittee relationship with City of Lewiston. See GP Part 2.8.2.

2. **Pollutant Reduction Activities:** Lewis-Clark State College must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Snake River/Lower Granite Dam Pool, and/or Lindsay Creek for pollutants identified in Table F.6, and to quantify such load reductions.

   Lewis-Clark State College must prioritize implementation of selected activities in MS4 areas/locations discharging to the Snake River/Lower Granite Dam Pool, and/or Lindsay Creek, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant City inspections and other compliance records.

3. **Alternative Control Measure Request:** No later than (***April 2, 2019- 180 days from effective date***),* Lewis-Clark State College must submit, at a minimum, the the written description of its selected Pollutant Reduction Activities required by Part F.6.2.2, as part of an Alternative Control Measure Request.

   EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

4. **Reporting Requirements**: Upon any revision to this Part by EPA, Lewis-Clark State College must thereafter include in Annual Reports its individual or collective progress on conducting targeted actions, gathering appropriate information and evaluating effectiveness to achieve pollutant load reductions. See also Part 6.4 (*Reporting Requirements*).

No later than (**April 3, 2023- *180 days before expiration***),* Lewis-Clark State College must submit a final report summarizing all Pollutant Reduction Activities with its Permit Renewal NOI as required by Part 8.2.

F.6.3 Idaho Department of Transportation District #2

1. **Joint Responsibility and Joint Agreements**:
   As allowed by Part 2.8.2, ITD#2 may demonstrate compliance with one or more requirements of this GP through a co-permittee relationship with one or more regulated MS4 operators subject to this permit. See GP Part 2.8.2.

2. **Pollutant Reduction Activities:**
   ITD#2 must define and implement at least two (2) pollutant reduction activities designed to reduce pollutant loadings from the MS4 into Snake River/Lower Granite Dam Pool, for pollutants identified in Table F.6, and to quantify such load reductions.

   ITD#2 must prioritize the implementation of its selected activities in the MS4 areas/locations that discharge into the Snake River/Lower Granite Dam Pool, based on consideration of relevant and available information, such as: previously collected monitoring data; cleanup activities at sites with the target pollutants identified as a contaminant; and/or relevant nspections and other compliance records.

3. **Alternative Control Measure Request:**
   No later than (***April 2, 2019- 180 days from effective date***),* ITD#2 must submit, at a minimum, the written description of its selected Pollutant Reduction Activities required by Part F.6.3.2, as part of an Alternative Control Measure Request.

   EPA will review the ACM Request and, as necessary, will propose to revise this Appendix to incorporate by reference the specific monitoring/assessment and pollutant reduction activities after an opportunity for public comment and to request a hearing . See Part 2.9.4 (*Recognition of ACMs*).

4. **Reporting Requirements**:
   Upon any revision to this Part by EPA,, ITD#2 must thereafter document in each Annual Report its individual or collective progress on conducting targeted actions, gathering appropriate information, and evaluating the effectiveness of its actions to achieve its intended pollutant load reductions. See also Part 6.4 (*Reporting Requirements*).

No later than (**April 3, 2023- *180 days before expiration***),,* ITD#2 must submit a final report summarizing all Pollutant Reduction Activities with its Permit Renewal NOI/Application required by Part 8.2.

F.6.4 [Reserved]

APPENDIX G - ADDRESSES & CONTACT INFORMATION

1. **Submit Notices of Intent, Amended NOIs, Alternative Control Measure Requests, Notifications required by Part 5.1, Permit Renewal NOIs, and/or Notices of Termination:** Such documents must be signed as required by Part 8.5, and submitted by U.S. Postal Mail to both EPA and IDEQ addresses below:

   Director, Office of Water and Watersheds
   Attn: Idaho MS4 General Permit Coordinator
   U.S. Environmental Protection Agency, Region 10
   1200 6th Avenue, Suite 900, OWW-191
   Seattle, Washington 98101

   Director, Water Division
   Idaho Department of Environmental Quality
   Attn: MS4 Program
   1410 North Hilton
   Boise, ID 83854

   When applicable, the MS4 operator must also submit a copy of the NOI, Amended NOI and/or Notice of Termination to any affected tribe whose waters may be impacted. See Tribal Addresses, below.

2. **Submit Annual Reports, including any necessary attachments as required by this GP**: Such documents must be signed as required by Part 8.5, and submitted by U.S. Postal Mail to both EPA and IDEQ addresses below:

   Director, Office of Compliance and Enforcement
   Attn: Idaho MS4 Permit Compliance
   U.S. Environmental Protection Agency, Region 10
   1200 6th Avenue, Suite 900, OCE-101
   Seattle, Washington 98101

   Director, Water Division
   Idaho Department of Environmental Quality
   Attn: MS4 Program
   1410 North Hilton
   Boise, ID 83854

3. **General Contact Information for EPA, IDEQ and Tribes:**

   EPA Region 10:
   Office of Water and Watersheds, NPDES Permits Unit
   1200 6th Avenue, Suite 900 (OWW-191), Seattle WA 98101
   (206) 553-6650 or (800) 424-4372, extension 6650; vakoc.misha@epa.gov

Idaho Department of Environmental Quality:
http://www.deq.idaho.gov/water-quality.aspx

IDEQ- State Office
1410 North Hilton Street
Boise, ID. 83706
208/373-0502

Idaho Department of Environmental Quality, Twin Falls Regional Office
650 Addison Avenue West, Suite 110
Twin Falls, ID 83301
208/

Idaho Department of Environmental Quality, Boise Regional Office
1445 N. Orchard Street
Boise, Idaho 83706-2239
208/

Idaho Department of Environmental Quality, Pocatello Regional Office
444 Hospital Way, #300
Pocatello, Idaho 83201
208/

Idaho Department of Environmental Quality, Lewiston Regional Office
1118 F Street
Lewiston, Idaho 83501
208/

Idaho Department of Environmental Quality, Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814
208/

Idaho Department of Environmental Quality, Idaho Falls Regional Office
900 N. Skyline Street, Suite B
Idaho Falls, Idaho 83402
208/

Tribal Governments:

Coeur d'Alene Tribe of Idaho:
www.cdatribe-nsn.gov
Chairman, Coeur d'Alene Tribal Council
P O Box 408
Plummer, ID 83851
(208) 686-1800

Kootenai Tribe of Idaho:
www.kootenai.org
Chairman, Kootenai Tribal Council
P O Box 1269
Bonner's Ferry, ID 83805
(208) 267-3519

Nez Perce Tribe of Idaho:
www.nezperce.org
Chairman, Nez Perce Tribe of Idaho
P O Box 305
Lapwai, ID 83540
(208) 843-7324

Northwestern Band, Shoshone
Jason S. Walker, Chairman
jswalker@ida.net
Northwestern Band, Shoshone
505 Pershing Ave., Suite 200
Pocatello, ID 83201
(208) 478-5712

Shoshone-Bannock Tribes of Fort Hall:
www.shoshonebannocktribes.com
Chairman, Business Council
Shoshone-Bannock Tribes of Fort Hall
P O Box 306 Pima Drive
Fort Hall, ID 83203
(208) 478-3700
council@shoshonebannocktribes.com

APPENDIX H – [RESERVED]