



Lake Killarney Advisory Board Regular Meeting

Agenda

December 3, 2021 @ 10:00 am

Virtual

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

-
1. **Call to Order**
 2. **Consent Agenda**
 3. **Staff Updates**
 - a. **Introduction of Board Members and Staff** 15 minutes
 4. **Public Comments (for items not on the agenda): Three minutes allowed for each speaker**
 5. **Non-Action Items**
 - a. **Board member orientation** 15 minutes
 - b. **Review the Duties of the Board** 10 minutes
 - c. **Lakes Management** 20 minutes
 - d. **Stormwater Management** 20 minutes
 6. **Action Items**
 - a. **Election of Chairperson** 5 minutes
 - b. **Election of Vice-Chairperson** 5 minutes
 - c. **Establish a regular meeting schedule** 10 minutes
 7. **Public Hearings**
 8. **Board Comments**
 9. **Adjournment**



item type Staff Updates	meeting date December 3, 2021
prepared by Melissa Meade	approved by
board approval	
strategic objective	

subject

Introduction of Board Members and Staff

motion / recommendation

background

Board Members:

Name	Appointed by	Term ends:
Joyce Cunningham	Commissioner Weaver	2022
Jacqueline Giovanetti	Commissioner Cooper	2022
William Voecks	Commissioner Sullivan	2023
Jeanne Wall	Commissioner DeCiccio	2023
David Dickerson	Mayor Anderson	2024
Carolyn Minear	Mayor Anderson	2024
John Mitchell	Mayor Anderson	2024

Staff Liaisons:

Michelle del Valle - Assistant City Manager

Jake Allman - Interim Natural Resources Director

Troy Attaway - Public Works Director

Melissa Meade - Recording Secretary to the Board

alternatives / other considerations

fiscal impact



Lake Killarney Advisory Board

agenda item

item type Non-Action Items	meeting date December 3, 2021
prepared by Melissa Meade	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Board member orientation

motion / recommendation

background

Review Sunshine Law and Public Records Requests

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[BoardMember Handbook.pdf](#)

ATTACHMENTS:

[Board Orientation Workshop on Sunshine Law Voting Conflicts - May 2021.pptx](#)

motion to recess

Calls for a short break during the meeting. The motion may be amended, but cannot be debated.

motion to adjourn

Ends all discussion at the meeting. This motion must be voted on immediately, and cannot be amended or debated.

Without exception, a motion must be seconded before it can be subject to a vote. A member may ask for a “point of privilege,” such as request for a speaker to talk louder or that the temperature of the room be altered for comfort, without receiving a second. In the case of a point of privilege, no vote is required. No speaker may be interrupted, unless he or she is requesting a point of privilege, or introducing a motion to reconsider or rescind.

board chair



Each municipal board is required to appoint a chairperson and a vice chairperson. It is very important for the chairperson to set a good example for the rest of the board. Therefore, promptness and good attendance are highly desirable qualities.

The chairperson, or in his or her absence, the vice chairperson, sets the tone for the meeting. He or she calls the meeting to order and guides the board through the items on the agenda. He or she is also responsible for making sure the meeting runs smoothly, ensuring that members are recognized in due order, and guiding the wording of motions so that they are stated in proper order.

The chairperson should be sure that the audience is aware of the actions being taken. They should recognize a speaker for a comment (when applicable), call for a vote, and announce the outcome of votes. The chairperson may also declare frivolous motions out of order and appoint members to committees, but should always be fair and impartial when taking these or any other official actions.

citizen boards



updated May 2021

Board of Adjustments	Keep Winter Park Beautiful & Sustainable Advisory Board
Civil Service Board	Lakes & Waterways Advisory Board
Code Compliance Board	Orange Avenue Overlay
Community Redevelopment Advisory Board	Appearance Review Board
Construction Board of Adjustments & Appeals	Parks & Recreation Advisory Board
Economic Development Advisory Board	Planning & Zoning Board
Golf Course Advisory Board	Public Art Advisory Board
Historic Preservation Board	Tree Preservation Advisory Board
Housing Authority Board	Transportation Advisory Board
	Utilities Advisory Board
	Winter Park Firefighters' Pension Board
	Winter Park Police Officers' Pension Board

board member



HANDBOOK



Winter Park is the city of arts and culture, cherishing its traditional scale and charm while building a healthy and sustainable future for all generations.



General guidelines



Each municipal board in Winter Park is composed of community members, appointed by individual members of the City Commission or the City Commission as a whole. Board members **volunteer their services**. In most cases, the boards make recommendations to the City Commission. In some cases, however, board members will make quasi-judicial decisions regarding specific situations in the city. "Quasi-judicial" generally means a proceeding in which a public body makes decisions applicable to an individual or entity after hearing testimony and/or receiving other evidence.

Board members are preferred to be city residents, unless non-residency is otherwise a requirement by charter or statute. The city must be assured that the prospective member can fulfill board attendance requirements and that the applicant has an interest in the board for which he or she will be appointed. In addition, most boards will also require that **applicants complete a Financial Disclosure Statement**.

It is incumbent upon the members of each board to **maintain a sense of decorum** during all meetings so as not to interfere with the clearly stated goals of the board. In addition, each member of a board must be allowed to speak openly and candidly during meetings, and listen and respond to other members and individuals who may appear before the board.

Each board is supported by city staff members. The staff will provide orientation and education regarding specific subjects which the board will consider. The staff will also provide background information, when possible, at the request of board members. Staff members will attend meetings in a non-voting capacity, and inform the City Commission of action taken by the boards. City staff will also record attendance and take minutes at each meeting.

In order for board members to remain well-informed, they are asked to review the minutes of previous meetings, and be familiar with the current meeting agenda. In addition, so that a quorum is present at each meeting, it is highly desirable for each board member to attend all meetings of his or her board. **Informing staff of your planned attendance or absence is important** for a quorum to be established and for meeting preparation and planning purposes.

Media & social media



If any member of a board is approached by a news reporter regarding city matters currently pending or may come before the board for consideration, it is recommended for the board member to refer all media inquiries to the city's communications director, who will then coordinate any information and/or interviews, as needed. The city discourages any post by a member of any board to a social media site or other external web service regarding a matter currently pending or which may foreseeably come before the board. These posts may

motion to amend

This motion changes the main motion before it comes up for a final vote. A Motion to Amend takes precedence over the motion to which it applies.

Example: *"I move that the conditional use be approved subject to the following conditions..."*

motion to extend or limit debate

Sets a limit on the time to be spent considering a topic, either by limiting each speaker to an allotted time, or by setting a time limit for the entire discussion of an item. A motion to limit debate requires a two-thirds margin for approval.

motion to refer

Declares the intent of the board to send the item under consideration to another board or a subcommittee.

Example: *"I move to refer this motion back to the Lakes & Waterways Board for further clarification."*

motion to postpone

Sets a new date and time for consideration of an item.

motion to postpone indefinitely

Delays consideration of an item until certain conditions are met, or until more information is available. A new time for consideration is not immediately set. This motion may be debated, but cannot be amended.

motion to table

Temporarily sets aside a motion being considered. Item must be taken off the table at the next meeting, even if it is tabled once again. This motion must be voted on immediately, and cannot be debated or amended.

Example: *"I move that we table this item until the principles are able to provide more definitive information regarding the project."*

motion to reconsider

Revisits an item which has already been adopted or rejected earlier in the **same** meeting. This motion may be debated, but cannot be amended.

Example: *"I move to reconsider our previous action, regarding the matter of..."*

motion to rescind

Repeals an action taken at an earlier meeting. This motion may be amended, but cannot be debated. A motion to rescind requires a two-thirds margin for approval.

Example: *"I move we rescind our action of May 4, regarding..."*

not discriminate on the basis of gender, age, race, creed, color, origin or economic status. Second, an accommodation must be made for a physically disabled individual who wishes to attend, as long as the individual provides 48 hours of advance notice of his or her intent to attend the meeting or address the board.

“Reasonable notice” must be given of any municipal meeting. Although there is no strict standard for this notice, the Attorney General has ruled that a notice should contain the time and place of the meeting, and if possible, an agenda. Notices should be placed at least 24 hours in advance in a prominent location (such as City Hall or a comparable area). The notice should also advise individuals that a verbatim record of the proceedings may be needed in order to appeal any decision.

The Sunshine Law requires that **minutes of all meetings be kept in written form**. Minutes can also be recorded on audio tape, but a written record of the meeting must still be preserved.

All board members present must vote on matters, unless a member declares a conflict of interest. Those votes must be kept in the minutes. Secret ballots are prohibited. A roll-call vote is not necessary in every case; a voice vote is sufficient when there is a clear consensus, although a roll-call vote is required for all Commission ordinances and resolutions.

Knowingly **violating the Sunshine Law is a second degree misdemeanor**, which is punishable by a \$500 fine and up to 60 days in jail. Inadvertent violations are still considered civil infractions, and are punishable by fines of up to \$500.

Actions taken in violation of the Sunshine Law are null and void.

Members of the general public have the right to sue it they have been adversely affected by an action undertaken in violation of the law. Such an action taken in violation of the Sunshine Law may be cured by a new action conducted properly, according to the Sunshine Law.

Motions

Members of municipal boards are **encouraged to follow parliamentary procedure** during meetings. For a comprehensive review of parliamentary procedure, members may wish to review *Roberts Rules of Order*, however, adoption of *Roberts Rules of Order* is not required or recommended.

Below are a few actions with which members should familiarize themselves. Please remember that **motions require a majority vote**, and may be debated or amended, unless otherwise noted below.

main motion

Proposes a specific action on the matter at hand. Only one main motion may be considered at a time. Any secondary motions must be Motions to Amend (see below) the original, main motion. Another main motion may be introduced if the original main motion fails.

Example: “I move that the conditional use be approved.”

constitute a public record under Chapter 119, Florida Statutes. In no event should a board member respond to a post by another member of such board, commission, or committee on any social media site or other external web service where such post relates to any matter pending before such board or which may foreseeably come before such board. This action could constitute a violation of the open meeting requirements under the Sunshine Law, Chapter 286, Florida Statutes. See AGO 2008-07.

Code of Ethics

The City Commission, desiring to have high ethical standards and heightened awareness of ethical issues as they relate to government adopted Ordinance No. 2818-10 after the people of Winter Park, voted through a charter amendment to require the adoption and maintenance of a local code of ethics. The current Code of Ethics follows state law and allows for enforcement through the State of Florida Commission on Ethics.

public ethics summary

Below is an outline of topics covered by state law regarding the most common questions related to ethical issues. This is not intended to replace the statutes or to address every situation. It is intended to assist residents and business owners in researching ethical topics. For detailed information on the specific ethics laws, please rely on state statutes at leg.state.fl.us/statutes.

1. If you have a question regarding ethics, you can call The Florida Commission on Ethics at **850-488-7864** for an opinion, and also request the opinion in writing.
2. Ethics are governed exclusively by the Commission on Ethics.
3. Acceptance of Gifts (FS 112.3418):
 - a. cannot accept gifts over \$100 from a lobbyist (person appearing before you).
 - b. must report gifts over \$100, includes food (even if it is a joint gift to you and spouse).
4. Employment of Relative or Self-Dealing (FS: 112.313 (3) (7)):
 - a. generally may not sell/lease goods/services to city,
 - b. generally may not hold employment with a business entity regulated or doing business with the city.
 - c. generally may not seek employment or appointment of a relative.

Members of advisory boards may, in some instances, receive a waiver from the general prohibition against conflicts and dealing with or working for your own agency. Some of the boards and commissions of the City of Winter Park are not purely advisory. However, if you are a member of a board which only has the authority to give advice and make recommendations, then a potential conflict or conflicting contract or employment may be waived if the matter is fully disclosed and the waiver is granted by a majority vote of quorum present of your board.



If you believe that you may have an issue that could be waived, please bring that matter to the attention of the Assistant City Manager and make a disclosure of the matter, at which point you will receive specific advice concerning the possibility of a waiver.

5. Voting Conflicts (FS 112.3143)

- a. cannot vote if the vote would inure to your special private gain or loss or the gain or loss of employer or relative or business associate.
- b. “special gain or loss” means direct financial gain or loss.
- c. must file a Memorandum of Voting Conflict form with the City Clerk or board liaison within 15 days of declaring a conflict.
- d. must vote unless declare conflict based on direct financial gain.
- e. if you do not feel like you have enough information to vote:
 - i. move to continue the matter; or
 - ii. vote no stating you do not have enough information, and then seek to have it reconsidered to get more information.

Contacting staff If you have any questions or concerns regarding your service, please email the Assistant City Manager at ethics@cityofwinterpark.org.

Contacting State Commission The Florida Commission on Ethics can be accessed at ethics.state.fl.us

To report a potential violation of the Code of Ethics/State Law, please access ethics.state.fl.us and [click on FAQ's](#) or call **850-488-7864**.

Ex-parte communications



An *ex-parte* communication in its usual sense is one that takes place outside a formal meeting or hearing, without notice or the presence of other interested persons or parties.

At times, these informal conversations, communications or letters about items being considered by municipal boards acting in a quasi-judicial capacity may be considered prejudicial, especially if the city board in question is acting in a quasi-judicial fashion. See *Jennings vs. Dade County*, 589 So. 2d 1337 (Fla. 3rd DCA 1991). In consideration of this issue, but in order to allow board members to have appropriate contact with the public on matters of public concern, the City of Winter Park created Article VII “Access to Public Officials” found in Sections 2-196 through 2-199 of the Code of Ordinances.

Under the Access to Public Officials ordinance, Winter Park public officials, even regarding a matter as to which they will be acting in a quasi-judicial capacity, may receive *ex-parte* communications, either orally or in writing, and may conduct investigations and site visits and receive expert opinions. The only requirement is that the **public official, before taking final action on the matter, must disclose the nature of the *ex-parte* communication**, identifying the

person, group or entity with whom the communication took place, the subject of the communication, the existence of the investigation, site visit or expert opinion, and make the communication a part of the record.

The **disclosure must be made before or during the public meeting at which a vote is taken** so the persons who have opinions contrary to those expressed in the *ex-parte* communication are given a reasonable opportunity to refute or respond to the communication. A board member is not required to hear *ex-parte* communications, and may, if the board member chooses, request persons to refrain from such communication and instead provide any information at the public meeting. See also section 286.0115, Florida Statutes, for more information regarding *ex-parte* communications and requirements to disclose such.

Authority & enforcement guidelines

No authority to engage in enforcement or self help.

A member of a board, commission or authority of the City of Winter Park **does not have the authority to individually take any action** on behalf of the City of Winter Park, **nor** is an individual member authorized to take any action **to enforce any provision** of Winter Park’s ordinances and Code of Ordinances. Reminding neighbors of the rules and regulations can be helpful; however, attempting to enforce the city’s codes is the job of city code compliance and police officers. This keeps members safe from unnecessary risk of confrontation or injury as well as protects the city from any possible liability.

If an individual member believes that a person is in violation of an ordinance or the Municipal Code, they should **contact the Code Compliance Section** at **407-599-3600**, or the **police department non-emergency number** at **407-644-1313**. A member may also contact the City Manager or Assistant City Manager regarding the perceived violation of local law.

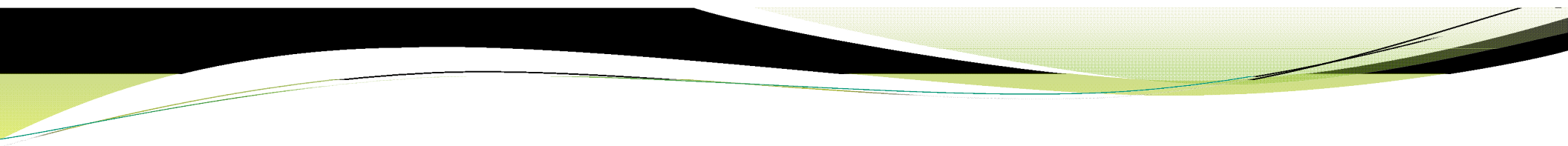
Sunshine Law



Florida’s Government in the Sunshine Law (Section 286.011, *Florida Statutes*) requires that meetings of municipal boards and commissions, at which official actions will be taken, be declared open to the public at all times. No resolutions, rules or formal actions are considered binding if the municipal meeting was not held in public.

A meeting is defined as any occasion where two or more members of the same board are present (either in person, by telephone or when conferring by written documents, text or email), and discussion ensues on which a “foreseeable action” will be taken. In other words, **no two members of any municipal board may meet to discuss any action pending before their board unless publicly noticed**. Please note that **email communications are not exempt** from this law.

In addition, the **Sunshine Law requires that public meetings be held under certain conditions**. First, the meeting must be held in a facility that does **8**



City of Winter Park Board Orientation

May 13, 2021

Presented by Dan Langley, Deputy City Attorney
Fishback Dominick

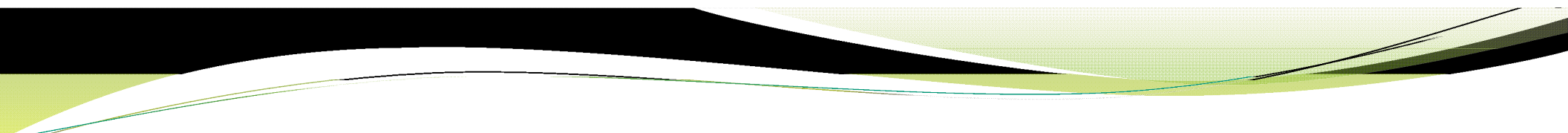
Sunshine Law

Section 286.011, Florida Statutes

- Board members are subject to the Government in the Sunshine Law.
- The law has been applied to any gathering between two or more members of the same board to discuss some matter which will foreseeably come before that board for action. There is no requirement for a quorum to be present for a meeting to be subject to Sunshine Law.
- There are three basic requirements of Sec. 286.011, Fla. Stat.:
 - Meetings of Board must be open to the public;
 - Reasonable notice of such meetings must be given; and
 - Minutes of the meetings must be taken.

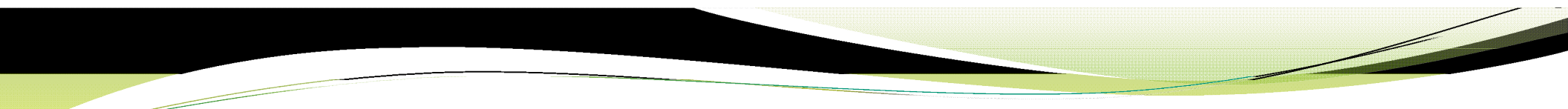
Sunshine Law

- Discussions between two or more members of the same Board outside of a public meeting to discuss, solicit opinions and comments, or inform other members of a subject which will be or foreseeably will be discussed at a public meeting of the Board, is a violation of the Sunshine Law.
- The key is for each member of the Board to not have any discussion with any other member of the Board concerning the business of the Board unless it is during a public meeting of the Board.
- Meeting with another Board member includes communications by:
 - In person meetings
 - E-mail, social media, internet blogs, etc.
 - Memos, mail, passing notes, letters, etc.
 - Telephone
 - Use of non-board member liaisons between members



Sunshine Law

- Even during the public meeting, refrain from passing notes or whispering comments with other Board Members concerning matters pending or likely to come before the Board.
- When receiving emails from City staff or members of the public directed to two or more members of the Board regarding the Board's agenda or Board business, Do Not “Reply All” to the email, as it creates the potential for a Sunshine Law violation.
- If you have questions or comments about a City staff member's email to the Board members, reply only to the City staff member or call the City staff member to discuss.



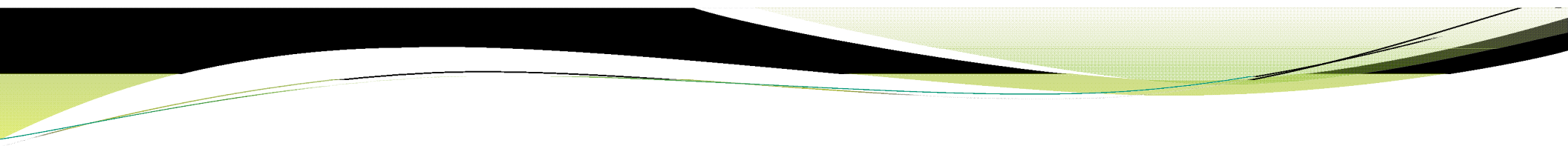
Sunshine Law

Penalties for Violations

- Any Member who *knowingly* violates the Sunshine Law is guilty of a misdemeanor of the second degree, which is punishable by imprisonment up to 60 days and/or a fine of \$500.00.
- Suspension upon indictment and removal from office upon conviction.
- Non-criminal penalties for violations are punishable by a fine up to \$500.00 and reasonable attorney's fees assessed against the violating member.
- Board actions taken in violation or tainted by a violation of the Sunshine Law may be void.

Public Records

- E-mail messages, text messages, social media posts, other written correspondence, recordings, pictures, videos, or other records *generated or received by a Board member in connection with official business of the Board* are public records and subject to disclosure in the absence of a statutory exemption from public inspection.
- Under Chapter 119, Florida Statutes (the Public Records Act), it is the nature of the record itself, not its physical location, which determines whether a record qualifies as a “public record.”
- Even emails generated or received on a private email account can be a public record if it relates to Board business.



Public Records

- Public records are subject to public inspection and proper retention.
- If you generate or receive public records during your service on the Board for which the City Clerk or the City's computer server would not otherwise have the original or copy, for record keeping purposes, it is a good practice and highly recommended that you provide the City Clerk a copy of such record for preservation and maintenance.

Voting

Section 286.012, Florida Statutes, provides that no Member of the Board who is present at any Board meeting at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting, except:

- when, with respect to any such Member, there is, or appears to be, a possible conflict of interest prescribed in Chapter 112, Florida Statutes; or
- in a quasi-judicial proceeding, the member abstains from voting to assure a fair proceeding free from potential bias or prejudice.

Voting Conflicts

Chapter 112, Florida Statutes

- No Board member shall vote upon any matter which:
 - would inure to the member's special private gain or loss;
 - the member knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained;
 - he or she knows would inure to the special private gain or loss of a relative or business associate of the member.

Voting Conflicts

“Special private gain or loss” = economic benefit or harm that would inure to the officer, his or her relative, business associate, or principal, unless the measure affects a class of persons, in which case there are statutory factors to consider. How to measure if officer is part of a class affected by the vote or action?

Minimum factors to be considered:

- size of the class;
- nature of the interests involved;
- degree to which all class members are affected;
- benefit or burden received by official compared to others in class; and
- The degree of uncertainty as to economic benefit or harm and, if it is uncertain, the nature or degree of the economic benefit or harm must also be considered.

Size of Class Test

Size of Class Examined on a Case-by-Case Basis:

Example: In CEO 90-17, a Town of Melbourne Beach Commissioner lived in a subdivision with 83 lots, and owned 1.2% of the lots. Could he vote to impose a special assessment on all 83 lots to dredge canals for drainage of the subdivision? Because his interest was so small in comparison to the size of the class, no voting conflict of interest.

Example: In CEO 96-12, a county commissioner was found to have no voting conflict related to a proposed convention center project where the commissioner owned four out of 605 parcels that would be affected by the project (about 0.70%)

Example: In CEO 92-37 a City Commissioner owned 5 hotel or apartment buildings in an area that might be added to a historic preservation district. The Commissioner either owned 5 of 60 eligible sites (8.3%) or 5 of 168 eligible sites (3.0%), depending upon how big the area of potential designation would be. Voting conflict of interest? Commission of Ethics says: Yes.

Key point: There is not a bright line rule but if you are more than 1% to 2% of the class affected by the vote, you likely have a voting conflict of interest based on Commission on Ethics' opinions.

Voting Conflicts

Chapter 112, Florida Statutes

- A Member with a voting conflict shall:
 - Abstain from voting on the conflicting matter.
 - Prior to the vote being taken, publicly state to the assembly the nature of the Member's interest in the matter from which he or she is abstaining from voting.
 - Within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person recording the Board minutes.

Caution on Participation in Voting Conflict Situations

- Section 112.3143(4), Florida Statutes, requires appointed public officers to, prior to participation in any matter that would inure to the officer's special private gain or loss, disclose the nature of his or her interest in the matter with a written disclosure memorandum.
- The term “participate” means any attempt to influence the decision by oral or written communication, whether made by the officer or at the officer's direction. NOTE: This has been interpreted to include an attempt to influence the recommendations of the City staff to the Board.
- While the statute affords an opportunity to participate in the Board discussion without voting on a matter after the required written disclosure is made, it is best not to participate in the discussions for which you have a voting conflict.

Other Ethics Laws

Section 2-48 of the City Code: No member of a board or ad hoc committee shall represent a third party in any proceeding before such board to which the member belongs.

Section 112.313(2), Florida Statutes:

- SOLICITATION OR ACCEPTANCE OF GIFTS.—No public officer, employee of an agency, local government attorney, or candidate for nomination or election shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer, employee, local government attorney, or candidate would be influenced thereby.

Section 112.313(6), Florida Statutes:

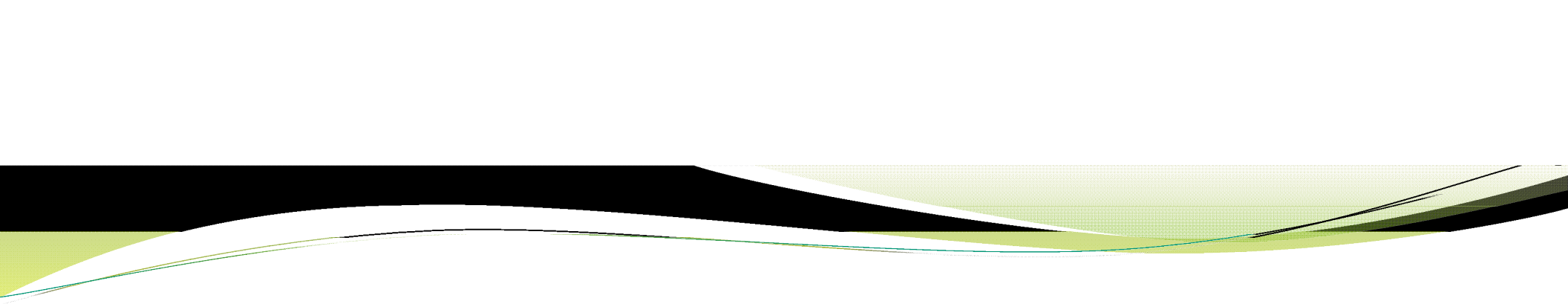
- (6) MISUSE OF PUBLIC POSITION.—No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others. This section shall not be construed to conflict with s. 104.31.

Section 112.313(7)(a), Florida Statutes:

- (7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—
- (a) No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

Quasi-Judicial Decisions

- A quasi-judicial action applies an existing rule or code to a small number of people or a particular piece of property.
- In a quasi-judicial proceeding, certain elements of due process must be afforded the applicants and participants, such as:
 - Reasonable notice of a hearing
 - Right to be heard and submit evidence at the hearing
 - Recommendations and decisions of the Board must be based on competent substantial evidence in the record.
- Due process must be afforded to all participants. Conduct of proceedings must be in accordance with established rules and principles such that interested parties may meaningfully participate in the process.
- Refrain from taking a position for or against an application that involves a quasi-judicial decision until after hearing all the evidence presented at the public hearing. Avoid making statements in advance of Board deliberations that would subject you or the Board to scrutiny for having your mind made up or being prejudicially biased for or against an application and/or interested party/person.



Quasi-Judicial Decision Based on Criteria

- Quasi-judicial decisions should be based on the applicable criteria for the approval being requested or matter being considered.
- For example, each type of development application has a set of criteria set forth in the City's Code. The application must meet the applicable criteria to be approved.
- The Board's duty is to determine whether based on competent, substantial evidence in the record made at the hearing, the application meets or fails to meet the criteria.

Competent Substantial Evidence

- Substantial evidence has been described as such evidence as will establish a substantial basis of fact from which the fact at issue can be reasonably inferred.
- For the “substantial” evidence to also constitute “competent” evidence, the evidence relied upon should be sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusion reached.
- Some of the items that can be relied upon as competent substantial evidence are:
 - City staff reports and testimony
 - Fact based applicant and citizen testimony
 - Comprehensive plan and zoning maps and ordinances
 - Expert testimony and reports.



Lake Killarney Advisory Board

agenda item

item type Non-Action Items	meeting date December 3, 2021
prepared by Melissa Meade	approved by Michelle del Valle, Randy Knight
board approval Completed	
strategic objective	

subject

Review the Duties of the Board

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[ORD3218-21 signed.pdf](#)

ORDINANCE 3218-21

**AN ORDINANCE OF THE CITY OF WINTER PARK FLORIDA,
AMENDING ARTICLE III OF CHAPTER 2 OF THE WINTER PARK
CODE OF ORDINANCES REGARDING SUBSIDIARY CITY BOARDS TO
REESTABLISH THE LAKE KILLARNEY ADVISORY BOARD AND
AMENDING ARTICLE III OF CHAPTER 114 REGARDING THE LAKE
KILLARNEY ADVISORY BOARD TO MAKE SUCH PROVISIONS
CONSISTENT WITH THE CITY CHARTER; PROVIDING FOR
CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE
DATE.**

WHEREAS, the City Commission desires to reestablish the Lake Killarney Advisory Board as contemplated by Ordinance 2528-03 adopted on September 8, 2003; and

WHEREAS, the City Commission determines that this ordinance is in the best interest of the citizens of the City of Winter Park.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals. The recitals set forth above are hereby adopted and incorporated by reference.

Section 2. Amendment/Adoption. Chapter 2, Article III, Division 1 and Division 3 of the City of Winter Park Code of Ordinances is hereby amended to read as follows: (underlined language are additions; ~~stricken through~~ language are deletions; provisions and sections not included are not being amended):

ARTICLE III. - SUBSIDIARY BOARDS OF THE CITY OF WINTER PARK

DIVISION 1. ESTABLISHMENT OF CITY BOARDS

Sec. 2-47. - List and size of boards established.

The general requirements for boards are specified in division 2 herein and the board specific requirements are specified in division 3. Unless otherwise provided by the City Charter, state law, other ordinance or this article, each board shall have seven members. The following boards are established:

- (1) Board of adjustments;
- (2) Civil service board (also sits as the independent personnel review board);
- (3) Code compliance board (which also sits as the nuisance abatement board and performs the functions of a code enforcement board pursuant to F.S. ch. 162);
- (4) Community redevelopment agency;
- (5) Community redevelopment advisory board;
- (6) Construction board of adjustments and appeals;
- (7) Economic development advisory board;
- (8) Historic preservation board;
- (9) Housing authority board;
- (10) Keep Winter Park beautiful and sustainable advisory board;
- (11) Lakes and waterways advisory board;
- (12) Parks and recreation advisory board;
- (13) Transportation advisory board;
- (14) Planning and zoning board;
- (15) Public art advisory board;
- (16) Utilities advisory board;
- (17) Winter Park Firefighters' pension board;
- (18) Winter Park Police Officers' pension board;
- (19) Orange Avenue Overlay Appearance Review Advisory Board;
- (20) Tree preservation board;
- (21) Lake Killarney Advisory Board.

DIVISION 3. - DESCRIPTION, DUTIES AND PROCEDURES OF EACH CITY BOARD

Sec. 2-73. – Lake Killarney Advisory Board.

Ordinance 3218-21

Page 2 of 6

There is established within the City of Winter Park as contemplated by Ordinance 2528-03, and by the authority of the City Commission, a Lake Killarney Advisory Board. Except as may otherwise be provided in chapter 114, article III of the city code, the provisions of divisions 1 and 2 of this article shall apply to the Lake Killarney Advisory Board and its members. The functions, procedures and duties of the Lake Killarney Advisory Board are as set forth in chapter 114, article III of the city code.

Section 3. Amendment/Adoption. Chapter 114, Article III of the City of Winter Park Code of Ordinances is hereby amended to read as follows: (underlined language are additions; ~~stricken through~~ language are deletions; language not included is not being amended):

ARTICLE III. LAKE KILLARNEY ADVISORY BOARD

Sec. 114-41. Creation and membership.

- (a) There is created and established the Lake Killarney Advisory Board. Such board shall consist of seven members, who shall be appointed and serve in accordance with section 2.0619 of the Charter and section 2-48, of the city code. Members to the board must be residents of the city except as stated below. One of the mayor's appointments to the board must be a Lake Killarney lakefront property owner or resident in unincorporated Orange County. With city commission approval, an additional member of the board may be a Lake Killarney lakefront property owner or resident in unincorporated Orange County.
- (b) ~~Members shall be residents of the city and~~ shall be appointed from persons in a position to represent the public interest, and no person shall be appointed with private or personal interests likely to conflict with the general public interest. No city employee, officer, official or commissioner shall be appointed to the board.
- (c) If requested by the board, a secretary designated by the city manager shall serve as secretary to the board, but shall have no vote in any proceeding.

Sec. 114-42. ~~Terms of office.~~

- ~~(a) All appointed members of the Lake Killarney Advisory Board shall be appointed for terms of three years. Initial terms shall be staggered. Vacancies shall be filled by appointment for the unexpired term only. Members of the lakes and waterways board may be permitted to serve more than two terms if specifically approved by the city commission.~~

- ~~(b) Board members may be removed by the city commission for any reason, but they shall be removed for failure to attend three consecutive regular meetings in any one year, unless excused by the chairperson of the board. Resignations shall be in writing and delivered to the mayor.~~

Sec. 114-43. Organization and meetings.

- (a) The Lake Killarney Advisory Board shall meet for the purpose of transacting such business as may properly come before it. Regular meetings shall be held each month, on a day, time and place convenient to the members. The board shall annually select a chairperson who shall preside at all meetings, and a vice-chairperson who shall serve in the absence of the chairperson. A majority of the board shall constitute a quorum, and the affirmative vote of a majority of a quorum present shall be required for any action to be taken. Members of the board shall serve without compensation.
- (b) The board shall adopt rules necessary to the conduct of its affairs in keeping with this article and subject to approval by the city commission.
- (c) The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its hearings and other official actions, all of which shall be of public record retained by the city clerk. All meetings and proceedings of the board shall be open to the public and notice of all meetings shall be posted in city hall not less than 24 hours prior to the meeting.
- (d) Special meetings may be convened from time to time upon 24 hours prior written notice delivered to the members. The chairperson, vice-chairperson or a majority of the members shall have the power to convene special meetings.

Sec. 114-434. Functions, powers and duties.

The functions, powers and duties of the Lake Killarney Advisory Board shall be, in general, to:

- (1) To advise the city commission on all aspects of Lake Killarney and the interaction of that lake with water bodies outside the city.
- (2) Inquire into the condition of Lake Killarney, including the clarity, cleanliness, the desirability or undesirability of vegetation and growth therein, the use of the lake, the alteration of their shorelines and canals, the level of waters therein and all other matters pertaining to Lake Killarney.

- (3) Prepare and recommend to the city commission ordinances, regulations and other proposals promoting, protecting and enhancing Lake Killarney and the proper patrol, regulation, restoration and maintenance of the lake and boating-related activities thereon.
- (4) Recommend expenditures and revenues for the proper patrol, regulation, restoration and maintenance of Lake Killarney and for boating-related activities in the city. Such recommendations shall be submitted by the board to the city manager for necessary and appropriate action.
- (5) Keep the city commission and the general public informed and advised as to these matters.
- (6) Conduct such public hearings as may be required to gather information necessary for the drafting, establishment and maintenance of ordinances, regulations and other proposals relating to Lake Killarney.
- (7) Perform the quasi-judicial duties of the lakes and waterways advisory board under section 2-63(4) and section 58-87, city code with respect to dock and boathouse review and approval for such structures proposed along Lake Killarney. Appeals from decisions made by the Lake Killarney Advisory Board will be in the same manner as set forth in section 2-63(4), city code.
- ~~(7)~~(8) Perform such other duties as may be requested by the city commission.

Section 4. Codification. Section 2 and Section 3 shall be codified in the City Code. Any section, paragraph number, letter or heading within the Code may be changed or modified as necessary to effectuate the codification. Grammatical, typographical and similar or like errors may be corrected in the Code, and additions, alterations and omissions not affecting a material substantive change in the construction or meaning of this Ordinance may be freely made.

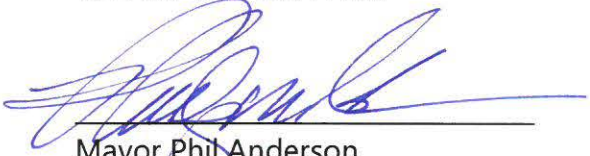
Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural or any other reason, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or portions hereof or hereto.

Section 6. Conflicts. In the event of any conflict between this Ordinance, or any part thereof, with any of the provisions of other City Ordinances or the City Code, this Ordinance shall control.

Section 7. Effective Date of Ordinance. This Ordinance shall become effective immediately upon adoption of the City Commission of the City of Winter Park, Florida.

Adopted by the City Commission of the City of Winter Park, Florida in a regular meeting assembled on the 22nd day of September, 2021.

CITY OF WINTER PARK



Mayor Phil Anderson

ATTEST:



Rene Cranis, City Clerk



item type Non-Action Items	meeting date December 3, 2021
prepared by Melissa Meade	approved by Troy Attaway, Michelle del Valle, Randy Knight
board approval In Progress	
strategic objective	

subject

Lakes Management

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Lake Killarney Water Quality Graphical Summary](#)

ATTACHMENTS:

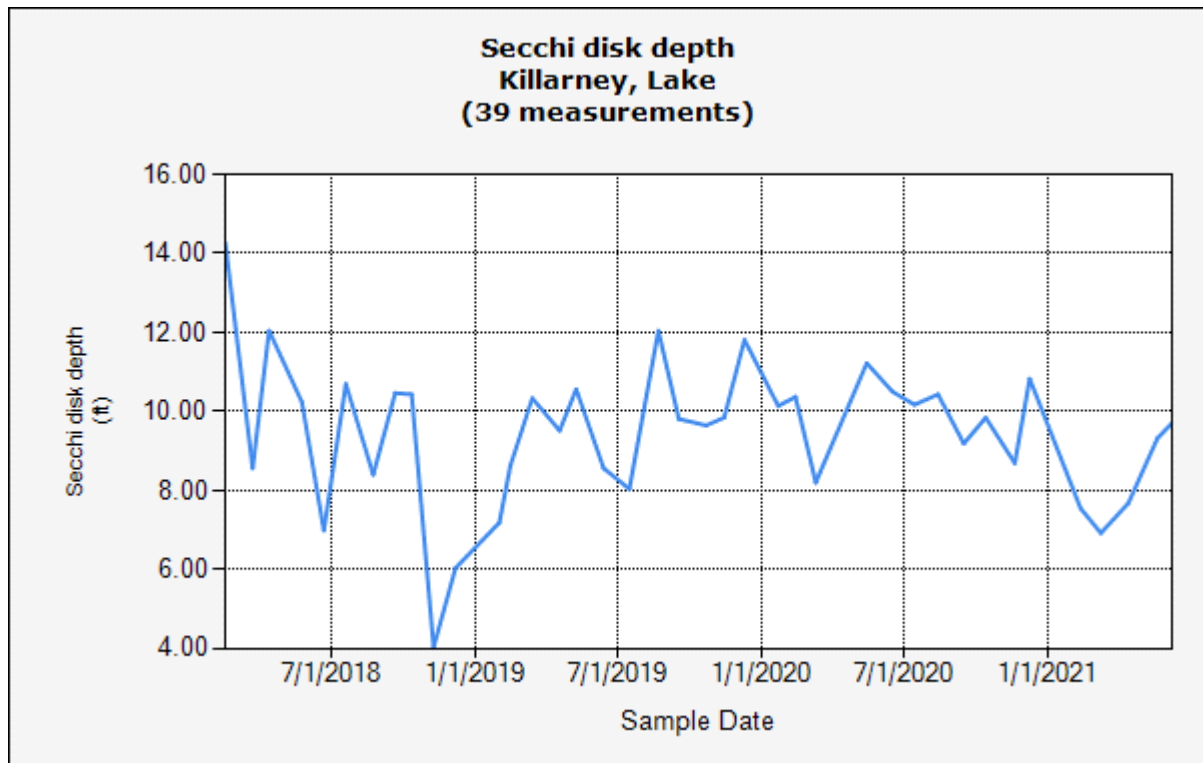
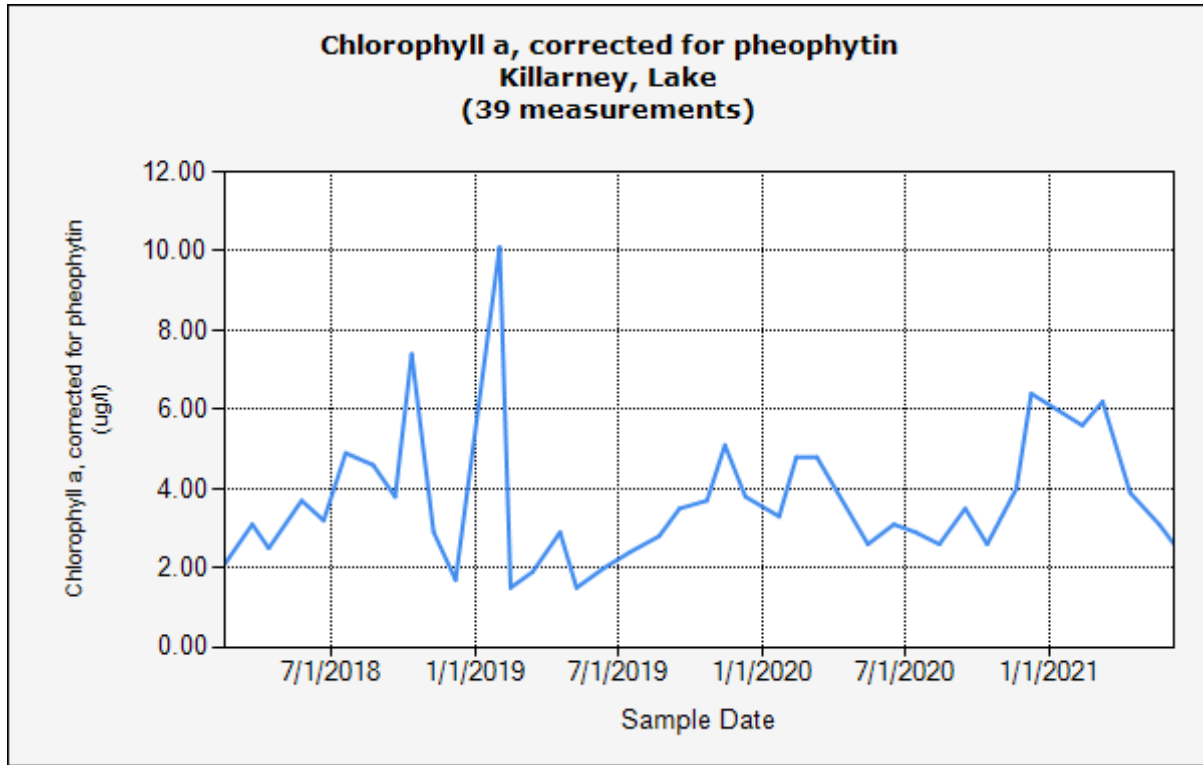
[Copy of Killarney Water Quality Data](#)

ATTACHMENTS:

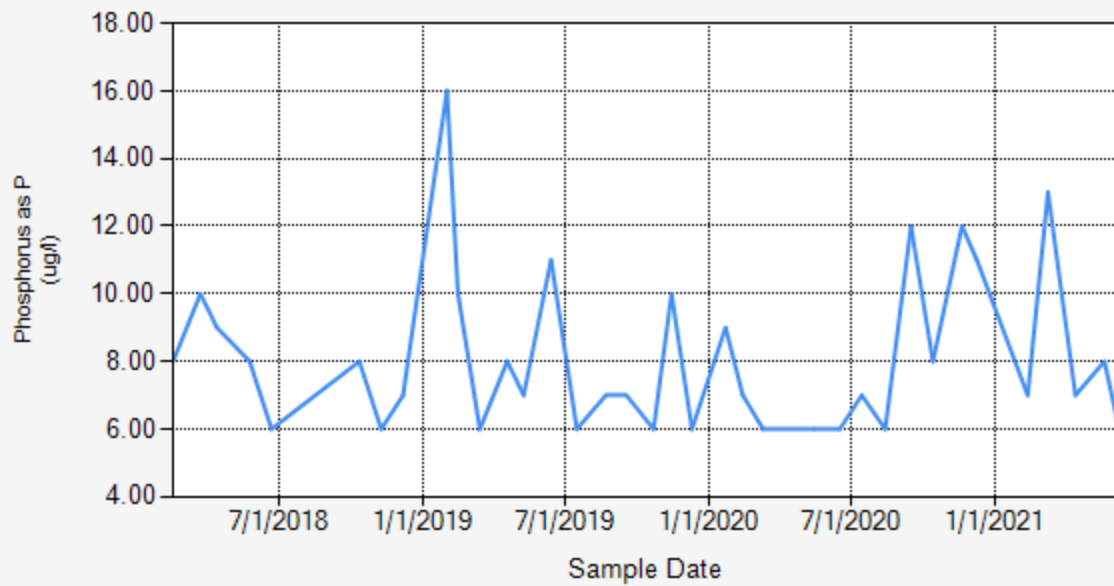
[NPDES Annual Report P4Y4](#)

Lake Killarney Water Quality Data

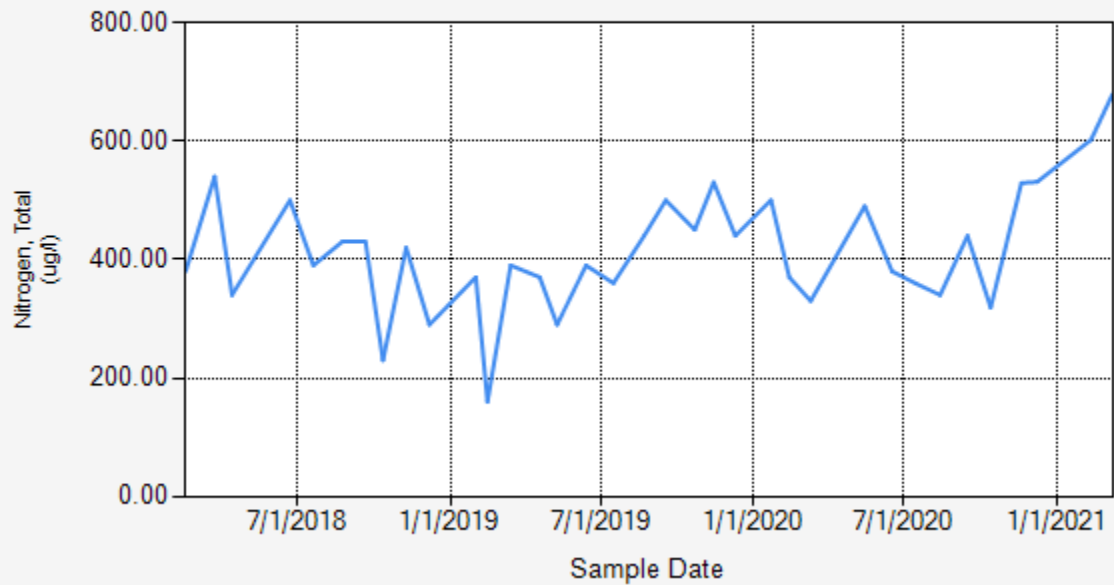
Previous 5 Years



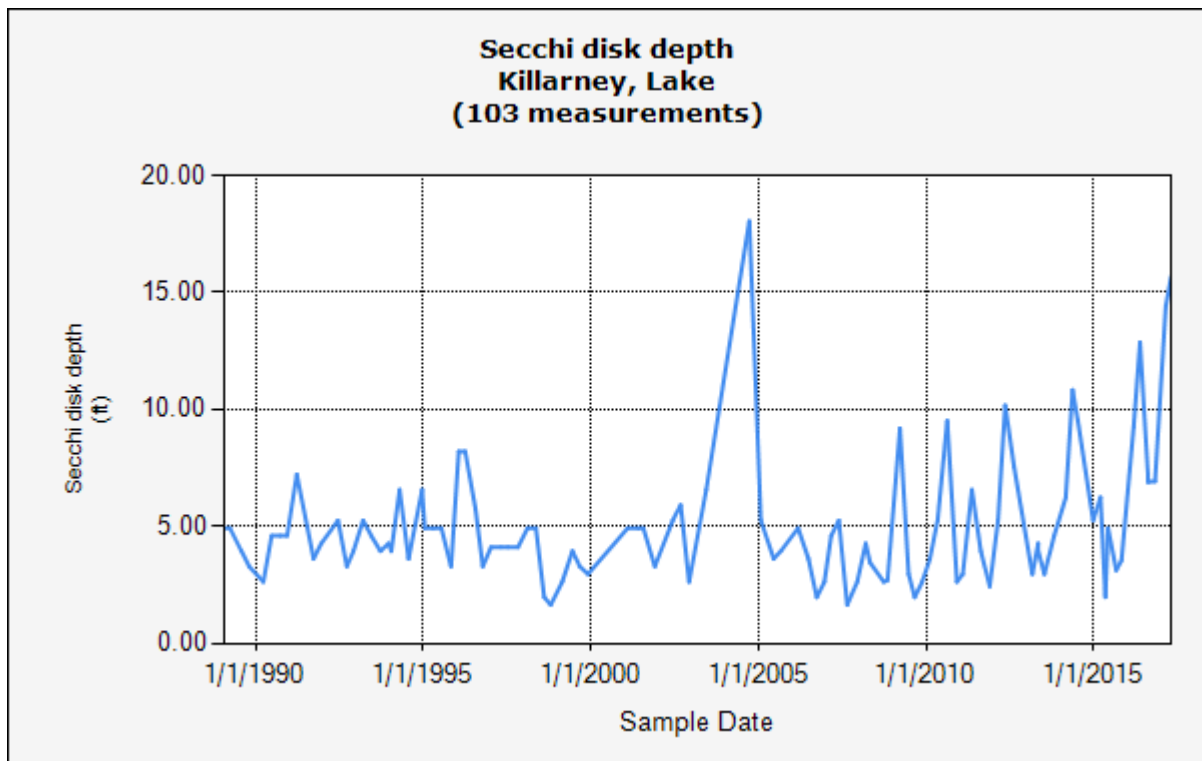
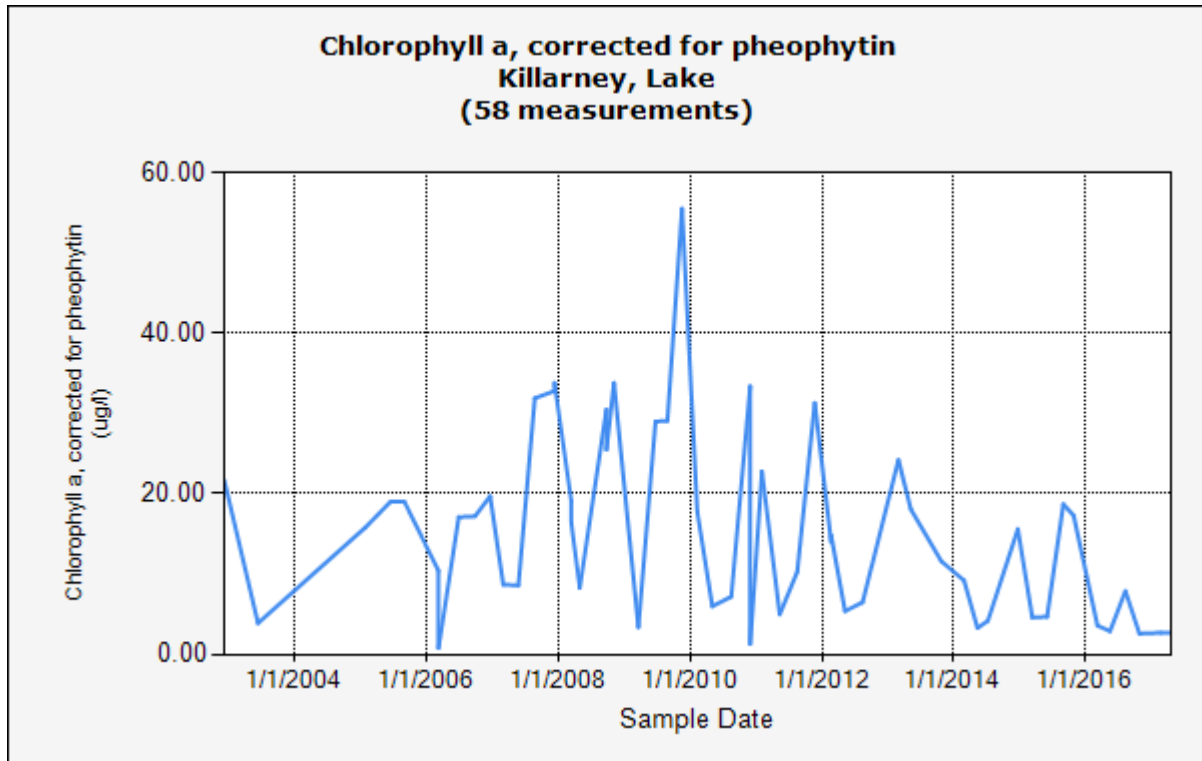
**Phosphorus as P
Killarney, Lake
(36 measurements)**

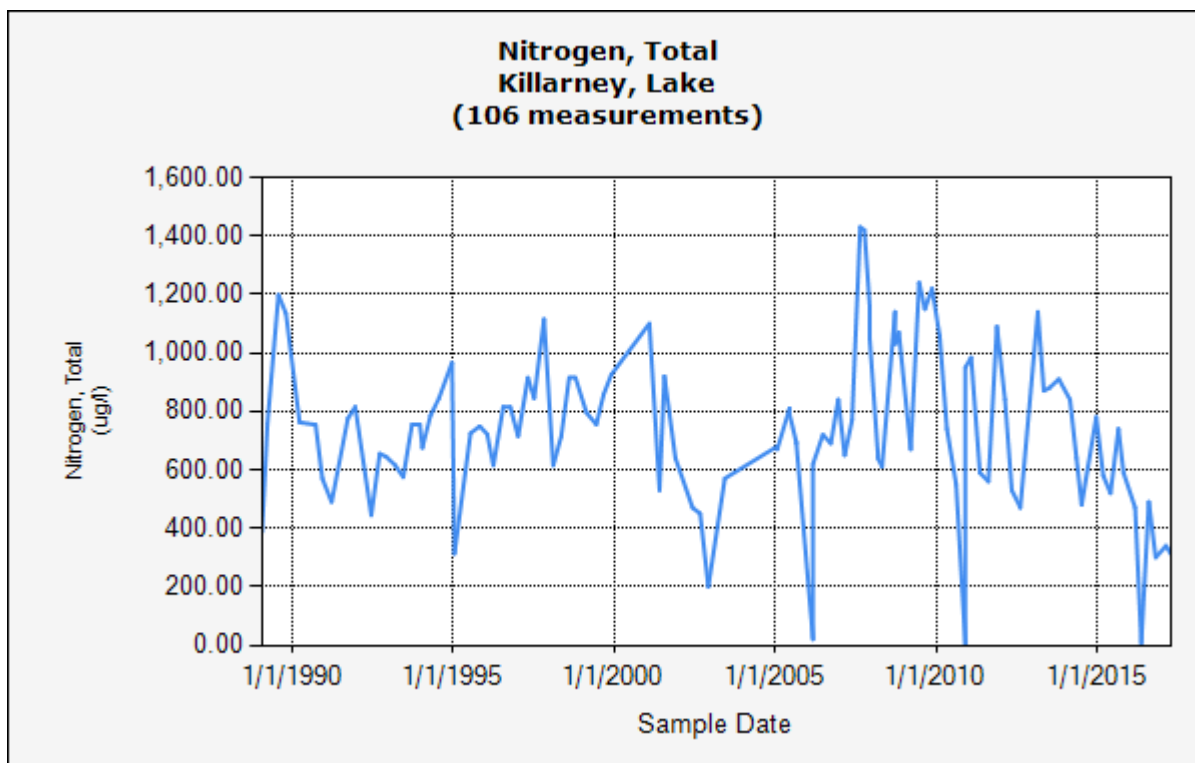
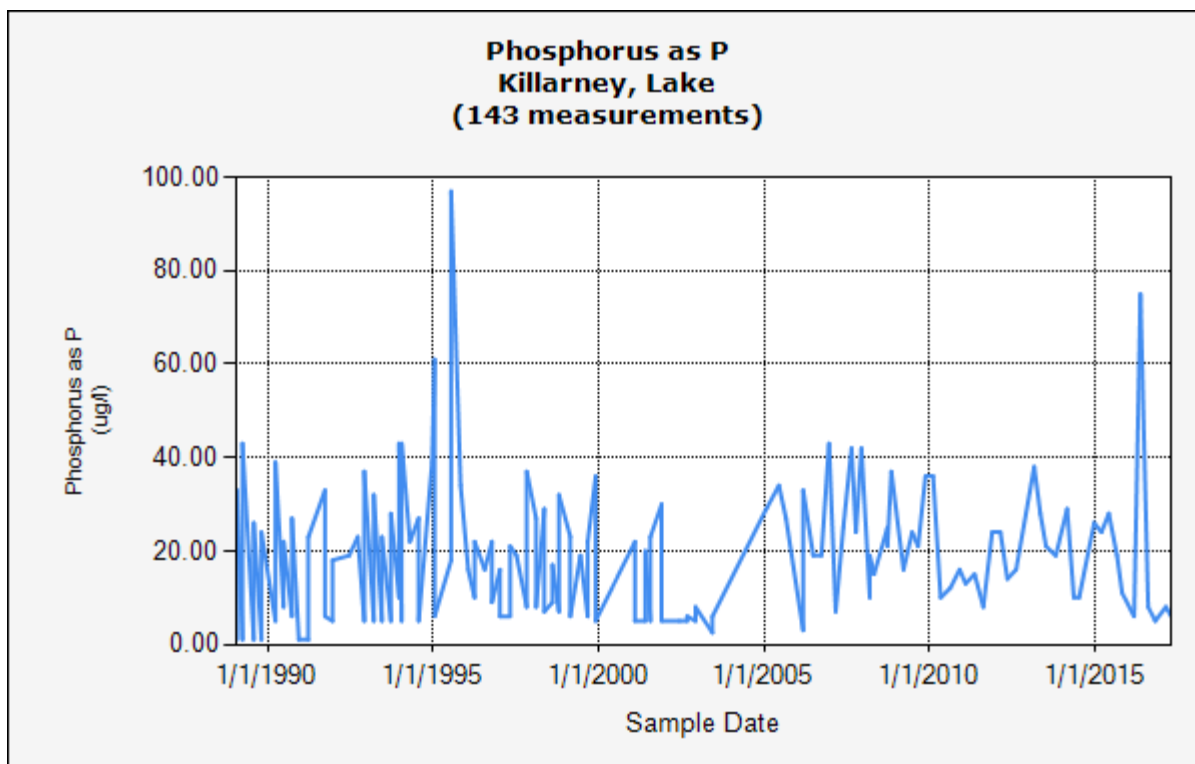


**Nitrogen, Total
Killarney, Lake
(35 measurements)**

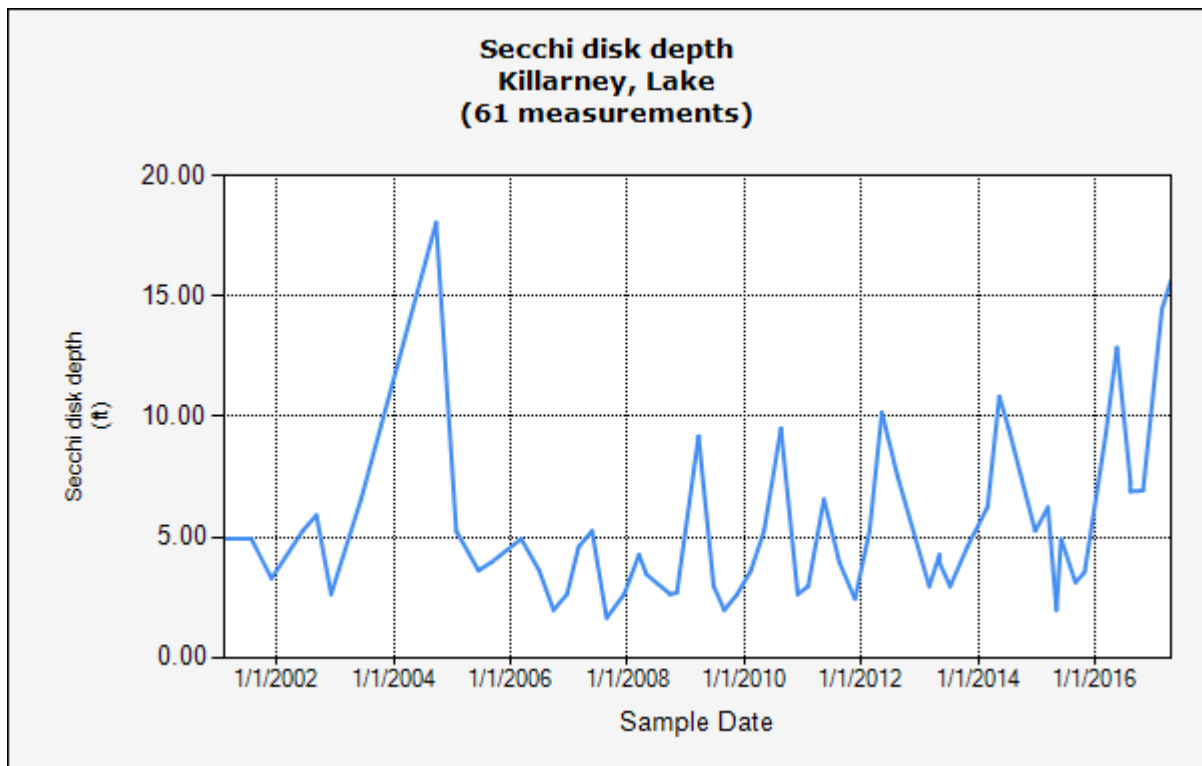
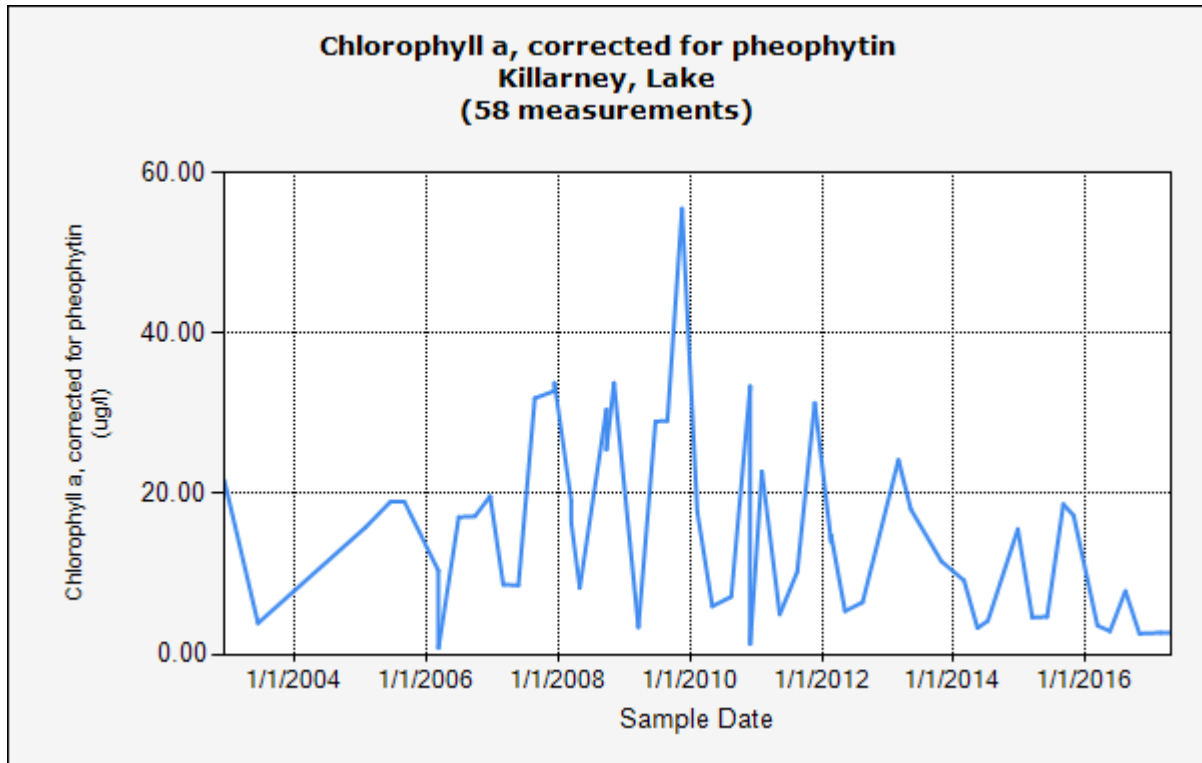


Historical Data

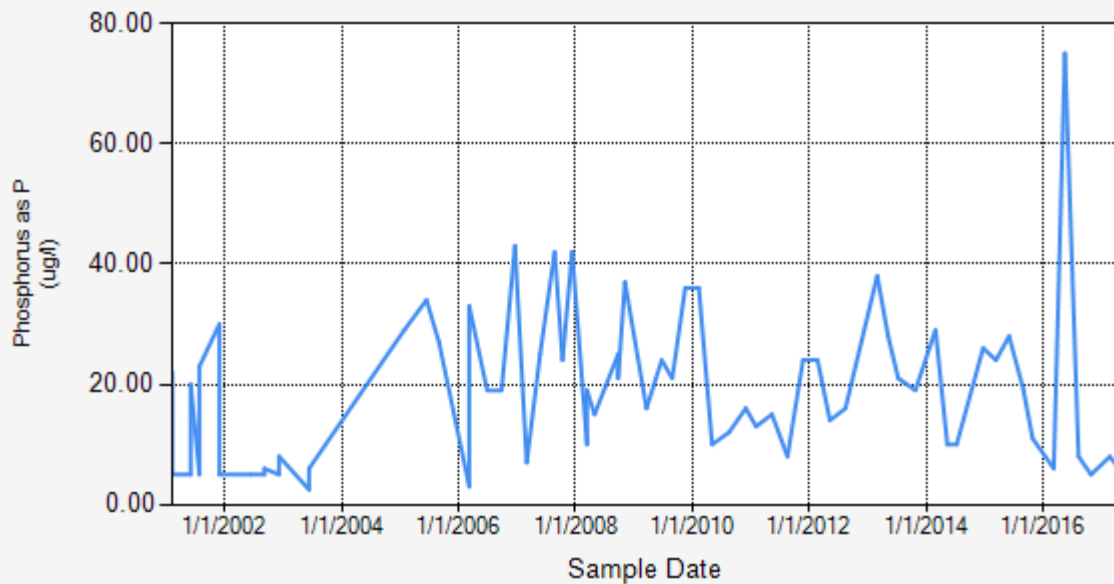




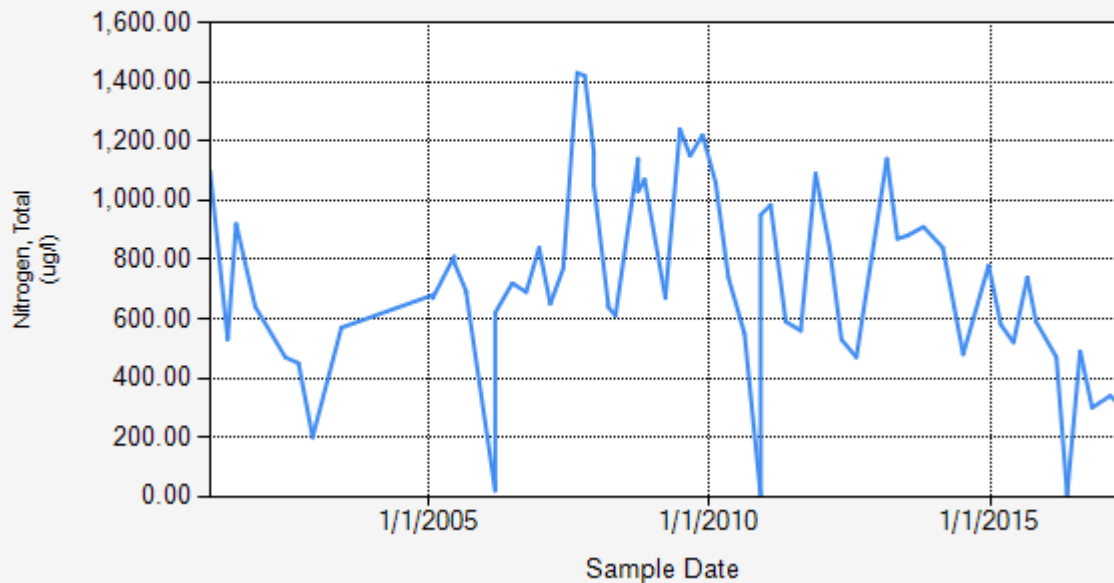
Previous 20 Years



**Phosphorus as P
Killarney, Lake
(71 measurements)**



**Nitrogen, Total
Killarney, Lake
(66 measurements)**



StationName	SampleDate	ActivityDepth	DepthUnits	Parameter	Characteristic	Sample_Fraction	Result_Value	Result_Unit	QACode	Result_Con	Original_Result_Value	Original_Result_Unit
Lake Killarney	1/31/2019 10:10		0.5 m	TP_ugl	Phosphorus as P	Total	16	ug/l	I		0.016	mg/l
Lake Killarney	1/31/2019 10:10		0.5 m	Secchi_ft	Secchi disk depth		7.18495	ft			2.19	m
Lake Killarney	1/31/2019 10:10		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	10.1	ug/l			10.1	ug/l
Lake Killarney	1/31/2019 10:10		0.5 m	TN_ugl	Nitrogen	Total	370	ug/l			0.37	mg/L
Lake Killarney	2/14/2019 11:15		0.5 m	Secchi_ft	Secchi disk depth		8.6285	ft			2.63	m
Lake Killarney	2/14/2019 11:15		0.5 m	TN_ugl	Nitrogen	Total	160	ug/l			0.16	mg/L
Lake Killarney	2/14/2019 11:15		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	1.5	ug/l	U		1.5	ug/l
Lake Killarney	2/14/2019 11:15		0.5 m	TP_ugl	Phosphorus as P	Total	10	ug/l	I		0.01	mg/l
Lake Killarney	3/14/2019 11:10		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	1.9	ug/l	I		1.9	ug/l
Lake Killarney	3/14/2019 11:10		0.5 m	TP_ugl	Phosphorus as P	Total	6	ug/l	U		0.006	mg/l
Lake Killarney	3/14/2019 11:10		0.5 m	Secchi_ft	Secchi disk depth		10.3345	ft			3.15	m
Lake Killarney	3/14/2019 11:10		0.5 m	TN_ugl	Nitrogen	Total	390	ug/l			0.39	mg/L
Lake Killarney	4/18/2019 10:45		0.5 m	Secchi_ft	Secchi disk depth		9.51432	ft			2.9	m
Lake Killarney	4/18/2019 10:45		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	2.9	ug/l	I		2.9	ug/L
Lake Killarney	4/18/2019 10:45		0.5 m	TP_ugl	Phosphorus as P	Total	8	ug/l	I		0.008	mg/L
Lake Killarney	4/18/2019 10:45		0.5 m	TN_ugl	Nitrogen	Total	370	ug/l			0.37	mg/L
Lake Killarney	5/9/2019 11:00		0.5 m	TN_ugl	Nitrogen	Total	290	ug/l			0.29	mg/L
Lake Killarney	5/9/2019 11:00		0.5 m	TP_ugl	Phosphorus as P	Total	7	ug/l	I		0.007	mg/L
Lake Killarney	5/9/2019 11:00		0.5 m	Secchi_ft	Secchi disk depth		10.5642	ft			3.22	m
Lake Killarney	5/9/2019 11:00		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	1.5	ug/l	U		1.5	ug/L
Lake Killarney	6/13/2019 10:30		0.5 m	Secchi_ft	Secchi disk depth		8.56289	ft			2.61	m
Lake Killarney	6/13/2019 10:30		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	2	ug/l	I		2	ug/L
Lake Killarney	6/13/2019 10:30		0.5 m	TP_ugl	Phosphorus as P	Total	11	ug/l	I		0.011	mg/L
Lake Killarney	6/13/2019 10:30		0.5 m	TN_ugl	Nitrogen	Total	390	ug/l			0.39	mg/L
Lake Killarney	7/16/2019 10:00		0.5 m	Secchi_ft	Secchi disk depth		8.03796	ft			2.45	m
Lake Killarney	7/16/2019 10:00		0.5 m	TN_ugl	Nitrogen	Total	360	ug/l			0.36	mg/L
Lake Killarney	7/16/2019 10:00		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	2.4	ug/l	I		2.4	ug/l
Lake Killarney	7/16/2019 10:00		0.5 m	TP_ugl	Phosphorus as P	Total	6	ug/l	U		0.006	mg/l
Lake Killarney	8/22/2019 10:45		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	2.8	ug/l	I		2.8	ug/l
Lake Killarney	8/22/2019 10:45		0.5 m	TP_ugl	Phosphorus as P	Total	7	ug/l	I		0.007	mg/l
Lake Killarney	8/22/2019 10:45		0.5 m	Secchi_ft	Secchi disk depth		12.0405	ft			3.67	m
Lake Killarney	8/22/2019 10:45		0.5 m	TN_ugl	Nitrogen	Total	440	ug/l			0.44	mg/L
Lake Killarney	9/17/2019 12:00		0.5 m	Secchi_ft	Secchi disk depth		9.80959	ft			2.99	m
Lake Killarney	9/17/2019 12:00		0.5 m	TN_ugl	Nitrogen	Total	500	ug/l			0.5	mg/L
Lake Killarney	9/17/2019 12:00		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	3.5	ug/l	I		3.5	ug/l
Lake Killarney	9/17/2019 12:00		0.5 m	TP_ugl	Phosphorus as P	Total	7	ug/l	I		0.007	mg/l
Lake Killarney	10/22/2019 10:45		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	3.7	ug/l	I		3.7	ug/L
Lake Killarney	10/22/2019 10:45		0.5 m	Secchi_ft	Secchi disk depth		9.64555	ft			2.94	m
Lake Killarney	10/22/2019 10:45		0.5 m	TN_ugl	Nitrogen	Total	450	ug/l			0.45	mg/L
Lake Killarney	10/22/2019 10:45		0.5 m	TP_ugl	Phosphorus as P	Total	6	ug/l	U		0.006	mg/L
Lake Killarney	11/14/2019 8:45		0.5 m	Secchi_ft	Secchi disk depth		9.8424	ft			3	m
Lake Killarney	11/14/2019 8:45		0.5 m	TN_ugl	Nitrogen	Total	530	ug/l			0.53	mg/L
Lake Killarney	11/14/2019 8:45		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	5.1	ug/l	I		5.1	ug/L
Lake Killarney	11/14/2019 8:45		0.5 m	TP_ugl	Phosphorus as P	Total	10	ug/l	I		0.01	mg/L
Lake Killarney	12/10/2019 9:55		0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	3.8	ug/l	I		3.8	ug/L
Lake Killarney	12/10/2019 9:55		0.5 m	Secchi_ft	Secchi disk depth		11.8109	ft			3.6	m

Lake Killarney	12/10/2019 9:55	0.5 m	TN_ugl	Nitrogen	Total	440 ug/l		0.44 mg/L
Lake Killarney	12/10/2019 9:55	0.5 m	TP_ugl	Phosphorus as P	Total	6 ug/l	U	0.006 mg/L
Lake Killarney	1/22/2020 9:50	0.5 m	Secchi_ft	Secchi disk depth		10.1377 ft		3.09 m
Lake Killarney	1/22/2020 9:50	0.5 m	TN_ugl	Nitrogen	Total	500 ug/l		0.5 mg/L
Lake Killarney	1/22/2020 9:50	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	3.3 ug/l	I	3.3 ug/L
Lake Killarney	1/22/2020 9:50	0.5 m	TP_ugl	Phosphorus as P	Total	9 ug/l	I	0.009 mg/L
Lake Killarney	2/13/2020 10:30	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	4.8 ug/l	I	4.8 ug/L
Lake Killarney	2/13/2020 10:30	0.5 m	TP_ugl	Phosphorus as P	Total	7 ug/l	I	0.007 mg/L
Lake Killarney	2/13/2020 10:30	0.5 m	Secchi_ft	Secchi disk depth		10.3673 ft		3.16 m
Lake Killarney	2/13/2020 10:30	0.5 m	TN_ugl	Nitrogen	Total	370 ug/l		0.37 mg/L
Lake Killarney	3/10/2020 8:15	0.5 m	Secchi_ft	Secchi disk depth		8.202 ft		2.5 m
Lake Killarney	3/10/2020 8:15	0.5 m	TN_ugl	Nitrogen	Total	330 ug/l		0.33 mg/L
Lake Killarney	3/10/2020 8:15	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	4.8 ug/l	I	4.8 ug/L
Lake Killarney	3/10/2020 8:15	0.5 m	TP_ugl	Phosphorus as P	Total	6 ug/l	U	0.006 mg/L
Lake Killarney	5/14/2020 10:59	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	2.6 ug/l	U	2.6 ug/l
Lake Killarney	5/14/2020 10:59	0.5 m	TP_ugl	Phosphorus as P	Total	6 ug/l	U	0.006 mg/l
Lake Killarney	5/14/2020 10:59	0.5 m	Secchi_ft	Secchi disk depth		11.2203 ft		3.42 m
Lake Killarney	5/14/2020 10:59	0.5 m	TN_ugl	Nitrogen	Total	490 ug/l		0.49 mg/L
Lake Killarney	6/16/2020 10:00	0.5 m	TN_ugl	Nitrogen	Total	380 ug/l		0.38 mg/L
Lake Killarney	6/16/2020 10:00	0.5 m	Secchi_ft	Secchi disk depth		10.4986 ft		3.2 m
Lake Killarney	6/16/2020 10:00	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	3.1 ug/l	I	3.1 ug/l
Lake Killarney	6/16/2020 10:00	0.5 m	TP_ugl	Phosphorus as P	Total	6 ug/l	U	0.006 mg/l
Lake Killarney	7/14/2020 8:30	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	2.9 ug/l	I	2.9 ug/l
Lake Killarney	7/14/2020 8:30	0.5 m	TP_ugl	Phosphorus as P	Total	7 ug/l	I	0.007 mg/l
Lake Killarney	7/14/2020 8:30	0.5 m	Secchi_ft	Secchi disk depth		10.1705 ft		3.1 m
Lake Killarney	7/14/2020 8:30	0.5 m	TN_ugl	Nitrogen	Total	360 ug/l		0.36 mg/L
Lake Killarney	8/13/2020 10:20	0.5 m	Secchi_ft	Secchi disk depth		10.4329 ft		3.18 m
Lake Killarney	8/13/2020 10:20	0.5 m	TN_ugl	Nitrogen	Total	340 ug/l		0.34 mg/L
Lake Killarney	8/13/2020 10:20	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	2.6 ug/l	U	2.6 ug/l
Lake Killarney	8/13/2020 10:20	0.5 m	TP_ugl	Phosphorus as P	Total	6 ug/l	U	0.006 mg/l
Lake Killarney	9/15/2020 9:00	0.5 m	Secchi_ft	Secchi disk depth		9.18624 ft		2.8 m
Lake Killarney	9/15/2020 9:00	0.5 m	TN_ugl	Nitrogen	Total	440 ug/l		0.44 mg/L
Lake Killarney	9/15/2020 9:00	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	3.5 ug/l	I	3.5 ug/l
Lake Killarney	9/15/2020 9:00	0.5 m	TP_ugl	Phosphorus as P	Total	12 ug/l	I	0.012 mg/l
Lake Killarney	10/13/2020 8:10	0.5 m	TP_ugl	Phosphorus as P	Total	8 ug/l	I	0.008 mg/l
Lake Killarney	10/13/2020 8:10	0.5 m	Secchi_ft	Secchi disk depth		9.8424 ft		3 m
Lake Killarney	10/13/2020 8:10	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	2.6 ug/l	U	2.6 ug/l
Lake Killarney	10/13/2020 8:10	0.5 m	TN_ugl	Nitrogen		319 ug/l		Water Institute Calculated
Lake Killarney	11/19/2020 10:30	0.5 m	TN_ugl	Nitrogen		529 ug/l		Water Institute Calculated
Lake Killarney	11/19/2020 10:30	0.5 m	Secchi_ft	Secchi disk depth		8.69412 ft		2.65 m
Lake Killarney	11/19/2020 10:30	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	4 ug/l	I	4 ug/l
Lake Killarney	11/19/2020 10:30	0.5 m	TP_ugl	Phosphorus as P	Total	12 ug/l	I	0.012 mg/l
Lake Killarney	12/8/2020 11:15	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	6.4 ug/l	I	6.4 ug/l
Lake Killarney	12/8/2020 11:15	0.5 m	TP_ugl	Phosphorus as P	Total	11 ug/l	I	0.011 mg/l
Lake Killarney	12/8/2020 11:15	0.5 m	Secchi_ft	Secchi disk depth		10.8266 ft		3.3 m
Lake Killarney	12/8/2020 11:15	0.5 m	TN_ugl	Nitrogen		531 ug/l		Water Institute Calculated
Lake Killarney	2/11/2021 10:45	0.5 m	TN_ugl	Nitrogen		602 ug/l		Water Institute Calculated

Lake Killarney	2/11/2021 10:45	0.5 m	Secchi_ft	Secchi disk depth		7.54584 ft		2.3 m
Lake Killarney	2/11/2021 10:45	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	5.6 ug/l	I	5.6 ug/l
Lake Killarney	2/11/2021 10:45	0.5 m	TP_ugl	Phosphorus as P	Total	7 ug/l	I	0.007 mg/l
Lake Killarney	3/9/2021 8:20	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	6.2 ug/l	I	6.2 ug/l
Lake Killarney	3/9/2021 8:20	0.5 m	TP_ugl	Phosphorus as P	Total	13 ug/l	I	0.013 mg/l
Lake Killarney	3/9/2021 8:20	0.5 m	Secchi_ft	Secchi disk depth		6.92249 ft		2.11 m
Lake Killarney	3/9/2021 8:20	0.5 m	TN_ugl	Nitrogen		679 ug/l		Water Institute Calculated
Lake Killarney	4/13/2021 8:45	0.5 m	Secchi_ft	Secchi disk depth		7.67707 ft		2.34 m
Lake Killarney	4/13/2021 8:45	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	3.9 ug/l	I	3.9 ug/l
Lake Killarney	4/13/2021 8:45	0.5 m	TP_ugl	Phosphorus as P	Total	7 ug/l	I	0.007 mg/l
Lake Killarney	5/20/2021 10:35	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	3.1 ug/l	I	3.1 ug/l
Lake Killarney	5/20/2021 10:35	0.5 m	TP_ugl	Phosphorus as P	Total	8 ug/l	I	0.008 mg/l
Lake Killarney	5/20/2021 10:35	0.5 m	Secchi_ft	Secchi disk depth		9.31747 ft		2.84 m
Lake Killarney	6/8/2021 8:35	0.5 m	Secchi_ft	Secchi disk depth		9.71117 ft		2.96 m
Lake Killarney	6/8/2021 8:35	0.5 m	ChlaC_ugl	Chlorophyll a, corrected for pheophytin	Total	2.6 ug/l	U	2.6 ug/l
Lake Killarney	6/8/2021 8:35	0.5 m	TP_ugl	Phosphorus as P	Total	6 ug/l	U	0.006 mg/l



Annual Report Form For Individual NPDES Permits For Municipal Separate Storm Sewer Systems (RULE 62-624.600(2), F.A.C.)

- This Annual Report Form must be completed and submitted to the Department to satisfy the annual reporting requirements established in Rule 62-621.600, F.A.C.
- Submit this fully completed and signed form and any REQUIRED attachments by email to the NPDES Stormwater Program Administrator or to the MS4 coordinator (<http://www.dep.state.fl.us/water/stormwater/npdes/contacts.htm>). Files larger than 10MB may be placed on the FTP site at: ftp://ftp.dep.state.fl.us/pub/NPDES_Stormwater/. After uploading files, email the MS4 coordinator or NPDES Program Administrator to notify them the report is ready for downloading; or by mail to the address in the box at right.
- Refer to the Form Instructions for guidance on completing each section.
- **Please print or type information in the appropriate areas below.**

Submit the form and attachments to:
 Florida Department of Environmental Protection
 Mail Station 3585
 2600 Blair Stone Road
 Tallahassee, Florida 32399-2400

SECTION I. BACKGROUND INFORMATION

A.	Permittee Name: City of Winter Park		
B.	Permit Name: Orange County MS4		
C.	Permit Number: FLS000011-004		
D.	Annual Report Year: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☒ Year 4 ☐ Year 5 ☐ Other, specify Year:		
E.	Reporting Time Period (month/year): 05/2019 through 04 / 2020		
F.	Name of the Responsible Authority: Donald Marcotte, P.E.		
	Title: City Engineer/Assistant Director of Public Works		
	Mailing Address: 401 S. Park Avenue		
	City: Winter Park	Zip Code: 32789	County: Orange
	Telephone Number: 407-599-3424		Fax Number: 407-599-3417
	E-mail Address: dmarcotte@cityofwinterpark.org		
G.	Name of the Designated Stormwater Management Program Contact (if different from Section I.F above): Matthew Noonon, P.E.		
	Title: Engineer III		
	Department: Public Works		
	Mailing Address: 401 S. Park Avenue		
	City: Winter Park	City: Winter Park	City: Winter Park
	Telephone Number: 407-599-3599		Telephone Number: 407-599-3260
	E-mail Address: mnoonon@cityofwinterpark.org		

SECTION II. MS4 MAJOR OUTFALL INVENTORY (Not Applicable In Year 1)

A.	Number of outfalls ADDED to the outfall inventory in the current reporting year (insert "0" if none): 1 (Does this number include non-major outfalls? ☒ Yes ☐ No Not Applicable
B.	Number of outfalls REMOVED from the outfall inventory in the current reporting year (insert "0" if none): 0 (Does this number include non-major outfalls? ☐ Yes ☐ No ☒ Not Applicable
C.	Is the change in the total number of outfalls due to lands annexed or vacated? ☐ Yes ☒ No Not Applicable

SECTION III. PART V.B. ASSESSMENT PROGRAM

A.	Provide a brief statement as to the status of water quality monitoring plan implementation. Status may include sampling frequency changes, monitoring location changes, or sampling waiver conditions. <i>DEP Note: If permittee participates in a collaborative monitoring plan, permittee may refer to a joint response as defined by the interlocal agreement.</i> Name and date of the approved plan: City of Winter Park MS4 Stormwater Management Program Assessment Plan Status: Sampling of the major lakes in the City has not changed; however, the City has moved to a quarterly sampling of all smaller lakes in the City which are not directly connected to the main Lake Chain or are not part of the data reported in the NPDES permit.
B.	Provide a brief discussion of the monitoring and loading results to date which includes a summary of the water quality monitoring data and / or stormwater pollutant loading changes from the reporting year. <i>DEP Note: Results must be specific to the permittee's SWMP.</i> Monitoring results from Year 4 are provided in the attached Monitoring Data Summary. State nutrient criteria reference 3 years of data. For this reason the monitoring summary is based on calendar years (2017-2019 for nutrients). Data was collected in accordance with our approved monitoring/assessment plan for this permit cycle. No significant changes in water quality were observed and all of the monitored lakes meet State water quality standards. There were no significant changes in data and all monitored data was within acceptable limits. Fecal coliform counts were elevated slightly in samples from Lake Baldwin and Lake Berry; however, the values did not persist and were generally lower than the highest sample values.
C.	Attach a monitoring data summary as required by the permit. An analysis of the data discussing changes in water quality and/or stormwater pollutant loading from previous reporting years. <i>DEP Note: Analysis must be specific to the permittee's SWMP.</i> See the attached.

SECTION IV. FISCAL ANALYSIS

A.	Total expenditures for the NPDES stormwater management program for the current reporting year: \$3,544,437
B.	Total budget for the NPDES stormwater management program for the subsequent reporting year: \$3,412,369
C.	Did subsequent program resources decrease from the current reporting period? Y ☐ / N ☒ If program resources decreased, provide a discussion of the impacts on the implementation of the SWMP. Program resources did not decrease.

SECTION V. MATERIALS TO BE SUBMITTED WITH THIS ANNUAL REPORT FORM

Only the following materials are to be submitted to the Department along with this fully completed and signed Annual Report Form (check the appropriate box to indicate whether the item is attached or is not applicable):

Attached	N/A	Required Attachments	Permit Citation	Attachment Number/Title
☐	☒	Any additional information required to be submitted in this current annual reporting year in accordance with Part III.A of your permit that is not otherwise included in Section VII below.	Part III.A	
☐	☒	If program resources have decreased from the previous year, a discussion of the impacts on the implementation of the SWMP.	Part II.F	
☐	☒	An explanation of why the minimum inspection frequency in Table II.A.1.a. was not met, if applicable.	Part II.A.1	
☐	☒	A list of the flood control projects that did not include stormwater treatment and an explanation for each of why it did not (if applicable).	Part III.A.4	
☒	☐	A monitoring data summary as directed in Section III.C above and in accordance with Rule 62-624.600(2)(c), F.A.C.	Part VI.B.2.	
☐	☒	YEAR 1 ONLY: An inventory of all known major outfalls and a map depicting the location of the major outfalls (hard copy or CD-ROM) in accordance with Rule 62-624.600(2)(a), F.A.C.	Part III.A.1	
☐	☒	YEAR 1: A proactive illicit discharge inspection program plan. [For approval by DEP]	Part III.A.7.c	
☐	☒	YEAR 1: A construction site inspection program plan. [For approval by DEP]	Part III.A.9.b	
☐	☒	YEAR 2: A summary review of codes and regulations to reduce the stormwater impact from development.	Part III.A.2	
☐	☒	Year 3 ONLY: The estimates of pollutant loadings and event mean concentrations for each major outfall or each major watershed in accordance with Rule 62-624.600(2)(b), F.A.C.	Part V.A	
☐	☒	YEAR 3: Summary of TMDL Monitoring Results (if applicable).	Part VIII.B.2	
☐	☒	YEAR 3: Bacteria Pollution Control Plan (if applicable).	Part VIII.B.3	
☒	☐	YEAR 4: A follow-up report on plan implementation of changes to codes and regulations to reduce the stormwater impact from development.	Part III.A.2	
☒	☐	YEAR 4: A report on any amendments to the applicable legal authority (if applicable).	Part III.A.7.a	
☒	☐	YEAR 4: Permit re-application information in accordance with Rule 62-624.420(2), F.A.C. - The monitoring plan (with revisions, if applicable). - If the total annual pollutant loadings have not decreased over the past two permit cycles, revisions to the SWMP, as appropriate.	Part V.B.3 Part V.A.3	
☒	☐	YEAR 4: TMDL Supplemental SWMP (if applicable).	Part VIII.B.3	

DO NOT SUBMIT ANY OTHER MATERIALS

(such as records and logs of activities, monitoring raw data, public outreach materials, etc.)

SECTION VI. CERTIFICATION STATEMENT AND SIGNATURE

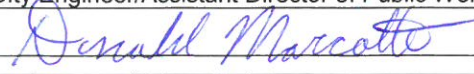
The Responsible Authority listed in Section I.F above must sign the following certification statement, as per Rule 62-620.305, F.A.C.:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Responsible Authority (type or print):

Donald J. Marcotte

Title: City Engineer/Assistant Director of Public Works

Signature:  Date: 11/13/2020

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE									
A.	B.					C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity					Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.1	Structural Controls and Stormwater Collection Systems Operation								
	Report the current known inventory.								
	Report the number of inspection and maintenance activities conducted for each applicable type of structure included in Table II.A.1.a, and the percentage of the total inventory of each type of structure inspected and maintained.								
	Note: Delete structures that are not in your MS4's inventory. The permittee may choose its own unit of measurement for each structural control to be consistent with the unit of measurement in the documentation. Unit options include: miles, linear feet, acres, etc.								
	Type of Structure	Number of Structures	Number of Inspections	Percent Inspected	Number of Maintenance Activities	Percent Maintained			
	Dry retention systems	0	N/A	N/A	N/A	N/A	N/A	N/A	
	Underdrain filter systems	0	N/A	N/A	N/A	N/A	N/A	N/A	
	Exfiltration trench / French drains (lf)	19	90	100	5	26	Retrofit Inspection Form and Retrofit Maintenance Form	Lakes Division	
	Grass treatment swales (miles)	0	N/A	N/A	N/A	N/A	N/A	N/A	
	Dry detention systems	14	54	100	10	29	Pond Inspection Form and Site Maintenance Form	Lakes Division	
	Wet detention systems	14	161	100	84	79	Pond Inspection Form and Site Maintenance Form	Lakes Division	
Detention with filtration systems	1	12	100	0	0	Pond Inspection Form and Site Maintenance Form	Lakes Division	Howard Drive pond	
Alum Injection systems	5	-	100	-	100	Alum Use Form and Retrofit Maintenance Form	Lakes Division	All were maintained however, personnel and contracting out clouded the	

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE									
A.	B.					C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity					Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Pollution control boxes								tracking processs.
		56	378	100	49	45	Retrofit Inspection Log and Retrofit Maintenance Form	Lakes Division	CDS, Suntree and Custom
	pump stations	2	74	100	0	0	Monthly Lift Station Log Sheets	Utilities Maint. Division	Both Pumping Stations will be out of service by P4Y5
	Major outfalls	21	124	100	11	40	Outfall Inspection Log, GIS Data Collection & Site Maintenance Form	Stormwater, GIS & Lakes Divisions	
	Weirs or other control structures	4	23	100	0	0	Site Maintenance Form	Lakes Division	
	pipes / culverts (miles)	46	15	32	1.0	4	Daily Work Logs	Streets Division	Estimated based on number of inlet inspections. Procedure outlined in Structural Controls SOP
	Canals (each)	6	6	100	11	100	Site Maintenance Form	Lakes Division	
	Inlets / catch basins / grates	2314	4376	100	2314	100	Daily Work Logs	Streets Division	
	Ditches / conveyance swales	18	152	100	124	100	Ditch Inspection Form and Site Maintenance Form	Lakes Division	
	If the minimum inspection frequencies set forth in Table II.A.1.a. were not met, provide as an attachment an explanation of why they were not and a description of the actions that will be taken								

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE						
A.	B.		C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity		Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	to ensure that they will be met.					

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.1 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.3 of the permit.				
	Strengths: Frequent inspections and cleaning of retrofits allowed by dedicated staff positions and equipment				
	Limitations: Added structures increase demand on manpower, large number of underground systems are time consuming to maintain.				
	SWMP revisions implemented to address limitations: Continued emphasis on following Standard Operating Procedures.				
Part III.A.2	Areas of New Development and Significant Redevelopment				
	Report the number of significant development projects, including new and redevelopment, reviewed by the permittee for post-development stormwater considerations.				
	Number of significant development projects reviewed	130	HTE Permit Records	Building and Permitting Services Dept.	New Commercial, Residential, Sitework
	Provide in the Year 2 Annual Report the summary report of the review activity. Provide in the Year 4 Annual Report the follow-up report on plan implementation.				
	Year 2 ONLY: Attach the summary report of the review activity	☐	HTE Permit Statistics Report	Building Dept.	Year 2 included only
	Year 4 ONLY: Attach the follow-up report on plan implementation	☒			
Part III.A.2 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.3 of the permit.				
	Strengths: All applications are reviewed by Public Works (or the Super Permitter)				
	Limitations: None				
	SWMP revisions implemented to address limitations: No SWMP revisions implemented.				
Part III.A.3	Roadways				
	Report on the litter control program, including the frequency of litter collection, an estimate of the total number of road miles cleaned or amount of area covered by the activities, and an estimate of the quantity of litter collected. <i>Note: If the permittee does not contract activities, delete CONTRACTOR activities.</i>				
	PERMITTEE Litter Control: Frequency of litter collection	Quarterly	Watershed cleanup data collection spreadsheet	Sustainability Planner	648 volunteers
	PERMITTEE Litter Control: Estimated amount of area maintained (acres)	3,540	Watershed cleanup data collection spreadsheet	Sustainability Planner	1,598 Volunteer hours
	PERMITTEE Litter Control: Estimated amount of litter collected (lbs)	3,638	Watershed cleanup data	Sustainability Planner	Focused on roadways

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
			collection spreadsheet		within the basin
	OPTIONAL: If an Adopt-A-Road or similar program is implemented, report the total number of road miles cleaned and an estimate of the quantity of litter collected. If you do not participate in an Adopt-A-Road program, report "0".				
	Trash Pick-up Events: Total miles cleaned	0	N/A	N/A	
	Trash Pick-up Events: Estimated amount of litter collected (cy)	0	N/A	N/A	
	Adopt-A-Road: Total miles cleaned	0	N/A	N/A	
	Adopt-A-Road: Estimated amount of litter collected (cy)	0	N/A	N/A	
	Report on the street sweeping program, including the frequency of the sweeping, total miles swept, an estimate of the quantity of sweepings collected, and the total nitrogen and total phosphorus loadings that were removed by the collection of sweepings. If no street sweeping program is implemented, provide the explanation of why not in column F.				
	Frequency of street sweeping	Bi-weekly	Contractor sweeping logs and dumpster count	Streets Division	
	Total miles swept	6,480	Contractor sweeping logs and dumpster count	Streets Division	
	Estimated quantity of sweeping material collected (cy / tons)	4,142 CY	Contractor sweeping logs and dumpster count	Streets Division	3,150 Sreet Sweeping/ 195 from Inlets/697 From BMPs
	Total phosphorous loadings removed (pounds)	3,458	FSA Load Reduction Tool	Stormwater Division	2,690 Street Sweeping/ 582 BMP Cleanout/186 Cath Basins
	Total nitrogen loadings removed (pounds)	5,632	FSA Load Reduction Tool	Stormwater Division	4,195 Street Sweeping/ 1,437 BMP Cleanout
	Report the equipment yards and maintenances shops that support road maintenance activities, and the number of inspections conducted for each facility.				
	Name of Facility	Number of Inspections			
	Central Utilities Compound	2	Site Maintenance Form & Central Inspection Form	Stormwater & Lakes Divisions	

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Provide an evaluation of the Stormwater Management Program according to Part VI.B.3 of the permit. Strengths: Frequent sweeping, community involvement in litter control, educational component included in litter control events Limitations: Heavy tree canopy produces a large volume of leaf litter. Multiple departments and divisions utilize the same maintenance yard. SWMP revisions implemented to address limitations: Sweeping contracted out. Leaves are not stockpiled. One position (Engineer III) authorized to inspect and require remediation for all areas of the maintenance yard.				
Part III.A.4	Flood Control Projects				
	Report the total number of flood control projects that were constructed by the permittee during the reporting period and the number of those projects that did NOT include stormwater treatment. The permittee shall provide a list of the projects where stormwater treatment was not included with an explanation for each of why it was not. Report on any stormwater retrofit planning activities and the associated implementation of retrofitting projects to reduce stormwater pollutant loads from existing drainage systems that do not have treatment BMPs.				
	Flood control projects completed during the reporting period	2	N/A	N/A	CDS Unit was installed for one project and the other has treatment at the outfall already.
	Flood control projects completed that did <u>not</u> include stormwater treatment	N/A	N/A	N/A	
	Stormwater retrofit projects planned/under construction	10	Stormwater 5 Year CIP	Engineering Division	
	Stormwater retrofit projects completed	2	N/A	N/A	
	If there were projects that did not include stormwater treatment, provide as an attachment a list of the projects and an explanation for each of why it did not.	☐	N/A	N/A	
Part III.A.4 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.3 of the permit. Strengths: In house design capabilities provide cost effective means of including treatment components to flood control projects that can accommodate them. Limitations: High groundwater conditions in some areas of the City limit the ability to provide effective treatment. SWMP revisions implemented to address limitations: None				

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.5	Municipal Waste Treatment, Storage, and Disposal Facilities Not Covered by an NPDES Stormwater Permit				
	Report the facilities and the number of the inspections conducted for each facility.				
	Name of Facility	Number of Inspections			
	Central Utilities Compound	2	Central Inspection Form	Stormwater Division	1/21/2020 & 6/24/2019
	Turner Road Parcel	2	Site Maintenance Form	Lakes Division	1/21/2020 & 6/24/2019
Part III.A.5 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.3 of the permit.				
	Strengths: No offsite drainage from Turner Road site, material stockpiling only at both sites, space limits amount of material that can be held.				
	Limitations: Used by multiple departments with relatively uncontrolled access and minimal supervision.				
	SWMP revisions implemented to address limitations: Proper use and operation included in new training modules (illicit discharge and erosion/sediment control).				
Part III.A.6	Pesticides, Herbicides, and Fertilizer Application				
	Report the number of permittee personnel applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified / licensed.				
	Report the number of permittee personnel who have been trained through the Green Industry BMP Program and the number of contracted commercial applicators of fertilizer who are FDACS certified / licensed.				
	PERSONNEL: FDACS public applicators of pesticides/herbicides	8	NPDES Training File	Stormwater Division	
	CONTRACTORS: FDACS commercial applicators of pesticides/ herbicides	0	NPDES Training File	Stormwater Division	
	PERSONNEL: Green Industry BMP Program training completed	3	NPDES Training File	Stormwater Division	
	CONTRACTORS: FDACS certified / licensed applicators of fertilizer	0	NPDES Training File	Stormwater Division	
	Provide a copy of the adopted ordinance with the Year 2 Annual Report. If this provision is not applicable because the permittee is not within the watershed of a nutrient-impaired water body, indicate that in Column F.				
	Year 2 ONLY: Attach copy of adopted Florida-friendly ordinance	☐			
	Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage citizens to reduce their use of pesticides, herbicides and fertilizers including the type and number of activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable).				
	Brochures/Flyers/Fact sheets distributed	0	N/A	N/A	
	Neighborhood presentations: Number conducted	0	N/A	N/A	
	Neighborhood presentations: Number of participants	0	N/A	N/A	
	Newspapers & newsletters: Number of articles/notices published	0	Newsletter & Mail Receipt	Stormwater Division	

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Newsletters: Number of newsletters distributed	0	Newsletter & Mail Receipt	Stormwater Division	
	Public displays (e.g., kiosks, storyboards, posters, etc.)	0	N/A	N/A	
	Radio or television Public Service Announcements (PSAs)	0	N/A	N/A	
	School presentations: Number conducted	5	Education Outreach Summary	Lakes Division	
	School presentations: Number of participants	246	Education Outreach Summary	Lakes Division	
	Seminars/Workshops: Number conducted		N/A	N/A	
	Seminars/Workshops: Number of participants	0	N/A	N/A	
	Special events: Number conducted	7	Education Outreach Summary	Lakes Division	Some events cancelled due to COVID
	Special events: Number of participants	1087	Education Outreach Summary	Lakes Division	Watershed cleanups
	Number of visitors to stormwater-related pages	597	Activity Query	Communications Department	Unique Page View
	FYN: Brochure/Flyers/Fact sheets distributed			FYN	
	FYN: Neighborhood presentations: Number conducted			FYN	
	FYN: Neighborhood presentations: Number of participants			FYN	
	FYN: Public displays (e.g., kiosks, storyboards, posters, etc.)			FYN	
	FYN: Radio or television Public Service Announcements (PSAs)			FYN	
	FYN: School presentations: Number conducted			FYN	
	FYN: School presentations: Number of participants			FYN	
	FYN: Seminars/Workshops: Number conducted			FYN	
FYN: Seminars/Workshops: Number of participants			FYN		
FYN: Special events: Number conducted			FYN		
FYN: Special events: Number of participants			FYN		
Part III.A.6 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.3 of the permit.				
	Strengths: Newsletter delivered to every home, web page(s) have full time manager and cover relevant topics.				
	Limitations: None.				
	SWMP revisions implemented to address limitations: No SWMP revisions were implemented.				
Part III.A.7.a	Illicit Discharges and Improper Disposal — Inspections, Ordinances, and Enforcement Measures				
	Report amendments in Year 4.				
	Year 4 ONLY: Attach a report on amendments to applicable legal authority	☐			

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.7.c	Illicit Discharges and Improper Disposal — Investigation of Suspected Illicit Discharges and/or Improper Disposal				
	Report on the proactive inspection program, including the number of inspections conducted by the permittee, the number of illicit activities found, and the number and type of enforcement actions taken.				
	Proactive inspections for suspected illicit discharges	897	Retrofi Maintenance Forms, Pond and Ditch Inspection Forms,	Lakes Division	
	Inspections performed by Orange County SQG Program	29	SQG inspection database	Orange County	
	Illicit discharges found during a proactive inspection	0	N/A	N/A	N/A
	NOV/WL/citation/fines issued for illicit discharges found during proactive inspection	0	N/A	N/A	N/A
	Year 1 ONLY: Attach the written proactive inspection program plan	N/A	City of Winter Park Code Review	Stormwater Division	N/A
	Report on the reactive investigation program as it relates to responding to reports of suspected illicit discharges, including the number of reports received, the number of investigations conducted, the number of illicit activities found, and the number and type of enforcement actions taken.				
	Reports of suspected illicit discharges received	12	Illicit discharge forms, warning letter, violation letters, Inspection records	Stormwater,Engi neering & Lakes Divisions	
	Reactive investigations of reports of suspected illicit discharges etc.	12	Illicit discharge forms, warning letter, violation letters, Inspection records	Stormwater,Engi neering & Lakes Divisions	
	Illicit discharges etc. found during reactive investigation	12	Illicit discharge file	Stormwater Division	
	NOV/WL/citation/fines issued for illicit discharges etc. found during reactive investigation	0	Illicit discharge file	Stormwater Division	
	Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training) within the reporting year.				
Personnel trained	All field staff	Stormwater Coordination MeetingMinutes	Stormwater Division	See III. A. 7. Evaluaton	
Contractors trained	0	N/A	N/A	See III. A. 7.	

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
					Evaluation
Part III.A.7.d	Illicit Discharges and Improper Disposal — Spill Prevention and Response				
	Report on the spill prevention and response activities, including the number of spills addressed.				
	Hazardous and non-hazardous material spills responded to	34	Incident response database	Fire-Rescue Dept.	
	Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training) within the reporting year.				
	Personnel trained	72	Training records	Fire-Rescue Dept.	
	Contractors trained	0	N/A	N/A	Interlocal agreement with City of Orlando F.D. used for spills beyond the WPFD's capabilities
Part III.A.7.e	Illicit Discharges and Improper Disposal — Public Reporting				
	Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the public reporting of suspected illicit discharges and improper disposal of materials, including the type and number of activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable).				
	Brochures/Flyers/Fact sheets distributed	0	Communications Department	Stormwater Division	
	Neighborhood presentations: Number conducted	0	N/A	N/A	N/A
	Neighborhood presentations: Number of participants	0	N/A	N/A	N/A
	Newspapers & newsletters: Number of articles/notices published	0	Newsletter & Mail Receipt	Stormwater Division	
	Newsletters: Number of newsletters distributed	0	Newsletter & Mail Receipt	Stormwater Division	
	Public displays (e.g., kiosks, storyboards, posters, etc.)	0	N/A	N/A	N/A
	Radio or television Public Service Announcements (PSAs)	0	N/A	N/A	N/A
	School presentations: Number conducted	2	Educational Outreach Summary	Lakes Division Stormwater Div.	Some events cancelled due to COVID
	School presentations: Number of participants	126	Educational Outreach Summary	Lakes Division Stormwater Div.	
	Seminars/Workshops: Number conducted	0	Educational	Lakes Division	

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Seminars/Workshops: Number of participants	0	Outreach Summary Educational Outreach Summary	Stormwater Div. Lakes Division Stormwater Div.	
	Special events: Number conducted	4	Educational Outreach Summary	Lakes Division Stormwater Div.	Some events cancelled due to COVID
	Special events: Number of participants	834	Educational Outreach Summary	Lakes Division Stormwater Div.	
	Number of visitors to stormwater-related pages	597	Activity Query	Communications Department	Unique Page Views
	Contribute to Water Atlas?	Yes	Water Atlas agreement	Reported by Orange County	N/A
Part III.A.7.f	Illicit Discharges and Improper Disposal — Oils, Toxics, and Household Hazardous Waste Control				
	Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the proper use and disposal of oils, toxics, and household hazardous waste, including the type and number of activities conducted, the type and number of materials distributed, the amount of waste collected / recycled / properly disposed, and the number of Web site visits (if applicable).				
	Brochures/Flyers/Fact sheets distributed	0	Communication s Department	Stormwater Divison	
	Neighborhood presentations: Number conducted	0	N/A	N/A	N/A
	Neighborhood presentations: Number of participants	0	N/A	N/A	N/A
	Newspapers & newsletters: Number of articles/notices published	0	Newsletter & Mail Receipt	Stormwater Division	
	Newsletters: Number of newsletters distributed	0	Newsletter & Mail Receipt	Stormwater Division	
	Public displays (e.g., kiosks, storyboards, posters, etc.)	0	N/A	N/A	N/A
	Radio or television Public Service Announcements (PSAs)	0	N/A	N/A	N/A
	School presentations: Number conducted	4	Educational Outreach Summary	Lakes Division Stormwater Div.	Some events cancelled due to COVID
	School presentations: Number of participants	216	Educational Outreach Summary	Lakes Division Stormwater Div.	
	Seminars/Workshops: Number conducted	0	Educational Outreach Summary	Lakes Division Stormwater Div.	
	Seminars/Workshops: Number of participants	0	Educational Outreach Summary	Lakes Division Stormwater Div.	

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Special events: Number conducted	4	Sustainability Planner's Files	Building and Permitting Services Dept.	Some events cancelled due to COVID
	Special events: Number of participants	834	Sustainability Planner's Files	Building and Permitting Services Dept.	
	Storm sewer inlets newly marked/replaced	192	Inlet Marker Log Sheets	Stormwater Division	
	Number of visitors to stormwater-related pages	597	Activity Query	Communications Department	Unique Page Views
	Contribute to Water Atlas?	Yes	Interlocal Agreement	Reported by Orange County	N/A
Part III.A.7.g	Illicit Discharges and Improper Disposal — Limitation of Sanitary Sewer Seepage				
	Report on the type and number of activities undertaken to reduce or eliminate SSOs and inflow/ infiltration, the number of SSOs or inflow / infiltration incidents found and the number resolved, and the name of the owner of the sanitary sewer system within the permittee's jurisdiction. Report only the SSOs and inflow / infiltration incidents into the MS4.				
	Owner of the sanitary sewer system	City of Winter Park			
	Activity to reduce/eliminate SSOs and I&I: (description)	TV inspection	CCTV Inspection Reports	Construction Services Division	159,460 linear feet inspected
	Activity to reduce/eliminate SSOs and I&I: (description)	Pipe lining	FY18 Quarterly Reports	Construction Services and Maintenance Divisions	9,388 LF lined
	SSO incidents discovered	0	Overflow Reports	Construction Services and Maintenance Divisions	
	SSO incidents resolved	0	Overflow Reports	Construction Services and Maintenance Divisions	
	Inflow / infiltration incidents discovered	258	CCTV Inspection Report	Construction Services Division	High ground water in most areas
	Inflow / infiltration incidents resolved	All Plus additional from pipe lining	FY19 Quarterly Reports & Reynolds Inliner Invoices	Construction Services Division	Lining work is performed following inspections and does not always fall in

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE							
A.	B.			C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity			Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
							the same permit year
Part III.A.7 Summary	For activities required by Part III.A.7: Provide an evaluation of the Stormwater Management Program according to Part VI.B.3 of the permit.						
	Strengths: Aggressive inspection and lining program, proactive installation/stationing of alternative power during emergencies.						
	Limitations: Training program not robust.						
	SWMP Revisions implemented to address limitations: The training program was re-written during the reporting year in the form of SOP's to meet the current permit requirements and was implemented during this permit year (P4Y2).						
Part III.A.8.a	Industrial and High-Risk Runoff — Identification of Priorities and Procedures for Inspections						
	Report on the high risk facilities inventory, including the type and total number of high risk facilities and the number of facilities newly added each year.						
	Report on the high risk facilities inspection program, including the number of inspections conducted and the number and type of enforcement actions taken.						
	Type of Facility	Number of Facilities	Number of Inspections	Enforcement Actions			
	Operating municipal landfills	0	0	0	N/A	N/A	N/A
	Hazardous waste treatment, storage, disposal and recovery (HWTSDR) facilities	0	0	0	N/A	N/A	N/A
	EPCRA Title III, Section 313 facilities (TRI)	0	0	0	N/A	N/A	N/A
	Areas determined as high risk by the permittee	3	6	0	Retrofit Inspection Form and SW Division inspection reports	Lakes & Stormwater Divisions	List contained in SOP's
Part III.A.8.b	Industrial and High-Risk Runoff — Monitoring for High Risk Industries						
	Report the number of high risk facilities sampled.						
	High risk facilities sampled	0		N/A	N/A		

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE					
A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.8 Summary	For activities required by Part III.A.8: Provide an evaluation of the Stormwater Management Program according to Part VI.B.3 of the permit.				
	Strengths: Frequent inspections of the High Risk areas allow for the identification of any items which may cause non-stormwater discharges more frequently.				
	Limitations: Limited interaction between Public Works and other field staff may have hindered reporting. Discrepancies in the Stormwater Utility code made fines for illicit discharges difficult to administer in some cases.				
	SWMP revisions implemented to address limitations: Revised SW Utility code to make enforcement action easier for inspectors and Code Compliance Officers. Stepped up training of field/inspection staff from other disciplines.				
Part III.A.9.a	Construction Site Runoff — Site Planning and Non-Structural and Structural Best Management Practices				
	Report the number of permittee and private pre-construction site plans reviewed for stormwater, erosion, and sedimentation controls, and the number approved.				
	PERMITTEE SITES: Construction site plans reviewed	0			
	PERMITTEE SITES: Construction site plans approved	0			
	PRIVATE SITES: Construction site plans reviewed	1218	HTE Permit Records	Building and Permitting Services Dept.	
	PRIVATE SITES: Construction site plans approved	1216	HTE Permit Records	Building and Permitting Services Dept.	
	Report the number of development permit applicants notified of the ERP and CGP, and the number of applicants who confirmed ERP and CGP coverage.				
	Notified of ERP stormwater permit requirements	8	HTE Permit Records	Building and Permitting Services Dept.	
	Confirmed ERP coverage	8	Private Systems Inventory (S: Drive)	Stormwater Div.	
	Notified of CGP stormwater permit requirements	8	HTE Permit Records	Building and Permitting Services Dept.	
	Confirmed CGP coverage	8	NOI's	Stormwater Div.	
Part III.A.9.b	Construction Site Runoff — Inspection and Enforcement				
	Report on the inspection program for privately-operated and permittee-operated construction sites, including the number of active construction sites during the reporting year, the number of inspections of active construction sites, the percentage of active construction sites inspected, and the number and type of enforcement actions / referrals taken.				
	PERMITTEE SITES: Active construction sites	2			
	PERMITTEE SITES: Pre-, During, and Post inspections of active construction sites for E&S and waste control BMPs	6			
	PERMITTEE SITES: Percentage of active construction sites inspected	100			
	PRIVATE SITES: Active construction sites	707	HTE Permit Records	Building and Permitting	Site Work Only

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE						
A.	B.		C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity		Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	PRIVATE SITES: Pre-, During, and Post inspections of active construction sites for E&S and waste control BMPs PRIVATE SITES: Percentage of active construction sites inspected Enforcement Action				Services Dept.	
			1275	Site Inspection Forms	Engineering Div	
			100	Site Inspection Forms	Engineering Div	
			7	SWO	Engineering Div.	Enforcement and fines are being implemented more frequently come Year 4/SWO not issued for every violation.
	Year 1 ONLY: Attach the written construction site inspection program plan			City of Winter Park NPDES Permit 4 SOP's	Stormwater Division	
Part III.A.9.c	Construction Site Runoff — Site Operator Training					
	Report the type of training activities, the number of inspectors, site plan reviewers and site operators trained (both in-house and outside training).					
		DEP Certification	Annual Training			
	Permittee construction site inspectors	2	2	NPDES Training File	Stormwater Division	
	Permittee construction site plan reviewers		1	Continuing education credits	Engineer I, II, III	
	Permittee construction site operators		Select field staff before the start of the COVID-19 pandemic	NPDES Training File	Stormwater Division	Orange County Videos were utilized for all departments
Part III.A.9 Summary	For activities required by Part III.A.9: Provide an evaluation of the Stormwater Management Program according to Part VI.B.3 of the permit.					
	Strengths: Experienced, professional review staff, low turnover rate, automated permit tracking system.					
	Limitations: Annual training not robust, permit reviewers stretched thin					
	SWMP revisions implemented to address limitations: Personnel in various departments have been cross trained to spot illicit discharge and erosion control issues; however, in this permitting year COVID-19 has severely limited the ability to conduct training activities.					

SECTION VIII. CHANGES TO THE STORMWATER MANAGEMENT PROGRAM (SWMP) ACTIVITIES (Not Applicable In Year 4)

A.	Permit Citation/ SWMP Element	Proposed Changes to the Stormwater Management Program Activities Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change) — REQUIRES DEP APPROVAL PRIOR TO CHANGE IF PROPOSING TO REPLACE OR DELETE AN ACTIVITY.
		No changes.
B.	Permit Citation/ SWMP Element	Changes to the Stormwater Management Program Activities NOT Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change)
		No changes.

SECTION IX. TMDL Status Report

A.	YEAR 1 Provide a table summarizing the status of the TMDL process. Include a list of prioritized TMDLs and their monitoring and implementation schedule; and include the Identification number of the outfall prioritized for TMDL monitoring.								
	WBID Number	Segment/ Waterbody/ Basin	Pollutant of Concern	TMDL DEP / EPA	Percent Reduction (WLA)	Priority Rank	Priority Outfall	Monitoring Summary / BPCP Due Date	Supplemental SWMP Due Date
	3014	Crane Strand	Bacteria	X / ☐	N/A	1	N/A	(Year 3 AR)	Year 4 Report
	3023	Crane Strand	Bacteria	X / ☐	N/A	2	N/A	N/A	N/A
	3014	Crane Strand	BCOD	X / ☐	N/A	3	N/A	N/A	N/A
B.	YEAR 3 and annually thereafter, provide a summary of the estimated load reductions that have occurred for the pollutant(s) of concern being discharged from the MS4 to the TMDL water body during the reporting period and cumulatively since the date the Supplemental SWMP was implemented.								
	Year 3: Submit a Monitoring data summary or BPCP (if applicable).								
	Year 4: Submit a Supplemental SWMP (if applicable).								
	WBID Number	Pollutant of Concern	Monitoring Summary / BPCP Submitted	Supplemental SWMP Submitted	Projected load reductions OR Actual load reductions to date				
	3014	Bacteria	(Year 3 AR)	(Year 4 AR; N/A if BPCP)	No calculations have been performed. The City is working to implement a management action plan for the WBID and acquire valid samples.				
C.	Provide a brief statement as to the status of TMDL implementation according to Part VIII.B. of the permit (e.g. status of monitoring to validate WLA): Please see attached basin management action plan. Also, please note the City is currently trying to verify the validity of sampling areas and is focusing on public education and inspections. No load estimates have been performed to date due to lack of valid sampling areas.								



Lake Killarney Advisory Board

agenda item

item type Non-Action Items	meeting date December 3, 2021
prepared by Melissa Meade	approved by
board approval	
strategic objective	

subject

Stormwater Management

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Orange MS4_Cycle 4_FINAL Permit.pdf](#)

**STATE OF FLORIDA
MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT**

FACILITY NAME: Orange County MS4

PERMIT NUMBER: FLS000011-004 — MAJOR Facility

ISSUANCE DATE: May 10, 2016

EXPIRATION DATE: May 9, 2021

PERMITTEES:

Apopka, City of 748 E. Cleveland Street Apopka, FL 32704-1229	Florida Department of Transportation District Five 719 South Woodland Blvd. Deland, FL 32720	Valencia Water Control District 10365 Orangetown Blvd. Orlando, FL 32821
Belle Isle, City of 1600 Nela Avenue Belle Isle, FL 32809	Maitland, City of 1827 Fennell Street Maitland, FL 32751	Winter Garden, City of 8 North Highland Avenue Winter Garden, FL 34787
Eatonville, Town of 307 East Kennedy Blvd. Eatonville, FL 32751	Ocoee, City of 150 North Lakeshore Drive Ocoee, FL 34761	Winter Park, City of 401 Park Ave. South Winter Park, FL 32789
Edgewood, City of 405 Larue Avenue Edgewood, FL 32809	Orange County 3165 McCrory Place, Suite 200 Orlando, FL 32803	

This permit is issued pursuant to Section 403.0885, Florida Statutes (F.S.), and rules promulgated thereunder. The Department of Environmental Protection (Department) implements the stormwater element of the federal National Pollutant Discharge Elimination System (NPDES). The stormwater element of the federal NPDES program is mandated by Section 402(p) of the Clean Water Act (CWA), which is set out in the federal statutes at 33 U.S.C. Section 1342(p) and implemented through federal regulations including 40 Code of Federal Regulations (CFR) 122.26.

Authorized by Section 403.0885, F.S., the Department's federally approved NPDES Stormwater Program is set out in various provisions within Chapters 62-4, 62-620, 62-621 and 62-624 of the Florida Administrative Code (F.A.C.). Chapter 62-624, F.A.C., specifically addresses Municipal Separate Storm Sewer Systems (MS4s).

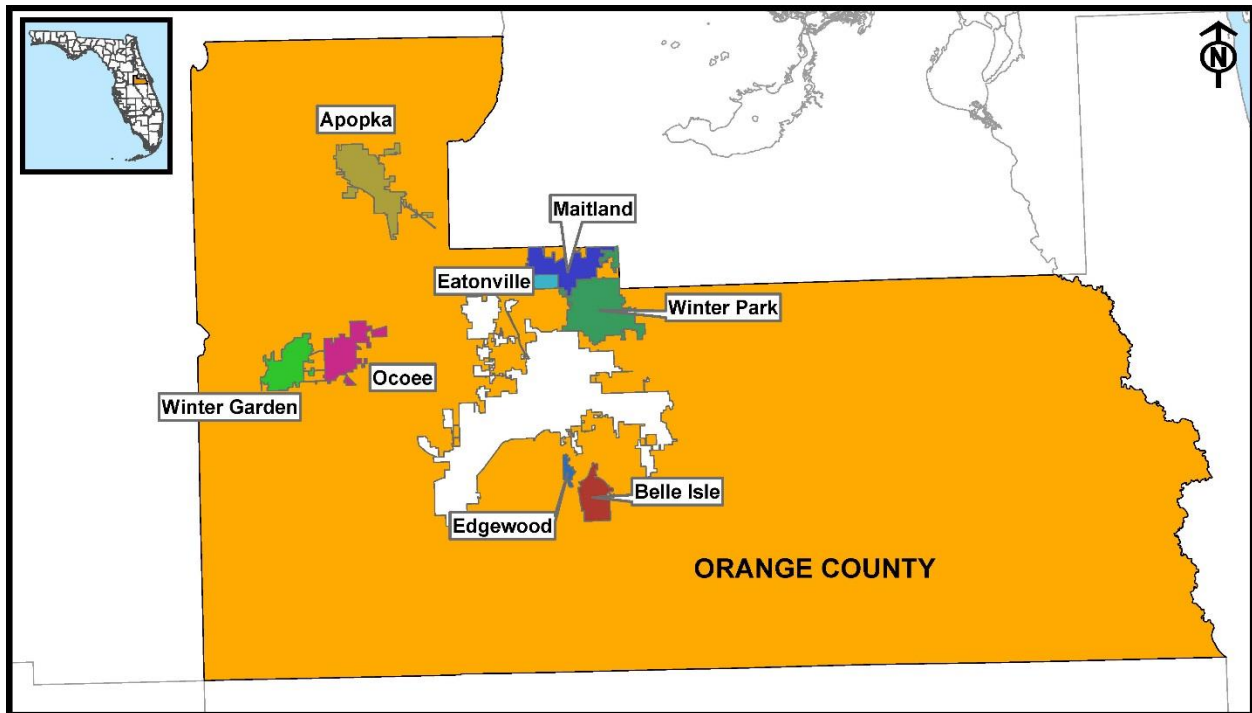
The above named permittees are hereby authorized to discharge stormwater to waters of the State, in accordance with the approved Stormwater Management Programs (SWMPs), effluent limitations, monitoring requirements, and other provisions as set forth in this permit, the

application and other documents attached hereto or on file with the Department and made a part hereof, from all portions of the MS4 owned or operated by any permittee listed above.

PART I. DISCHARGES AUTHORIZED UNDER THIS PERMIT

A. Permit Area.

This permit covers all areas located within the political boundary of Orange County that are served by the MS4s owned or operated by the permittees identified above.



B. Authorized Discharges.

Except for discharges prohibited under Part I.D, this permit authorizes all existing stormwater point source discharges to waters of the State from those portions of the MS4s owned or operated by the permittees. New Stormwater discharges are authorized provided they meet all applicable requirements of the St. Johns River Water Management District (SJRWMD) and the South Florida Water Management District (SFWMD) environmental resource permitting program authorized pursuant to Part IV of Chapter 373, F.S.

C. Permittee Responsibility.

1. Permittees are individually responsible for:
 - a. Compliance with permit conditions relating to discharges from portions of the MS4 where they are the operator;

- b. Implementation of their SWMP on portions of the MS4 where they are the operator;
 - c. Where permit conditions are established for specific portions of the MS4, the permittees need only comply with the permit conditions relating to those portions of the MS4 for which they are the operator;
 - d. A plan of action to assume responsibility for implementation of stormwater management and monitoring programs on their portions of the MS4 should inter-jurisdictional agreements allocating responsibility between permittees be dissolved or in default (See Part II.G.3 of this permit also); and
 - e. Submission of annual reports as specified in Part VI (Reporting Requirements).
2. Permittees may be jointly responsible for:
- a. Collection of monitoring data as required by Part V.B; and
 - b. Insuring implementation of system-wide management program elements, including any system-wide public education efforts.

D. Limitations on Coverage.

Pursuant to Section 403.0885, F.S., and rules promulgated thereunder, and consistent with Section 402(p)(3)(B)(ii) of the CWA, this permit must include a requirement to effectively prohibit non-stormwater discharges into the storm sewers within each permittee's MS4. Consequently, this permit does not authorize the following discharges:

- 1. *Non-stormwater*: Discharges of non-stormwater, except where such discharges are:
 - a. Authorized under the provisions of Chapter 373 or 403, F.S., or rules promulgated thereunder; or
 - b. Identified by and in compliance with Part II.A.7.a.
- 2. *Spills*: Discharges of material resulting from a spill, except where such discharges are:
 - a. The result of an Act of God where reasonable and prudent measures have been taken to minimize the impact of the discharge; or
 - b. An emergency discharge required to prevent imminent threat to human health or prevent severe property damage, where reasonable and prudent measures have been taken to minimize the impact of the discharge.

PART II. STORMWATER POLLUTION PREVENTION AND MANAGEMENT PROGRAMS

Each permittee shall implement a Stormwater Management Program (SWMP) that shall include pollution prevention measures, treatment or removal techniques, stormwater monitoring, use of legal authority, and other appropriate means to control the quality of stormwater discharged from the MS4.

Controls and activities in the SWMP shall identify areas of permittee jurisdiction. The SWMP shall include controls necessary to effectively prohibit the discharge of non-stormwater into the MS4 and reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable (MEP). Compliance with the SWMP shall be reported annually in the ANNUAL REPORT discussed in Part VI of this permit.

Implementation of the SWMP may be achieved through participation with other permit holders, public agencies, or private entities in cooperative efforts to satisfy the requirements of Part II and Part III of the permit in lieu of creating duplicate program elements for each individual permittee. However, each permittee remains responsible for annually reporting on the program elements conducted by the other entity within its jurisdictional area and maintaining documentation of the activity. Each SWMP, taken as a whole, shall achieve the “effective prohibition” requirements and “MEP” standards from Section 402(p)(3)(B) of the CWA, as implemented pursuant to Section 403.0885, F.S., and rules promulgated thereunder.

Each SWMP covers the term of the permit and shall be updated as necessary, or as required by the Department, to ensure that it complies with Section 403.0885, F.S., and rules promulgated thereunder, and is consistent with Section 402(p)(3)(B) of the CWA. Modifications to the SWMP shall be made in accordance with Part II.G of this permit. Compliance with the SWMP and the compliance schedules in Part III shall be deemed in compliance with Parts II.A and II.B of the permit. The *Florida Department of Transportation Statewide Stormwater Management Plan*, (SSWMP, 2012, or most current version) that is submitted and approved by the Department, is hereby incorporated into this permit by reference, and thus its contents are enforceable elements of the permit. Specific components of the SWMP are identified in Parts II and III to serve as measurable and enforceable elements of this permit.

A. Stormwater Management Program (SWMP) Requirements.

1. *Structural Controls and Stormwater Collection System Operation:* The MS4 and any stormwater structural control shall continue to be operated by the permittees in a manner to reduce the discharge of pollutants (including floatables) to the MEP.
 - a. Each permittee shall comply with the applicable inspection and maintenance requirements in Table II.A.1.a. for those controls operated by the permittee. FDOT District Five shall comply with the inspection and maintenance requirements in Table II.A.1.a, or with the inspection and maintenance schedule as included in the SSWMP that specifies minimum inspection frequencies.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Dry Retention Systems New systems (i.e., those in operation after the effective date of the permit) → Existing systems without chronic problems → Existing systems with chronic problems that affect the permitted operation of the system →	Annually the first two years of operation Once every three years Annually until the chronic problems are corrected	- Inspect the system for storage volume recovery within the permitted time, generally less than 72 hours. Dead or dying grass on the bottom and / or standing water following three or more days of dry weather is an indication of potential clogging and reduced infiltration capacity. - Inspect and monitor sediment accumulation on the bottom or inflow / outflow to prevent loss of storage volume, clogging of the system or the inflow / outflow pipes. - Inspect vegetation of bottom and side slopes to assure it is healthy, maintaining coverage, and that no erosion is occurring within the system. - Inspect inflow and outflow structures, trash racks, and other components for signs of undercutting or piping, settling, or damage, and for accumulation of debris and trash that would cause clogging and adversely impact operation of the system. - Inspect the system for potential mosquito breeding areas such as where standing water occurs after 72 hours or where cattails or other invasive vegetation becomes established. - Note any signs of excessive petroleum hydrocarbon contamination and handle appropriately (3).	As needed based on inspection to assure proper operation	- If needed, restore the infiltration capacity of the system by scraping, disking or otherwise aerating the bottom so that it meets the permitted recovery time for the required treatment volume. - Remove accumulated sediment from the bottom and inflow and outflow pipes and dispose of properly. If possible, sediment removal should be done when the system is dry and when the sediments are cracking. - Maintain healthy vegetative cover to prevent erosion in the bottom, side slopes or around inflow and outflow structures (4). Vegetation roots also help to maintain soil permeability. Mow as needed. - Conduct repairs to prevent undercutting or piping. Remove trash and debris from inflow and outflow structures, trash racks, and other system components to prevent clogging or impeding flow. - Eliminate mosquito breeding habitats.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Underdrain Filter Systems New systems (i.e., those in operation after the effective date of the permit) → Existing systems without chronic problems → Existing systems with chronic problems that affect the permitted operation of the system →	Annually the first two years of operation Once every 18 months Annually until the chronic problems are corrected	- Inspect the system for storage volume recovery within the permitted time, generally less than 36 hours. Dead or dying grass on the bottom and / or standing water following three or more days of dry weather is an indication of potential clogging and reduced infiltration or filtration capacity. Inspect filter system outflow to assure it is operating as designed and is not clogged. - Inspect and monitor sediment accumulation on the bottom or inflow / outflow to prevent loss of storage volume, clogging of the system or the inflow / outflow pipes. - Inspect vegetation of bottom and side slopes to assure it is healthy, maintaining coverage, and that no erosion is occurring within the system. - Inspect inflow and outflow structures, trash racks, and other components for signs of undercutting or piping, settling, or damage, and for accumulation of debris and trash that would cause clogging and adversely impact operation of the system. - Inspect the system for potential mosquito breeding areas such as where standing water occurs after 72 hours or where cattails or other invasive vegetation becomes established.	As needed based on inspection to assure proper operation	- If needed, restore the infiltration or filtration capacity of the system by scraping, discing or otherwise aerating the bottom and / or by conducting appropriate maintenance of the filter system so that it meets the permitted recovery time for the required treatment volume. - Remove accumulated sediment from the bottom and inflow and outflow pipes and dispose of properly. If possible, sediment removal should be done when the system is dry and when the sediments are cracking. - Maintain healthy vegetative cover to prevent erosion in the bottom, side slopes or around inflow and outflow structures (4). Vegetation roots also help to maintain soil permeability. Mow as needed. - Conduct repairs to prevent undercutting or piping. Remove trash and debris from inflow and outflow structures, trash racks, and other system components to prevent clogging or impeding flow. - Eliminate mosquito breeding habitats.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Exfiltration Trench / French Drains New systems (i.e., those in operation after the effective date of the permit) → Existing systems without chronic problems → Existing systems with chronic problems that affect the permitted operation of the system →	Annually the first two years of operation Once every three years Annually until the chronic problems are corrected	- Inspect facility for sediment accumulation in the pipe (when used) and for storage volume recovery (i.e., drawdown capacity). If present, observation wells and inspection ports should be checked following 3 days minimum dry weather. Failure to percolate stored runoff to the design treatment volume level within 72 hours indicates binding of soil in the trench walls and / or clogging of geotextile wrap with fine solids. - Inspect appurtenances such as sedimentation and oil and grit separation traps or catch basins as well as diversion devices and overflow weirs when used. Diversion facilities and overflow weirs should be free of debris and ready for service. Sedimentation and oil / grit separators should be scheduled for cleaning when sediment depth approaches cleanout level. Cleanout levels should be established not less than 1 foot below the invert elevation of the chamber.	As needed based on inspection to assure proper operation	- Conduct minor maintenance measures to restore infiltration rates to acceptable levels. This may include removal of accumulated sediments by mechanical or manual means. - Major maintenance (total rehabilitation) is required to remove accumulated sediment in most cases or to restore recovery rate when minor measures are no longer effective or cannot be performed due to design configuration. - Remove trash and debris from diversion facilities and overflow weirs. Clean out sedimentation and oil / grit separators when sediment depth approaches cleanout level and dispose of properly (3, 5). - Remove debris from the outfall or “smart box” (diversion device in the case of off-line facilities).

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Grass Treatment Swales (Dry) New systems (i.e., those in operation after the effective date of the permit) → Existing systems without chronic problems → Existing systems with chronic problems that affect the permitted operation of the system →	Annually the first two years of operation Once every three years Annually until the chronic problems are corrected	- Inspect the swale for storage volume recovery within the permitted time, generally less than 72 hours. Dead or dying grass, cattails / aquatic vegetation in the swale and / or standing water following three or more days of dry weather is an indication of potential clogging and reduced infiltration capacity. - Inspect the swales for debris or litter accumulation or damage to structures including diversion devices, inflow pipes, driveway culverts, and swale blocks. - Inspect and monitor sediment accumulation in the swale or at inflows to prevent clogging of the swale or the inflow pipes. - Inspect vegetation of bottom and side slopes to assure it is healthy, maintaining coverage, and that no erosion is occurring within the swale. - Inspect the swale for potential mosquito breeding areas such as where standing water occurs after 72 hours or where cattails or other invasive vegetation becomes established. - Inspect the swale to determine if parking, filling, excavation, construction of fences, or other objects are damaging or obstructing stormwater flow in the swales.	As needed based on inspection to assure proper operation	- If needed, restore the infiltration capacity of the swale system by scraping, discing or otherwise aerating the bottom so that it meets the permitted recovery time for the required treatment volume. - Remove trash and debris, especially from inflow or outflow structures, to prevent clogging or impeding flow. Repair any damages to structures within the swale system as needed to maintain proper operation. - Remove accumulated sediment from the swale and inflow or outflows and dispose of properly (3, 5). If possible, sediment removal should be done when the swale is dry and when the sediments are cracking. - Maintain healthy vegetative cover to prevent erosion of the swale bottom or side slopes (4). Mow grass as needed. - Eliminate mosquito breeding habitats. - Repair any damage to the swale system and remove fences or other obstructions that may have been built in the swale system.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Dry Detention Systems New systems (i.e., those in operation after the effective date of the permit) → Existing systems without chronic problems → Existing systems with chronic problems that affect the permitted operation of the system →	Annually the first two years of operation Once every three years Annually until the chronic problems are corrected	- Inspect the system for storage volume recovery within the permitted time, generally less than 72 hours. Dead or dying grass on the bottom and / or standing water following three or more days of dry weather is an indication of potential clogging and reduced infiltration capacity. - Inspect and monitor sediment accumulation on the bottom and at the inflow / outflow to prevent loss of storage volume, clogging of the system or the inflow / outfall pipes. - Inspect vegetation of bottom and side slopes to assure it is healthy and maintaining coverage, no erosion is occurring, and excessive seepage that may indicate excessive ground water inflow is not occurring. - Inspect inflow and outflow structures, trash racks, and other system components for signs of undercutting, piping, settling, or damage, and for accumulation of debris and trash that would cause clogging and adversely impact proper operation. - Inspect the system for potential mosquito breeding areas such as where standing water occurs after 72 hours or where cattails or other invasive vegetation becomes established. - Note any signs of excessive petroleum hydrocarbon contamination and handle appropriately (3).	As needed based on inspection to assure proper operation	- If needed, restore the infiltration capacity of the system by scraping, discing or otherwise aerating the bottom so that it meets the permitted recovery time for the required treatment volume. - Remove accumulated sediment from the system and inflow / outflow pipes and dispose of properly (3, 5). If possible, sediment removal should be done when the system is dry and when the sediments are cracking. - Maintain healthy vegetative cover to prevent erosion in the bottom, side slopes or around inflow and outflow structures (4). Mow as needed. Monitor seepage and repair if needed. - Conduct repairs to prevent undercutting, piping, or damage. Remove trash and debris from inflow and outflow structures, trash racks, and other system components to prevent clogging or impeding flow. - Eliminate mosquito breeding habitats.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Wet Detention Systems New systems (i.e., those in operation after the effective date of the permit) → Existing systems without chronic problems → Existing systems with chronic problems that affect the permitted operation of the system →	Annually the first two years of operation Once every three years Annually until the chronic problems are corrected	- Inspect the system for storage volume recovery within the permitted time frame. - Inspect the system for excessive sediment accumulations that cause a 20% or more decrease in the wet detention system's permitted storage volume. - Inspect inflow and outflow structures, trash racks, and other system components for signs of undercutting, piping, settling, or damage, and for accumulation of debris and trash that would cause clogging and adversely impact proper operation. - Inspect vegetation on side slopes to assure it is healthy and maintaining coverage, and that no erosion is occurring. - Inspect the wet detention system and, if applicable, littoral zone to assure that cattails or other invasive vegetation are not becoming established.	As needed based on inspection to assure proper operation	- If required, take actions to assure that storage volume is recovered within the permitted time frame. - Remove accumulated sediments to restore permitted storage volume and dispose of properly (3, 5). - Conduct repairs to prevent undercutting, piping, or damage. Remove trash and debris from inflow and outflow structures, trash racks, and other system components to prevent clogging or impeding flow. - Maintain healthy vegetative cover to prevent erosion of side slopes or around inflow and outflow structures (4). Remove any trees or shrubs that may have become established on the discharge structure embankment, if applicable. - Remove cattails and other exotic vegetation from the littoral zone, if applicable, and replant appropriate vegetation if needed to meet littoral zone requirements (4).

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Detention with Filtration Systems New systems (i.e., those in operation after the effective date of the permit) → Existing systems without chronic problems → Existing systems with chronic problems that affect the permitted operation of the system →	Annually the first two years of operation Once every three years Annually until the chronic problems are corrected	- Inspect the system for storage volume recovery within the permitted time, generally less than 36 hours by assuring that filter system is flowing as designed. - Inspect and monitor sediment accumulation in the detention system or inflow / outflow points to prevent loss of storage volume, clogging of the filter system or the inflow / outflow pipes. - Inspect inflow and outflow structures, trash racks, and other components for signs of undercutting or piping, settling, or damage, and for accumulation of debris and trash that would cause clogging and adversely impact operation of the system. - Inspect the system for potential mosquito breeding areas such as where cattails or other invasive vegetation becomes established.	As needed based on inspection to assure proper operation	- If needed, restore the filtration capacity of the system by conducting appropriate maintenance of the filter system so that it meets the permitted recovery time for the required treatment volume. - Remove accumulated sediment from the system and from inflow and outflow pipes and dispose of properly. - Conduct repairs to prevent undercutting or piping. Remove trash and debris from inflow and outflow structures, trash racks, and other system components to prevent clogging or impeding flow. - Eliminate mosquito breeding habitats.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Alum Injection Systems	Monthly unless historical records or the OM Manual specify a different inspection frequency	• Conduct inspections as outlined in the operation and maintenance manual for the system. • Inspect pumps for proper operation. • Inspect alum storage tank to assure it has no leaks and that alum levels are appropriate for normal operation. • Inspect alum usage and total runoff discharge. • Verify proper alum dosage rate. • Inspect flow meters to assure they are operating properly. • Inspect computer and telemetry systems to assure they are operating properly. • If appropriate, inspect floc accumulation areas to assure proper collection and disposal of floc.	As needed based on inspection to assure proper operation	• Conduct maintenance as outlined in the operation and maintenance manual for the system. • Maintain or repair pump as needed to assure proper operation. • Order alum as needed to assure it is available during storms. • Maintain or repair flow meters as needed to assure proper operation and alum dosage. • Maintain or repair computer and telemetry system as needed to assure proper operation. • Dispose of floc properly as needed to assure proper operation.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Pollution Control Boxes (e.g., baffle boxes, CDS units, hydrodynamic separators, catch basin inserts, etc.)	Quarterly, unless historic clean out operation records demonstrate that a more or less frequent schedule is appropriate	- Inspect inlets, outlets, and other system components for damage that would prevent proper flow conditions and operation. - Inspect and monitor sediment accumulation in the pollution control box and at the inflow / outflow to prevent loss of storage volume, clogging of the inflow / outfall pipes. - If applicable, inspect and monitor vegetation and debris accumulation in the pollution control box screens to prevent loss of storage volume or clogging of the system. - If applicable, inspect absorbent materials used to trap hydrocarbons or bacteria to determine if they need replacement.	As needed based on inspection to assure proper operation	- Repair any damage to assure proper flow conditions and operation. - Remove accumulated sediment and dispose of properly. - Remove accumulated vegetation and debris and dispose of properly (3, 5). - Replace absorbent materials as required for proper operation. - Follow all manufacture's recommended maintenance schedule and activities.
Pump Stations	Semi-annually or more frequently as needed	- Inspect pump for proper operation. - Inspect inlets, bar screens (if used) and other associated components for debris or litter to assure that pump operates properly.	As needed based on inspection to assure proper operation	- Maintain or repair pump as needed to assure proper operations. - Remove debris, litter, and sediments as needed to assure proper operations. Properly dispose of the litter and debris collected. Properly dispose of sediment collected (3, 5).

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Major Outfalls	Annually unless historic operation records demonstrate that a more or less frequent schedule is appropriate	- Inspect outfalls to assure they are not clogged with litter, debris, or sediment and they are flowing properly. - Inspect for damaged headwalls, seepage around pipe, erosion of bank around outfall, erosion or sedimentation at outfall discharge point, and damage or clogged riprap.	As needed based on inspection to assure proper operation	- Remove debris, litter, and sediments as needed to assure proper operations. Properly dispose of the litter and debris collected. Properly dispose of sediment collected (3, 5). - Repair any structural damage to assure proper operation. - Maintain healthy vegetative cover to prevent erosion of banks or areas near outfalls (4). - Assure that discharges from outfalls are not causing erosion and sedimentation.
Weirs, Channel Control Structures, or Other Control Structures Associated with Stormwater Structural Controls	Same as specified in this column for the type of stormwater control with which it is associated	- Inspect weirs / control structures for damage that would prevent proper flow conditions and operation. - Inspect and monitor sediment accumulation behind weirs / control structures to prevent loss of storage volume and adverse impacts on flow and operation. - Inspect and monitor litter / debris accumulation behind weirs / control structures to prevent loss of storage volume and adverse impacts on flow and operation.	As needed based on inspection to assure proper operation	- Repair any damages to weirs / control structures as needed to assure proper flow conditions and operation. - Remove accumulated sediments to restore permitted storage volume and dispose of properly (3, 5). - Remove litter / debris as needed to assure proper flow conditions and operation and dispose of properly.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Pipes / Culverts	Inspect a minimum of 10% of the total number of structures each year. All of the structures shall be inspected at least once over two consecutive permit cycles (every 10 years).	• Inspect pipes and culverts for structural deficiencies or damage that would prevent proper flow conditions and operation. • Inspect pipes and culverts to monitor sediment accumulation to prevent loss of storage volume and adverse impacts on flow and operation. • Inspect pipes and culverts to monitor vegetation and litter / debris accumulation to prevent loss of storage volume and adverse impacts on flow and operation. • Inspections of pipes and culverts can be done through a variety of methods, such as visual observations during normal operating conditions, TVing, mirroring, or other appropriate methods as set forth in the stormwater system operation and maintenance SOPs.	As needed based on inspection to assure proper operation	• Repair any damages to pipes or culverts as needed to assure proper flow conditions and operation. • Remove accumulated sediments as needed to assure proper flow conditions and operation. Dispose of collected sediments properly (3, 5). • Remove vegetation and litter / debris as needed to assure proper flow conditions and operation and dispose of properly.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Canals that are part of the MS4 system and not Waters of the State	Annually	• Visually inspect for signs of erosion on embankment or side slopes and record. Schedule for stabilization as needed. • Visually inspect for any obstructions to flow (e.g. aquatic plant growth, debris, etc.). Schedule for clean-out as needed. • Visually inspect appearance of water in Canal. Report if water appearance indicates problem (i.e., discoloration, fish kill, oil & grease sheen, algae bloom, etc.). • Visually inspect and discuss general observation of the Levee to include: ○ Any evidence of subsidence ○ Aquatic plant growth ○ Condition of Canal bank ○ Erosion along canal banks ○ Schedule maintenance or aquatic weed treatment as needed. ○ Spot check section of the Canal for changes in Canal design cross-section.	As needed based on inspection	• Mow grass along Canal • Repair any erosion to stabilize • Schedule and perform maintenance as needed.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL (1)	FREQUENCY OF INSPECTION	POSSIBLE INSPECTION ACTIVITIES	FREQUENCY OF MAINTENANCE	POSSIBLE MAINTENANCE ACTIVITIES (2)
Inlets, Catch Basins, Grates, Ditches, Conveyance Swales, and Other Stormwater Conveyances	Inspect a minimum of 10% of the total number of structures each year. All of the structures shall be inspected at least once over two consecutive permit cycles (every 10 years).	- Inspect for damage that would prevent proper flow conditions and operation. - Inspect and monitor sediment accumulation to prevent loss of storage volume and adverse impacts on flow and operation. - Inspect and monitor litter / debris accumulation to prevent loss of storage volume and adverse impacts on flow and operation. - Inspect vegetation on bottom and side slopes of conveyances to assure it is healthy, maintaining coverage, and that no erosion is occurring within the conveyance system.	As needed based on inspection to assure proper operation	- Repair any damages to weirs / control structures as needed to assure proper flow conditions and operation. - Remove accumulated sediments to restore permitted storage volume and dispose of properly (3, 5). - Remove litter / debris as needed to assure proper flow conditions and operation and dispose of properly. - Maintain healthy vegetative cover to prevent erosion of the conveyance bottom or side slopes (4).

- Notes:**
- (1) The structural controls listed herein are not intended to be a complete listing of all stormwater structures owned and operated by the permittee. The permittee is responsible to perform and record inspections and maintenance of all structures that comprise its municipal separate storm sewer system.
 - (2) The inspection and maintenance activities in the third and fifth columns of this table are not intended to address every possible inspection need or maintenance activity that may be required to assure that an existing structural control continues to function properly or as permitted.
 - (3) Excessive petroleum hydrocarbon contamination can present severe sediment disposal / cleanup problems. Evidence of such pollution includes very dark oily stains, particularly at inlet and outlet structures and strong odors of gasoline, etc. The source of such pollutant discharges to the MS4 should be determined and removed if possible. Otherwise, pretreatment practices should

be used as necessary to insure that stormwater runoff is not contaminated beyond levels normally observed in runoff from highways and parking lots.

- (4) Use only pesticides approved by USEPA and FDACS for aquatic sites to control weed pests in and around treatment facilities. Use of pesticides and chemicals for the control of invasive species and common undesirable aquatic plants should be minimized. Careful herbicide selection and application is essential to minimize harm to desirable plants and animals. If done on a routine basis mechanical removal can help control unwanted aquatics and minimize the use of chemicals. However, experienced trained applicators can selectively control many undesirable plants with minimum harm to desirable vegetation and possible downstream contamination. The Florida Fish and Wildlife Conservation Commission's Bureau of Invasive Plant Management and / or the County Extension Office should be contacted for assistance.

Supplemental nutrients (fertilizer) should be used as needed to establish and maintain healthy and vigorous cover on the banks of treatment facilities. However, normal rates of fertilization should be lowered in the immediate vicinity of treatment facilities to avoid over-enrichment of the soil and adjacent waters. Apply supplemental nutrients only when grass shows signs of distress once ground cover is well established. Clippings should not go into the water and should be removed periodically to prevent the buildup of nutrients in vegetation subject to periodic or frequent inundation.

Problem areas susceptible to chronic erosion require more intense measures for protection and establishment of permanent vegetative cover. These special considerations may include the use of sod in lieu of seeding and / or the use of higher rates of soil amendments and supplemental moisture during dry weather conditions to insure more rapid establishment or vigorous growth in bank vegetation. Experts in soil conservation are available for assistance by contacting the Natural Resources Conservation Service with the USDA.

- (5) Solids disposal. Stormwater system sediments including street sweepings, catch basin sediments, collected screenings, slurry, sludge, and other solids shall be handled and disposed of pursuant to Department rules and guidance, which is available at: www.dep.state.fl.us/water/stormwater/npdes/docs/GuidanceSt-Sweep_05-03-04.pdf.

1. *Structural Controls and Stormwater Collection System Operation:* (continued)
 - b. Additionally, to satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.1 of this permit.
2. *Areas of New Development and Significant Redevelopment:* The permittees shall continue the comprehensive master planning process (or equivalent) to reduce the stormwater discharge of pollutants from MS4s, which receive discharges from areas of new development and significant redevelopment, after construction is completed to the MEP.
 - a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.2 of this permit.
3. *Roadways:* Public streets, roads, and highways, including rights-of-way, shall continue to be operated and maintained by the permittees in a manner to reduce the discharge of pollutants in stormwater to the MEP.
 - a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.3 of this permit.
4. *Flood Control Projects:* The permittees shall continue to assure that flood management projects assess the impacts on the water quality of receiving water bodies and meet current Environmental Resource Permitting rules of the SJRWMD and SFWMD for stormwater treatment. Existing structural flood control devices shall be evaluated to determine if retrofitting the device to provide additional pollutant removal from stormwater is needed or feasible.
 - a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.4 of this permit.
5. *Municipal Waste Treatment, Storage, or Disposal Facilities Not Covered By An NPDES Stormwater Permit:* The permittees shall continue to implement a program to reduce pollutants in stormwater discharges from facilities that handle municipal waste not covered by an NPDES stormwater permit through procedures to evaluate, inspect, and monitor these facilities to the MEP.
 - a. To satisfy the requirements of this section, the permittees shall continue to implement a program as identified in Part III.A.5 of this permit.
6. *Pesticide, Herbicide, and Fertilizer Application:* The permittees shall continue to implement controls to reduce the stormwater discharge of pollutants related to the storage and application of pesticides, herbicides, and fertilizers applied by employees or contractors to public property to the MEP.

- a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.6 of this permit.
7. *Illicit Discharges and Improper Disposal:* The permittees shall continue the ongoing program to detect and eliminate (or require the discharger to the MS4 to eliminate) illicit discharges and improper disposal into the MS4 to reduce pollutants discharged to the MS4 to the MEP.
- a. *Inspection, Ordinances, and Enforcement Measures:* Non-stormwater discharges to the MS4 shall continue to be effectively prohibited by the permittees through the use of inspections, ordinances, and enforcement. The permittees, however, may allow the following non-stormwater discharges to the MS4 where they are not identified as a source of pollutants to waters of the State:
 - Water line flushing;
 - Landscape irrigation;
 - Diverted stream flows;
 - Rising ground waters;
 - Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)) to separate storm sewers;
 - Uncontaminated pumped ground water;
 - Discharges from potable water sources;
 - Foundation drains;
 - Air conditioning condensate;
 - Irrigation water;
 - Springs;
 - Water from crawl space pumps;
 - Footing drains;
 - Lawn watering;
 - Individual residential car washing;
 - Flows from riparian habitats and wetlands;
 - Dechlorinated swimming pool discharges;
 - Street wash waters;
 - Discharges or flows from emergency firefighting activities;
 - Reclaimed water line flushing authorized pursuant to a permit issued under the authority of Rule 62-610, F.A.C.; and
 - Flows from uncontaminated roof drains.

To satisfy the requirements of this section, the permittees identified in Part III.A.7.a of the permit shall:

- (1) Continue assessment of the non-stormwater discharges listed under Part II.A.7.a (above), as well as any other non-stormwater discharges, which will be allowed to be discharged to the MS4.

- (2) Continue to enforce ordinances that prohibit illicit connections and illegal dumping into the MS4, as per the schedule in Part III.A.7.a of this permit.
- b. *Dry Weather Field Screening Program:* ***RESERVED*** Florida's hydrologic and water table conditions make dry weather field screening impossible in many areas. Instead, the Department has concluded that more environmental benefits can be achieved through the implementation of a proactive illicit discharge detection program, which is set forth in the remaining sections of Part II.A.7 of this permit. The permittees performed dry weather field screening during their first permit cycle. The Department shall incorporate additional dry weather field screening into the permit as necessary.
- c. *Inspection and Investigation of Suspected Illicit Discharges and / or Improper Disposal:* The permittees shall continue to implement the program developed to identify and eliminate source(s) of illicit discharges, illicit connections and dumping to the MS4 through a proactive inspection schedule and through reactive investigations into reports of suspected illicit activity.
 - (1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.c of this permit.
- d. *Spill Prevention and Response:* The permittees shall continue to implement procedures to prevent, contain, and respond to spills that may discharge into the MS4.
 - (1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.d of this permit.
- e. *Public Notification:* The permittees shall continue to implement a program to promote, publicize, and facilitate public reporting of illicit discharges.
 - (1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.e of this permit.
- f. *Oils, Toxics, and Household Hazardous Waste Control:* The permittees shall continue to effectively prohibit the discharge or disposal of used motor vehicle fluids, household hazardous wastes, and lead acid batteries into the MS4.

- (1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.f of this permit.
- g. *Limitation of Sanitary Sewer Seepage:* The permittees shall continue to prevent (or require the operator of the sanitary sewer to eliminate) unpermitted discharges of dry and wet weather overflows from sanitary sewers into the MS4. Each permittee shall eliminate the inflow / infiltration from collection / transmission systems and / or septic tanks into the MS4 to the MEP.
 - (1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.g of this permit.
8. *Industrial and High Risk Runoff:* The permittees shall continue to implement a program to identify and control pollutants in stormwater discharges to the MS4 to the MEP from any operating municipal landfill(s); hazardous waste treatment, storage, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge that the permittees determine is contributing a substantial pollutant loading to the MS4.

To satisfy the two (2) requirements of this section:

- a. *Identification of Priorities and Procedures for Inspections:* The permittees shall implement the SWMP elements identified in Part III.A.8.a of this permit.
 - b. *Monitoring of High Risk and Industrial Facilities:* The permittees shall implement the SWMP elements identified in Part III.A.8.b of this permit.
9. *Construction Site Runoff:* The permittees shall continue to implement a program to reduce the discharge of pollutants from construction sites to the MEP.
 - a. *Site Planning and Non-structural & Structural Best Management Practices:* The permittees shall continue to require the use and maintenance of appropriate structural and non-structural best management practices to reduce pollutants discharged to the MS4 during the time of construction.
 - (1) To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.9.a of this permit.
 - b. *Inspection and Enforcement:* The permittees shall continue to implement a program for inspecting construction sites and enforcing the requirements for stormwater runoff control measures.

(1) To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.9.b of this permit.

c. *Site Operator Training:* The permittees shall continue to provide appropriate education and training measures for those associated with the review, implementation, and inspection of proper stormwater, erosion, and sedimentation control measures at construction sites.

(1) To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.9.c of this permit.

B. Area-specific Stormwater Management Program Requirements.

RESERVED

This section may be reopened or revised in accordance with Part VII of this permit.

C. Deadlines for Program Compliance.

Except as provided in Part III, compliance with the SWMP shall be required upon permit issuance.

D. Roles and Responsibilities of Permittees.

The SWMP, together with any interagency agreements or interagency agreements developed subsequent to the effective date of the permit, shall clearly identify the roles and responsibilities of the permittee, where applicable.

E. Legal Authority.

To the extent allowed by law, each permittee shall continue to ensure legal authority to control discharges to and from those portions of the MS4 over which it has jurisdiction. This legal authority may be a combination of statute, ordinance, permit, contract, order or inter-jurisdictional agreements between permittees with adequate existing legal authority to accomplish Items 1 - 6 below. A permittee can rely on the legal authority of another entity if it allows the permittee, or another entity under a written agreement, to effectively prohibit and enforce as necessary.

1. Control the contribution of pollutants to the MS4 by stormwater discharges associated with industrial activity, including construction sites, and the quality of stormwater discharged from these facilities / sites;
2. Prohibit illicit discharges and illicit connections to the MS4;

3. Control the discharge of spills and the dumping or disposal of materials other than stormwater (e.g., industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the MS4;
4. Control through interagency or inter-jurisdictional agreements between permittees the contribution of pollutants from one portion of the MS4 to another;
5. Require compliance with conditions in ordinances, permits, contracts or orders; and
6. Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with permit conditions.

F. Stormwater Management Program Resources.

Each permittee shall undertake annually an analysis of the financial and staffing resources needed to successfully implement its activities under its SWMP. If program resources have decreased from the previous year, a discussion of the impacts on the implementation of the SWMP shall be provided. Each permittee shall also have a source of funding for implementing all the other requirements included within this permit.

G. Stormwater Management Program Review and Modification.

1. *Program Review:* Each permittee shall continue to participate in an annual review of the current SWMP in conjunction with preparation of the ANNUAL REPORT required under Part VI of the permit.
2. *Program Modification:* Each permittee may modify its SWMP during the life of the permit in accordance with the following procedures:
 - a. Modifications adding (but not subtracting nor replacing) components, controls, or requirements to the approved SWMP may be made by the permittees at any time. A description of the modification shall be included within the subsequent ANNUAL REPORT.
 - b. Modifications replacing or deleting components, controls, or requirements (such as an ineffective or unfeasible BMP or maintenance schedule) with an alternate BMP or schedule may be requested by the permittees in any ANNUAL REPORT. A description of the replacement BMP or schedule shall be included in the ANNUAL REPORT along with the following information:
 - (1) An analysis of why the former BMP or schedule was ineffective or infeasible (including cost prohibitive);
 - (2) Expectations on the effectiveness of the replacement BMP or schedule; and

- (3) An analysis of why the replacement BMP or schedule is expected to achieve the goals of the BMP that was replaced.
- c. Written approval from the Department must be received prior to implementing a modification requested pursuant to sub-paragraph b., above.
 - d. Modifications requested within the ANNUAL REPORT shall be signed in accordance with Rule 62-620.305, F.A.C., by the directly affected permittees, and shall include a certification that all affected permittees were given an opportunity to comment on proposed changes.
3. *Transfer of Ownership, Operational Authority, or Responsibility for Stormwater Management Program Implementation:* The permittees shall implement the SWMP on all new areas added to their portion of the MS4 (or for which they become responsible for implementation of stormwater quality controls) as expeditiously as practicable. Transfer of ownership shall be in accordance with Rule 62-620.610(14), F.A.C.

H. Recordkeeping Requirements.

The permittees shall maintain the following records for the MS4 for a minimum of three years from the date the report or record was prepared in accordance with Rule 62.620 F.A.C. including:

1. Copies of all reports required by this permit;
2. All SWMP operation and maintenance records;
3. Records of all data, including reports and documents used to complete the application for the permit; and
4. All original recordings for any continuous monitoring instrumentation.

The permittees shall maintain all sampling and analytical records for the MS4 in accordance with Rule 62.160 F.A.C.

PART III. SCHEDULES FOR IMPLEMENTATION AND COMPLIANCE

The permittees shall comply with the following schedules for SWMP implementation and permit compliance.

A. Implementation of Stormwater Management Programs.

STORMWATER MANAGEMENT PROGRAM:		
1. <i>Structural Controls and Stormwater Collection Systems Operation.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	Maintain an up-to-date inventory of the structural controls and roadway stormwater collection structures operated by the permittee, including, at a minimum, all of the types of control structures listed in Table II.A.1.a of the permit.	Report the current known inventory in each ANNUAL REPORT.
	Provide an inventory of all known major outfalls covered by the permit and a map depicting the location of the major outfalls (hard copy or electronic).	Provide the major outfall inventory and map with the Year 1 ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM:		
1. <i>Structural Controls and Stormwater Collection Systems Operation.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	During Year 1 of the permit, develop and implement a written structural control inspection and maintenance Standard Operating Procedure (SOP/plan). The SOP shall be reviewed annually and updated as needed. The SOP must include activities to conduct inspections and maintenance of the structural controls and roadway stormwater collection systems operated by the permittee in accordance with Table II.A.1.a of the permit to reduce pollutants, including floatables, in discharges from the MS4. Maintain an internal record keeping system to schedule and document inspections and maintenance activities conducted on the structural controls and roadway stormwater collection structures operated by the permittee. If these activities are conducted by another entity under a contractual agreement, then the permittees shall retain copies of the contractual agreement that specifies the schedule and frequency of the inspection and maintenance activities to be conducted.	Report the number of inspection and maintenance activities conducted for each applicable type of structure included in Table II.A.1.a, and the percentage of the total inventory of each type of structure inspected and maintained, in each ANNUAL REPORT. If the minimum inspection frequencies set forth in Table II.A.1.a were not met, provide as an attachment an explanation of why they were not and a description of the actions that will be taken to ensure that they will be met in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM:		
1. <i>Structural Controls and Stormwater Collection Systems Operation.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
FDOT District Five	During Year 1 of the permit, develop and implement a written structural control inspection and maintenance SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities to conduct inspections and maintenance of the structural controls and roadway stormwater collection systems operated by the permittee in accordance with Table II.A.1.a of the permit, or as included in the SSWMP that specifies minimum inspection frequencies, to reduce pollutants, including floatables, in discharges from the MS4.	Report the number of inspection and maintenance activities conducted for each applicable type of structure included in Table II.A.1.a or in the SSWMP, and the percentage of the total inventory of each type of structure inspected and maintained, in each ANNUAL REPORT.
	Maintain an internal record keeping system to schedule and document inspections and maintenance activities conducted on the structural controls and roadway stormwater collection structures operated by the permittee.	If the minimum inspection frequencies set forth in Table II.A.1.a or the SSWMP were not met, provide as an attachment an explanation of why they were not and a description of the actions that will be taken to ensure that they will be met in each ANNUAL REPORT.
	If these activities are conducted by another entity under a contractual agreement, then the permittees shall retain copies of the contractual agreement that specifies the schedule and frequency of the inspection and maintenance activities to be conducted.	

STORMWATER MANAGEMENT PROGRAM: 2. <i>Areas of New Development and Significant Redevelopment.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five & Valencia Water Control District (VWCD)	Continue to adhere to the policies of the permittee's current Comprehensive Plan (or similar document) and the requirements of local codes and regulations, as well as development review and permitting procedures, that incorporate stormwater quality considerations into land-use planning and development activities to reduce pollutants in stormwater discharges from areas of new development and significant redevelopment, and guide new development away from environmentally sensitive areas. The comprehensive planning process shall limit the increases in the discharge of pollutants in stormwater as a result of new development, and shall reduce the discharge of pollutants in stormwater from redeveloped areas, consistent with the requirements set forth in the Environmental Resource Permitting rules of the SJRWMD and SFWMD. Maintain documentation of the new development and significant redevelopment project review activity.	Report the number of significant development projects, including new and redevelopment, reviewed by the permittee for post-development stormwater considerations in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 2. <i>Areas of New Development and Significant Redevelopment.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five & VWCD	Conduct an inter-departmental review of the permittee's current local codes and land development regulations to identify potential changes to existing codes and regulations that will further reduce the stormwater impacts of new development and areas of significant redevelopment. In particular, focus on changes to the code that will promote low impact design, also termed green infrastructure: reductions in impervious surfaces, the use of swales or other retention BMPs, the incorporation of low impact development principles, reduction in flow and volume of stormwater, increase in natural hydrology, and adherence to the principles of the Florida Yards and Neighborhoods program in new landscaping. Develop a summary report of the review activity that includes the following information: all applicable local code and regulation citations reviewed (both current and draft); a description of the current and proposed techniques aimed at reducing the stormwater impacts of new development and areas of significant redevelopment that are included within the applicable codes and regulations; a description of innovative stormwater planning techniques, including those described above, recommended for possible future incorporation into the codes and regulations (beyond what may be currently in draft); and, a plan for implementing changes to codes and regulations. In addition, develop a follow-up report that summarizes plan implementation to change the local codes and regulations and promote reducing stormwater impacts from new development and areas of significant redevelopment.	Provide in the Year 2 ANNUAL REPORT the summary report of the review activity. Provide in the Year 4 ANNUAL REPORT the follow-up report on plan implementation.

STORMWATER MANAGEMENT PROGRAM: 2. <i>Areas of New Development and Significant Redevelopment.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
FDOT District Five	Continue to employ the FDOT Drainage Connection Permit (DCP) requirements to ensure that appropriate stormwater treatment and permitting occurs prior to discharge into the FDOT system. FDOT shall refer connecting entities failing to meet the DCP requirements or maintain the discharge of acceptable water quality, after sufficient warning by FDOT, to DEP and / or SJRWMD, SFWMD to regulate the stormwater quality through local or State rules, ordinances, and codes. Maintain documentation of the enforcement referrals.	Report the number of enforcement referrals completed in each ANNUAL REPORT.
VWCD	Continue to employ VWCD Drainage Permit requirements for developments occurring within the VWCD boundaries to ensure that appropriate stormwater treatment and permitting occurs prior to discharge into the VWCD systems. VWCD shall refer connecting entities failing to meet the VWCD permit requirements or maintain the discharge of acceptable water quality, after sufficient warning by VWCD, to DEP and / or Orange County; or the SJRWMD, SFWMD to regulate the stormwater quality through local or State rules, ordinances, and codes. Maintain documentation of the enforcement referrals.	Report the number of enforcement referrals completed in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM:		
3. <i>Roadways.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	During Year 1 of the permit, develop and implement a written litter control program SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for litter control for public streets, roads, and highways, including rights-of-way operated by the permittee; and procedures to properly dispose of collected material. Implement the program on a monthly, or on an as needed, basis. Maintain documentation of the litter control program activities.	Report on the litter control program, including the frequency of litter collection, an estimate of the total number of road miles cleaned or amount of area covered by the activities, and an estimate of the quantity of litter collected, in each ANNUAL REPORT.
	In addition to the litter collection program, consider promoting and coordinating an "Adopt-A-Road" (or similar program) where volunteers collect litter and trash along roadways within the permittee's jurisdictional area. This activity may be accomplished through cooperative efforts with other permittees, public agencies, or private entities. Maintain documentation of the Adopt-A-Road (or similar program) activities.	If an Adopt-A-Road or similar program is implemented, report the total number of road miles cleaned and an estimate of the quantity of litter collected, in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM:		
3. <i>Roadways.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except VWCD	During Year 1 of the permit, develop and implement a written street sweeping SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for street sweeping for highways and streets, including rights-of-way, with curbs and gutters operated by the permittee. The SOP shall include the criteria for determining which roadways will be swept and the frequency of sweeping, proper disposal of collected material, and the method for quantifying and tracking the amount of material removed by the street sweepers. The permittees shall use the results of the completed Florida Stormwater Association MS4 Project to calculate the total nitrogen (TN) and total phosphorus (TP) loading reductions. This report and the associated spreadsheet to calculate the nutrient loadings are available online at: http://www.dep.state.fl.us/water/stormwater/npdes/MS4_1.htm. A permittee may use results from a similar study if it is approved by the Department. Maintain documentation of the street sweeping program activities.	Report on the street sweeping program, including the frequency of the sweeping, total miles swept, an estimate of the quantity of sweepings collected, and the estimated pounds of total nitrogen (TN) and total phosphorus (TP) that were removed by the collection of sweepings, in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM:		
3. <i>Roadways.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	During Year 1 of the permit, develop and implement a written roadway maintenance SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities to reduce the pollutants in stormwater runoff from areas associated with road repair and maintenance, and from permittee-owned or operated equipment yards and maintenance shops that support road maintenance activities. The pollution prevention practices during road repair shall include limiting the amount of soil disturbance to the immediate area under repair and using appropriate stormwater, erosion, and sedimentation control BMPs from the <i>Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual</i> (Florida DEP, most current version) and from the <i>State of Florida Erosion and Sediment Control Design and Review Manual</i>, (Prepared for FDOT & FDEP; by State Erosion and Sediment Control Task Force, 2013) until disturbed areas are stabilized. The permittee shall identify the equipment yards and maintenance shops that support road maintenance activities, and shall determine the necessary control measures and procedures to be employed at each facility through annual site inspections. Maintain documentation of the inspections that demonstrates the stormwater concerns reviewed and the appropriate control measures and procedures implemented or needing to be implemented.	Report the number of applicable facilities and the number of inspections conducted for each facility in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 4. <i>Flood Control Projects.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	Stormwater treatment shall be provided for all flood management projects undertaken by the permittee as required by the Environmental Resource Permitting rules of the SJRWMD and SFWMD. Continue to maintain a list of stormwater capital improvement projects proposed by the Stormwater Management Master Plan or Basin Master Planning studies (or a similar document). Include in the project list any retrofits of existing structural flood control devices to provide additional pollutant removal from stormwater. Existing structural flood control devices shall be evaluated to determine if retrofitting the device to provide additional pollutant removal from stormwater is needed or feasible. A "stormwater retrofit project" is primarily to provide stormwater treatment for areas currently without treatment or requiring additional stormwater treatment.	Report the total number of flood control projects that were constructed by the permittee during the reporting period and the number of those projects that did not include stormwater treatment, in each ANNUAL REPORT. The permittee shall provide a list of the projects where stormwater treatment was not included with an explanation for each of why it was not. Report on any stormwater retrofit planning activities and the associated implementation of retrofitting projects to reduce stormwater pollutant loads from existing drainage systems.

STORMWATER MANAGEMENT PROGRAM:		
5. <i>Municipal Waste Treatment, Storage, or Disposal Facilities Not Covered By An NPDES Stormwater Permit.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	During Year 1 of the permit, develop and implement a written Municipal Waste Treatment, Storage, or Disposal (TSD) facility SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for inspections and the implementation of measures to control discharges from the following facilities that are not otherwise covered by an NPDES stormwater permit: • Operating municipal landfills; • Municipal waste transfer stations; • Municipal waste fleet maintenance facilities; and • Other municipal waste treatment, waste storage, and waste disposal facilities. The permittee shall identify the applicable facilities and shall determine the necessary control measures and procedures to be employed at each facility through annual site inspections. Site specific monitoring may be required as detailed in Part III.A.8.b. Maintain documentation of the inspections that demonstrates the stormwater concerns reviewed, and the appropriate pollution control measures and procedures implemented or needing to be implemented.	Report the number of applicable facilities and the number of inspections conducted for each facility in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM:		
5. <i>Municipal Waste Treatment, Storage, or Disposal Facilities Not Covered By An NPDES Stormwater Permit.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
FDOT District Five	During Year 1 of the permit, develop and implement a written SOP for inspections and the implementation of measures to control discharges from the following facilities that are not otherwise covered by an NPDES stormwater permit: • FDOT waste transfer stations; • FDOT waste fleet maintenance facilities; and • Other FDOT waste treatment, waste storage, and waste disposal facilities. The permittee shall identify the applicable facilities and shall determine the necessary control measures and procedures to be employed at each facility through annual site inspections. Maintain documentation of the inspections that demonstrates the stormwater concerns reviewed and the appropriate pollution control measures and procedures implemented or needing to be implemented.	Report the number of applicable facilities and the number of inspections conducted for each facility in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM:		
6. <i>Pesticides, Herbicides, and Fertilizer Application.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	Continue to require proper certification and licensing by the Florida Department of Agriculture and Consumer Services (FDACS) for all applicators contracted to apply pesticides or herbicides (commercial applicator) on permittee-owned property, as well as any permittee personnel (public applicator) employed in the application of these products. Maintain a list of the public applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified / licensed. Maintain documentation of the proper FDACS certification / licensing for all permittee personnel applicators and contracted commercial applicators of pesticides, herbicides, and fertilizer.	Report the number of public applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified / licensed in each ANNUAL REPORT.
ALL	All permittee personnel applying fertilizer shall be trained through the Green Industry BMP Program. A permittee who contracts the application of fertilizer shall use only commercial applicators of fertilizer who have obtained a limited certification for urban landscape commercial fertilizer application under Section 482.1562, F.S. Maintain a list of the permittee personnel who have been trained through the Green Industry BMP Program and a list of the contracted commercial applicators of fertilizer who are FDACS certified / licensed.	Report the number of permittee personnel who have been trained through the Green Industry BMP Program and the number of contracted commercial applicators of fertilizer who are FDACS licensed in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 6. <i>Pesticides, Herbicides, and Fertilizer Application.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	Pursuant to Section 403.9337, F.S., all local governments are encouraged to adopt a Florida-Friendly Landscaping Ordinance similar to the one set forth in the document “Florida-Friendly Guidance Models for Ordinances, Covenants and Restrictions”. This model ordinance incorporates Florida-Friendly landscaping and irrigation design requirements, Florida-Friendly fertilizer requirements, and training and certification requirements. If the broader Florida-Friendly Landscaping ordinance described above is not adopted, then all local governments within the watershed of a nutrient-impaired water body shall adopt the Department’s Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes pursuant to Section 403.9337, F.S., or an ordinance that includes all of the elements set forth in the Model Ordinance. The requirements in this section apply to impaired waterbodies established as of the effective date of this permit. The ordinance shall be adopted within 24 months of the date of permit issuance.	Provide a copy of the adopted ordinance with the subsequent Year 2 ANNUAL REPORT.
ALL Except FDOT District Five	During Year 1 of the permit, develop and implement a written public education and outreach SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities to encourage citizens to reduce their use of pesticides, herbicides, and fertilizers. The program shall include the distribution of public education materials describing the need to minimize the application of fertilizers, pesticides and herbicides, and promote actions such as incorporating Florida-Friendly landscaping concepts into new landscaping projects. The written SOP for implementation of the program shall include the following:	In each ANNUAL REPORT, report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee’s jurisdiction to encourage citizens to reduce their use of pesticides, herbicides and fertilizers, including the type and number of activities conducted, the type

STORMWATER MANAGEMENT PROGRAM:		
6. <i>Pesticides, Herbicides, and Fertilizer Application.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	- the goals and objectives; - the topics to be addressed; - a description of the target audience(s); - a description of the activities and materials (including which topics are to be addressed by each) for each target audience and why those activities / materials were chosen; - the methods for distribution of the outreach materials; - the annual schedule for the activities / distribution; - the method for documenting the outreach activities; - identification of the staff / department(s) / entities responsible for performing the outreach activities; and - a description of the resources allocated to implement the program. If these activities are conducted under a contractual agreement with another permittee, one SOP may be developed for all the permittees covered by the agreement. A single SOP may address all three of the required public education and outreach topics as per Parts III.A.6, III.A.7.e and III.A.7.f of the permit. Maintain documentation of the type and number of public education and outreach activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable). Compliance with this element may be achieved through participating in the Florida Yards and Neighborhoods (FYN) program administered by the UF / IFAS County Extension.	and number of materials distributed, and the number of Web site visits (if applicable).

STORMWATER MANAGEMENT PROGRAM:		
6. <i>Pesticides, Herbicides, and Fertilizer Application.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	During Year 1 of the permit, develop and implement a written pesticide, herbicide and fertilizer application SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities to minimize the use of pesticides, herbicides, and fertilizers on public property and to properly apply, store, and mix these products. The written SOP for the program shall include items such as: • incorporating Florida-Friendly landscaping and fertilization on all landscape projects; • maintaining an inventory of pesticides, herbicides, and fertilizers; • properly storing products; • eliminating spraying programs with minimal effectiveness; • using non-toxic pesticides where practical; • timing applications for maximum effectiveness by considering growth cycles; and • using efficient chemical management practices such as drift-retardants and applying during appropriate weather conditions. If the permittee operates one or more golf courses, the courses shall be operated in a manner that is consistent with the <i>Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses</i> manual (Florida DEP, 2007). Maintain documentation of the procedures.	As Needed

STORMWATER MANAGEMENT PROGRAM: 6. <i>Pesticides, Herbicides, and Fertilizer Application.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
FDOT District Five	Implement the program, described in the 2012 FDOT Statewide SWMP (Standard Operating Procedure for Use and Handling of Herbicides and Fertilizer Application Control), or the subsequent revised SWMP that is submitted and approved by the Department, to minimize the use of pesticides, herbicides, and fertilizers and to properly apply, store, and mix these products.	As Needed

STORMWATER MANAGEMENT PROGRAM:		
7. a.) <i>Illicit Discharges and Improper Disposal — Inspections, Ordinances, and Enforcement Measures.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	Where applicable, strengthen the legal authority to conduct inspections, conduct monitoring, control illicit discharges, illicit connections, illegal dumping and spills into the MS4 and to require compliance with conditions in ordinances, permits, contracts, and orders. This includes the legal authority to take legal action to eliminate illicit discharges or connections. Continue, as necessary, an assessment of the non-stormwater discharges listed under Part II.A.7.a of this permit, as well as any other non-stormwater discharges, which will be allowed to be discharged to the MS4.	Report amendments, as needed, in the YEAR 4 ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 7. b.) <i>Illicit Discharges and Improper Disposal — Dry Weather Field Screening.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	***RESERVED*** Florida's hydrologic and water table conditions make dry weather field screening impossible in many areas. Instead, the Department has concluded that more environmental benefits can be achieved through the implementation of a proactive illicit discharge detection program, which is set forth in the remaining sections of Part III.A.7 of this permit.	As Needed

STORMWATER MANAGEMENT PROGRAM: 7. c.) <i>Illicit Discharges and Improper Disposal — Inspection and Investigation of Suspected Illicit Discharges and / or Improper Disposal.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	During Year 1 of the permit, develop and implement a written proactive inspection program SOP. The SOP shall be reviewed annually and updated as needed by the permittee. The SOP must include activities to inspect the MS4, identify and eliminate sources of illicit discharges, illicit connections, or illegal dumping, or other sources of non-stormwater to the MS4 (excluding those non-stormwater discharges identified within Part II.7.a). The permittee shall inspect portions of the MS4 that have a reasonable potential of containing illicit discharges / connections / dumping or other sources of non-stormwater. Facility inspections may be carried out in conjunction with other permittee programs (e.g., pretreatment inspections of industrial users, health inspections, fire inspections, etc.), but must include inspections for potential non-stormwater / contaminated stormwater coming from areas / facilities not normally visited by the permittee. The written SOP for the program shall include the following: • a list of priority areas / facilities; • an annual schedule for inspections; • procedures for conducting the site inspections (including confirming whether a facility has coverage under the Department's <i>NPDES Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity</i> (62-621.300(5), F.A.C.), referred to as the MSGP, if applicable); • procedures for tracing the source of an illicit discharge / connection; • procedures for eliminating the discharge / connection; • procedures for documenting inspections and enforcement activities (including use of a standard form / report);	Provide the written proactive inspection program plan for Department review and approval with the Year 1 ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 7. c.) <i>Illicit Discharges and Improper Disposal — Inspection and Investigation of Suspected Illicit Discharges and / or Improper Disposal.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	- procedures for enforcement actions or referrals to the appropriate jurisdictional authority (e.g. applicable MS4 operator, DEP, SJRWMD or SFWMD); - identification of the staff / department(s) / entities responsible for performing the inspections and the enforcement activities; and - a description of the resources allocated to implement the plan. Priority areas shall include the following as applicable to the permittee's jurisdiction: - watersheds with bacteria TMDLs; - areas with older infrastructure; - industrial, commercial, or mixed use areas; - facilities inspected in conjunction with other programs (e.g., industrial pretreatment inspections, health inspections, fire inspections, etc.); - areas with a history of past illicit discharge and / or illegal dumping; - areas with on-site sewage disposal systems; and - areas upstream of sensitive or impaired water bodies. If these activities are conducted under a contractual agreement with another permittee, one SOP may be developed for all the permittees covered by the agreement. The plan must include annual inspections in each permittee's jurisdiction. The permittee shall implement the proactive inspection program immediately upon written approval by the Department. Prior to Department approval, the	

STORMWATER MANAGEMENT PROGRAM: 7. c.) <i>Illicit Discharges and Improper Disposal — Inspection and Investigation of Suspected Illicit Discharges and / or Improper Disposal.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	permittee shall continue to perform inspections in accordance with its previously developed proactive inspection procedures.	
ALL Except FDOT District Five	Continue to conduct proactive inspections to identify and eliminate the source(s) of illicit discharges, illicit connections or dumping to the MS4. The permittee shall annually review and implement its written proactive inspection program plan. If an illicit discharge or connection is found, the permittee shall take appropriate action(s) under its illicit discharge program (ordinance or other regulatory mechanism), including enforcement actions where necessary, to correct or eliminate the discharge or connection. If the permittee determines or suspects that an industrial facility does not have coverage as required under the Department's MSGP, it shall notify the Department's NPDES stormwater staff and provide the name and address of the facility. Maintain documentation of the proactive inspections performed, including the date of the inspection, findings of the inspection, type of illicit discharge(s) found, type of enforcement action(s) taken, date of verification of elimination, and any non-permitted MSGP facility referrals completed.	Report on the proactive inspection program, including the number of inspections conducted, the number of illicit activities found, and the number and type of enforcement actions taken, in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 7. c.) <i>Illicit Discharges and Improper Disposal — Inspection and Investigation of Suspected Illicit Discharges and / or Improper Disposal.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
FDOT District Five	Conduct proactive inspections to identify and eliminate the source(s) of illicit discharges, illicit connections or dumping to the MS4. The permittee shall annually update and implement its written proactive inspection program plan. If an illicit discharge or connection is found within the FDOT right-of-way, the permittee shall further investigate within the right-of-way and shall take appropriate action under its illicit discharge program to correct or eliminate the discharge or connection. If an illicit discharge or connection is found outside of the FDOT right-of-way, the permittee shall report it to the applicable MS4 operator, DEP and / or the SJRWMD and SFWMD for further investigation and enforcement action. If the permittee determines or suspects that an industrial facility does not have coverage as required under the Department's MSGP, it shall notify the Department's NPDES stormwater staff and provide the name and address of the facility. Maintain documentation of the proactive inspections performed, including the date of the inspection, findings of the inspection, type of illicit discharge(s) found, compliance activity or enforcement referral completed, the date of verification of elimination, and any non-permitted MSGP facility referrals completed.	Report on the proactive inspection program, including the number of inspections conducted, the number of illicit activities found, and the number of referrals completed, in each ANNUAL REPORT beginning with the Year 2 ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 7. c.) <i>Illicit Discharges and Improper Disposal — Inspection and Investigation of Suspected Illicit Discharges and / or Improper Disposal.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	During Year 1 of the permit, develop and implement a written reactive inspection program SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities to conduct reactive investigations to identify and eliminate the source(s) of illicit discharges, illicit connections or illegal dumping to the MS4, based on reports received from permittee personnel, contractors, citizens, or other entities regarding suspected illicit activity. Based upon the reports received, investigate the suspected illicit activity. Through additional sampling or investigation and systematically tracing the source upstream from the point of initial detection, identify the source of the problem. If an illicit discharge or connection is found, the permittee shall take appropriate action(s) under its illicit discharge program (ordinance or other regulatory mechanism), including enforcement actions where necessary, to correct or eliminate the discharge or connection. If the permittee determines or suspects that an industrial facility does not have coverage as required under the Department's MSGP, it shall notify the Department's NPDES stormwater staff and provide the name and address of the facility. Maintain documentation (standard form/report) of the reactive investigations performed, including the date of the initial complaint or observation (from permittee personnel, contractors, citizens, or other entities), source and type of illicit discharge, date of the investigation, findings of the investigation, type of	Report on the reactive investigation program as it relates to responding to reports of suspected illicit discharges, including the number of reports received, the number of investigations conducted, the number of illicit activities found, and the number and type of enforcement actions taken, in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 7. c.) <i>Illicit Discharges and Improper Disposal — Inspection and Investigation of Suspected Illicit Discharges and / or Improper Disposal.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	enforcement action(s) taken, date of verification of elimination, and any non-permitted MSGP facility referrals completed.	
FDOT District Five	During Year 1 of the permit, develop and implement a written reactive illicit discharge investigation SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities to conduct reactive investigations to identify and eliminate the source(s) of illicit discharges, illicit connections or improper disposal to the FDOT MS4 within the FDOT right-of-way, based on reports received from permittee personnel, contractors, citizens, or other entities regarding suspected illicit activity. Continue to maintain a telephone line at the District Office for the reporting of suspected illicit discharges / connections / dumping. FDOT shall investigate the reports of suspected illicit activity within the FDOT right-of-way. Those located outside of the FDOT right-of-way shall be reported to the applicable MS4 operator, DEP and/or the SJRWMD and SFWMD for further investigation and enforcement action. If an illicit discharge or connection is found within the FDOT right-of-way, the permittee shall take appropriate action under its illicit discharge program to correct or eliminate the discharge or connection. Maintain documentation (standard form/report) of the reactive investigations performed, including the date of the initial complaint or observation (from permittee personnel, contractors, citizens, or other entities), source and type of illicit discharge, date of the investigation, findings of the investigation, compliance activity or enforcement referral completed, date of verification of elimination, and any non-permitted MSGP facility referrals completed.	Report on the reactive investigation program as it relates to responding to reports of suspected illicit discharges, including the number of investigations conducted, the number of illicit activities found, and the number of enforcement referrals completed, in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 7. c.) <i>Illicit Discharges and Improper Disposal — Inspection and Investigation of Suspected Illicit Discharges and / or Improper Disposal.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	During Year 1 of the permit, develop and implement a written training SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for the training of all appropriate permittee personnel and contractors employed by or under contract with the permittee (including field crews, fleet maintenance staff, and inspectors) to identify and report conditions in the stormwater system that may indicate the presence of illicit discharges / connections / dumping to the MS4. Instruct personnel and appropriate contractors to be alert for illicit connections and suspicious flows during routine maintenance activities (particularly in areas with high risk facilities). The training shall include an overview of the NPDES stormwater permitting requirements under the Department's MSGP, and the types of facilities covered. The written SOP for the program shall include the following: • a description of the topics; • a description of the personnel and contractors targeted for training; • the methods and materials to be used for the training; • identification of the staff / department(s) / entities who will perform the training; • the method for documenting the training activities (in-house and outside); and • the annual schedule of training for new and current personnel. A single SOP may address all the training required as per Parts III.A.7.c, III.A.7.d and III.A.9.c of the permit.	Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training), in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 7. c.) <i>Illicit Discharges and Improper Disposal — Inspection and Investigation of Suspected Illicit Discharges and / or Improper Disposal.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	Maintain documentation of the training activities, including the date of the training, the type of training, the topic(s) covered, and the names and affiliations of the participants.	

STORMWATER MANAGEMENT PROGRAM: 7. d.) <i>Illicit Discharges and Improper Disposal — Spill Prevention and Response.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	During Year 1 of the permit, develop and implement a written spill prevention/spill response SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for spill-prevention / spill-response with procedures to prevent, contain, and respond to spills that discharge into the MS4. Ensure that spills, regardless of whether they are hazardous, are properly addressed. Maintain documentation of the spill prevention and response activities.	Report on the spill prevention and response activities, including the number of spills responded to , in each ANNUAL REPORT.
	During Year 1 of the permit, develop and implement a written training SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for the training of all appropriate permittee personnel and contractors employed by or under contract with the permittee (including field crews, fleet maintenance staff, and inspectors) on proper spill prevention, containment, and response techniques and procedures. The training shall include how to prevent a spill, recognize and quickly assess the nature of a spill, contain a spill, and promptly report hazardous material and chemical spills to the appropriate authority. The written SOP for the program shall include the following: • a description of the topics; • a description of the personnel and contractors targeted for training; • the methods and materials to be used for the training; • identification of the staff / department(s) / entities who will perform the training; • the method for documenting the training activities (in-house and outside); and	Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training), in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 7. d.) <i>Illicit Discharges and Improper Disposal — Spill Prevention and Response.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	the annual schedule of training for new and current personnel. A single SOP may address all the training required as per Parts III.A.7.c, III.A.7.d and III.A.9.c of the permit. Maintain documentation (standard form/report) of the training activities, including the date of the training, the type of training, the topic(s) covered, and the names and affiliations of the participants.	

STORMWATER MANAGEMENT PROGRAM: 7. e.) <i>Illicit Discharges and Improper Disposal — Public Reporting.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	During Year 1 of the permit, develop and implement a written public education and outreach SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities to promote, publicize, and facilitate public reporting of the presence of illicit discharges and improper disposal into the MS4. As part of this program, the permittee shall continue to maintain and publicize a phone line and the Orange County Water Atlas for public reporting of suspected illicit discharges and improper disposal. The permittee shall also disseminate information on the problems associated with illicit discharges, illicit connections and improper disposal, how to identify them, and how to report incidents discovered. The written SOP for the program shall include the following: • the goals and objectives; • the topics to be addressed; • a description of the target audience(s); • a description of the activities and materials (including which topics are to be addressed by each), for each target audience and why those activities / materials were chosen; • the methods for distribution of the outreach materials; • the annual schedule for the outreach activities / distribution; • the method for documenting the outreach activities; identification of the staff / department(s) / entities responsible for performing the outreach activities; and • a description of the resources allocated to implement the plan.	In each ANNUAL REPORT, report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the public reporting of suspected illicit discharges and improper disposal of materials, including the type and number of activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable).

STORMWATER MANAGEMENT PROGRAM: <i>7. e.) Illicit Discharges and Improper Disposal — Public Reporting.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	If these activities are conducted under a contractual agreement with another permittee, one SOP may be developed for all the permittees covered by the agreement. A single SOP may address all three of the required public education and outreach topics as per Parts III.A.6, III.A.7.e and III.A.7.f of the permit. Maintain documentation of the type and number of public education and outreach activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable).	

STORMWATER MANAGEMENT PROGRAM: 7. f.) <i>Illicit Discharges and Improper Disposal — Oils, Toxics, and Household Hazardous Waste Control.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	During Year 1 of the permit, develop and implement a written public education and outreach SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities to encourage the proper use and disposal of used motor vehicle fluids, leftover hazardous household products, and lead acid batteries. Routinely inform the public of the locations of collection facilities, a description of the types of materials accepted and the hours of operation. The program may include an activity such as the stenciling / marking of municipally-owned storm sewer inlets, and providing information through the Internet, utility bill inserts, brochures, flyers, PSAs, presentations, etc. The written SOP for the program shall also include the following: • the goals and objectives; • the topics to be addressed; • a description of the target audience(s); • a description of the activities and materials (including which topics are to be addressed by each) for each target audience and why those activities / materials were chosen; • the methods for distribution of the outreach materials; • the annual schedule for the activities / distribution; • the method for documenting the activities; • identification of the staff / department(s) / entities responsible for performing the outreach activities; and • a description of the resources allocated to implement the program. If these activities are conducted under a contractual agreement with another permittee, one SOP may be developed for all the permittees covered by the agreement.	In each ANNUAL REPORT, report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the proper use and disposal of oils, toxics, and household hazardous waste, including the type and number of activities conducted, the type and number of materials distributed, the amount of waste collected / recycled / properly disposed, and the number of Web site visits (if applicable).

STORMWATER MANAGEMENT PROGRAM: 7. f.) <i>Illicit Discharges and Improper Disposal — Oils, Toxics, and Household Hazardous Waste Control.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	A single SOP may address all three of the required public education and outreach topics as per Parts III.A.6, III.A.7.e and III.A.7.f of the permit. Maintain documentation of the type and number of public education and outreach activities conducted, the type and number of materials distributed, the amount of waste collected / recycled / properly disposed, and the number of Web site visits (if applicable).	
FDOT District Five	Continue to include a notice with each FDOT Drainage Connection Permit with information on used oil recycling, proper hazardous waste disposal, stormwater regulations, and spill reporting.	Report the number of notices distributed in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 7. g.) Illicit Discharges and Improper Disposal — Limitation of Sanitary Sewer Seepage.		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five & VWCD	During Year 1 of the permit, develop and implement a written wastewater contamination SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities to reduce or eliminate sanitary wastewater contamination into the MS4, including discharges to the MS4 from sanitary sewer overflows (SSOs) and from inflow / infiltration from collection / transmission systems and / or septic tank systems. Example activities to reduce sanitary wastewater contamination include: repair/lining of sanitary sewer; septic systems removed emergency generator added. The permittee should contact the appropriate authorities for accurate reporting information, such as the sanitary sewer system operator who is responsible for investigating and eliminating SSOs and the local health department who is responsible for permitting / overseeing septic tank systems. Advise the appropriate utility owner of a possible violation if constituents common to wastewater contamination are discovered in the permittee's MS4. Maintain documentation of the SSOs and inflow / infiltration incidents addressed.	Report on the type and number of activities undertaken to reduce or eliminate SSOs and inflow / infiltration, the number of SSOs or inflow / infiltration incidents found and the number resolved, and the name of the owner of the sanitary sewer system within the permittee's jurisdiction, in each ANNUAL REPORT.
FDOT District Five & VWCD	Advise the appropriate utility owner of a violation if constituents common to wastewater contamination are discovered in FDOT's MS4/VWCD's MS4.	Report the number of violations referred to the appropriate utility owner and the name of the utility owner in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 8. a.) <i>Industrial and High Risk Runoff—Identification of Priorities and Procedures for Inspections.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	Continue to maintain an up-to-date inventory of all existing high risk facilities discharging into the permittee's MS4. The inventory shall identify the facility outfall to the MS4, the MS4 outfall and receiving surface water body. For the purposes of this permit, high risk facilities include: • Operating municipal landfills; • Hazardous waste treatment, storage, disposal and recovery facilities; • Facilities that are subject to EPCRA Title III, Section 313 (Toxics Release Inventory (TRI) maintained by the U.S. EPA); and • Any other industrial or commercial discharge that the permittee determines is contributing a substantial pollutant loading to the permittee's MS4. This may include facilities identified through the proactive inspection program as per Part III.A.7.c of the permit, or an MSGP as the permittee deems necessary.	Report on the high risk facilities inventory, including the type and total number of high risk facilities and the number of facilities newly added each year, in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 8. a.) <i>Industrial and High Risk Runoff—Identification of Priorities and Procedures for Inspections.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	During Year 1 of the permit, develop and implement a written high risk facility SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for conducting inspections of high risk facilities to determine compliance with all appropriate aspects of the stormwater program (e.g., no illicit discharges / connections / dumping, compliance with local stormwater regulation requirements, and coverage under the MSGP, if applicable). The written SOP for the program shall include the following: • procedures for prioritizing the inventoried facilities for inspection; • an inspection schedule (that includes inspecting each facility at least once during the permit cycle); • procedures for conducting the site inspections (including confirming whether a facility has coverage under the MSGP, if applicable); • procedures for addressing illicit discharges to the MS4; • procedures for documenting the inspections and any enforcement activities (including use of a standard form / report); • identification of the staff / department(s) / entities responsible for performing the inspections and the enforcement activities; • a schedule for training inspectors as per Part III.A.7.c of the permit; and • a description of the resources allocated to implement the plan. If these activities are conducted under a contractual agreement with another permittee, one SOP may be developed for all the permittees covered by the agreement.	Report on the high risk facilities inspection program, including the number of inspections conducted, and the number and type of enforcement actions taken, in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 8. a.) <i>Industrial and High Risk Runoff—Identification of Priorities and Procedures for Inspections.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	In the event that the inspection identifies conditions or activities that are in violation of local codes and ordinances, the permittee shall implement the necessary enforcement to prevent the discharge of pollutants to the MS4. If the permittee determines or suspects that an industrial facility does not have coverage as required under the Department's MSGP, it shall notify the Department's NPDES stormwater staff and provide the name and address of the facility. Maintain documentation of the high risk inspections performed, including the date of the inspection, findings of the inspection, type of illicit discharge(s) found, type of enforcement action(s) taken, date of verification of elimination, and any non-permitted MSGP facility referrals completed.	

STORMWATER MANAGEMENT PROGRAM: 8. a.) <i>Industrial and High Risk Runoff—Identification of Priorities and Procedures for Inspections.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
FDOT District Five	During Year 1 of the permit, develop and implement a written high risk facility SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for conducting inspections of high risk facility connections to the MS4 to determine compliance with all appropriate aspects of the stormwater program (e.g., no illicit discharges / connections / dumping, and coverage under the Department's MSGP. The written SOP for the program shall include the following: • procedures for prioritizing the inventoried connections for inspection; • an inspection schedule (that includes inspecting each facility outfall at least once during the permit cycle); • procedures for conducting the outfall inspections (including confirming whether a facility has coverage under the MSGP); • procedures for addressing discharges to the MS4 that are not in compliance; • procedures for documenting the inspections and any enforcement referrals (including use of a standard form / report); • identification of the staff / department(s) / entities responsible for performing the inspections; • a schedule for the training of the inspectors as per Part III.A.7.c of the permit; and • a description of the resources allocated to implement the plan. If these activities are conducted under a contractual agreement with another permittee, one SOP may be developed for all the permittees covered by the agreement.	Report on the high risk facility inspection program, including the number of outfall inspections conducted, and the number of enforcement referrals completed, in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 8. a.) <i>Industrial and High Risk Runoff—Identification of Priorities and Procedures for Inspections.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	In the event that the inspection identifies conditions or activities that are in violation of local codes and ordinances, the permittee shall notify the applicable MS4 operator, DEP and/or the SJRWMD and SFWMD for necessary enforcement to prevent the discharge of pollutants to the MS4. If the permittee determines or suspects that an industrial facility does not have coverage as required under the Department's MSGP, it shall notify the Department's NPDES stormwater staff and provide the name and address of the facility. Maintain documentation of the high risk outfall inspections performed, including the date of the inspection, findings of the inspection, type of illicit discharge(s) found, any enforcement referrals completed, date of verification of elimination, and any non-permitted MSGP facility referrals completed.	

STORMWATER MANAGEMENT PROGRAM: 8. b.) <i>Industrial and High Risk Runoff—Monitoring for High Risk Industries.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	Sampling of the discharge to the stormwater system may be required on an as-needed basis in the event that inspections of high-risk facilities disclose suspected illicit discharges to the MS4. New high-risk industrial facilities as defined in 40 CFR 122.26(d)(2)(iv)(C) must be evaluated to determine if the new discharge is contributing a substantial pollutant load to the MS4. The evaluation may include site-specific sampling. Maintain documentation of the sampling activities.	Report the number of high risk facilities sampled in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM:		
9. a.) Construction Site Runoff — Site Planning and Non-Structural & Structural Best Management Practices.		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL Except FDOT District Five	During Year 1 of the permit, develop and implement a written pre-construction site plan review SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for the following: • Implement the local codes or land development regulations that require the use and maintenance of appropriate structural and non-structural erosion, sedimentation and waste controls during construction to reduce the discharge of pollutants to the MS4. Consider innovative structural and non-structural BMPs and new technologies as they evolve for use on permittee projects. • Notify permit applicants of the need to obtain all required stormwater permits including but not limited to, the Environmental Resource Permit (ERP) from the SJRWMD, SFWMD or DEP Central District Office, and the Department's NPDES Generic Permit for Stormwater Discharge from Large and Small Construction Activities (CGP; Rule 62-621.300(4), F.A.C.), as applicable. • Confirm that ERP and CGP coverage has been obtained, as applicable, prior to the commencement of any land grading, excavation, or clearing (local approvals are not contingent upon obtaining these permits). Maintain documentation of the pre-construction site plan review activity, including notification and confirmation of ERP and CGP coverage.	Report the number of permittee and private pre-construction site plans reviewed for stormwater, erosion, and sedimentation controls, and the number approved, in each ANNUAL REPORT.
FDOT District Five & VWCD	Employ FDOT Drainage Connection Permit (DCP)/ VWCD Drainage Permit conditions that include the use of stormwater, erosion, and sedimentation control BMPs during construction to reduce pollutants to the MS4 and receiving waters.	Report the number of DCPs/Drainage Permits approved in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 9. b.) <i>Construction Site Runoff—Inspection and Enforcement.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	During Year 1 of the permit, develop and implement a written construction site inspection SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for implementation of the stormwater, erosion and sedimentation inspection program for construction sites discharging stormwater to the MS4. The plan shall apply to both permittee-operated and privately-operated construction projects discharging into the permittee's MS4, unless the permittee does not have the ability to obtain the legal authority to inspect privately-operated sites. For FDOT District Five, privately-operated sites are those sites within FDOT's right-of-way that were issued a Drainage Connection Permit (DCP). For VWCD, privately-operates sites are those sites that have a drainage connection to the MS4. Construction inspections for FDOT and VWCD are outfall inspections. - The written SOP for the program shall include the following: Prioritization and frequency schedule for the construction site inspections. The schedule must identify the priorities for selecting sites to be inspected and the site inspection frequencies deemed by the permittee to be appropriate to provide protection from pollutant discharges to the MS4 and surface waters to the MEP. - Inspections shall occur at multiple phases of construction, at all phases determined as necessary and appropriate. At a minimum, inspections shall occur at least once prior to land disturbance to ensure that BMPs have been properly installed, at least once during active construction, and at the conclusion of active construction, unless otherwise justified by the permittee within the written SOP and approved by the Department.	Provide the written construction site inspection program plan for Department review and approval with the Year 1 ANNUAL REPORT. The SOP should be implemented upon completion of development and revised as required per Department review. Report on the inspection program for privately-operated and permittee-operated construction sites, including the number of active construction sites during the reporting year, the number of inspections of active construction sites, the percentage of active construction sites inspected, and the number and type of enforcement actions / referrals taken, in each ANNUAL REPORT.

STORMWATER MANAGEMENT PROGRAM: 9. b.) <i>Construction Site Runoff—Inspection and Enforcement.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	• The priority order and inspection frequencies shall be based on the following criteria: 1. Construction site size. Larger sites (as determined by the permittee) shall be inspected more frequently. 2. Water body status. Sites that discharge to impaired waters or sensitive waters shall be inspected more frequently. 3. Significance of adverse water quality impacts. Sites that have been determined by the permittee to be a significant threat to water quality shall be inspected more frequently. An evaluation of the site's threat to water quality shall include consideration of factors such as the site's proximity to receiving waters and adjacent wetlands, its slopes, its soil characteristics, its need to be dewatered, history of non-compliance by site operators, and public complaints. This evaluation shall be performed during the pre-construction site plan review as per Part III.A.9.a of this permit. 4. Seasonality and rainfall. Sites with construction occurring during the wet season or sites where rains greater than one inch occur shall be inspected more frequently. 5. Historical inspection considerations. The permittee may use knowledge gained from past implementation of the construction site inspection program to further establish priorities and inspection frequencies. 6. Other criteria as determined by the permittee.	

STORMWATER MANAGEMENT PROGRAM: 9. b.) Construction Site Runoff—Inspection and Enforcement.		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	- The procedures for conducting site inspections (including use of a construction site inspection checklist) including appropriate stormwater management and water quality inspection items; confirmation of ERP and CGP coverage. - Procedures for tracking inspections (including use of a summary log) to demonstrate the history of the activities for each site for each reporting year and to verify that the sites are inspected at no less than the minimum frequency as described in the permittee's plan. - site name and location, - date of inspection, - name of inspector and name of site operator, - summary of the inspection findings, - any enforcement actions or referrals. - Procedures for enforcement (e.g., Stop Work Orders, Notices of Violation, citations, fines) used to ensure compliance with the permittee's regulatory requirements for construction sites. This shall include procedures to assure that corrective actions are taken where approved erosion and sedimentation control BMPs and permit conditions are not being met; the method used for tracking the date and type of all follow-up enforcement actions taken based on inspection findings; and procedures for referrals to the appropriate jurisdictional authorities (e.g. applicable MS4 operator, DEP, or SJRWMD, SFWMD).	

STORMWATER MANAGEMENT PROGRAM: 9. b.) <i>Construction Site Runoff — Inspection and Enforcement.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
	The permittee shall implement the SOP for inspecting construction sites immediately upon written approval by the Department. Prior to Department approval, the permittee shall continue to perform inspections in accordance with its previously developed construction site inspection procedures.	

STORMWATER MANAGEMENT PROGRAM: 9. c.) <i>Construction Site Runoff — Site Operator Training.</i>		
PERMITTEE	ACTIVITY	REPORTING REQUIREMENT
ALL	During Year 1 of the permit, develop and implement a written training SOP. The SOP shall be reviewed annually and updated as needed. The SOP must include activities for stormwater training/outreach for site plan reviewers, site inspectors and site operators. Provide annual training for permittee personnel (and contractors employed by or under contract with the permittee) involved in the site plan review, site operation or inspection of construction site stormwater management, erosion, and sedimentation controls. All permittee inspectors and site operators (and contractors employed by or under contract with the permittee) of construction sites shall be certified through the Florida Stormwater, Erosion and Sedimentation Control Inspector Training program, or an equivalent program approved by the Department. The written SOP for the program shall include the following: • a description of the topics; • a description of the personnel and contractors targeted for training; • the methods and materials to be used for the training; • identification of the staff / department / entities to perform the training; • method for documenting the training activities (in-house and outside) ; and • annual schedule of training for new and current personnel. A single SOP may address all the training required as per Parts III.A.7.c, III.A.7.d and III.A.9.c of the permit. Maintain documentation of the training activities, including the date, type, topic(s) covered, and the names and affiliations of the participants.	Report the type of training activities, the number of inspectors, site plan reviewers and site operators trained (both in-house and outside training), and the number of private construction site operators trained by the permittee, in each ANNUAL REPORT.

B. Compliance with Effluent Limitations.

RESERVED

PART IV. NUMERIC EFFLUENT LIMITATIONS

RESERVED

PART V. MONITORING REQUIREMENTS**A. Annual Loadings and Event Mean Concentrations.**

- Each permittee shall provide estimates of the average annual pollutant loading for the constituents listed in Table V.A.1 for each “major outfall” or “major watershed” within their MS4. The average annual pollutant loading for each major outfall or major watershed shall be estimated using local event mean concentration (EMCs) derived from storm event monitoring or the State’s EMCs listed in the [MS4 Permit Resource Manual](#), and shall take into consideration land uses within the drainage areas associated with the outfall or watershed.

TABLE V.A.1 — PARAMETERS
Biochemical Oxygen Demand (BOD ₅) (mg/L)
Total Copper (mg/L)
Total Nitrogen (as N) (mg/L)
Total Phosphorus (mg/L)
Total Suspended Solids (TSS) (mg/L)
Total Zinc (mg/L)

- Each permittee shall provide a table of average annual pollutant loadings and EMCs. Each permittee shall compare the current cycle’s average annual pollutant loadings with those from the previous cycle’s Year 3 ANNUAL REPORT. In addition, each permittee shall specify the source of the data used (local storm event monitoring or state EMCs) and methods or models used for the calculations. The model or method must normalize the average annual pollutant loading estimates to reflect variations in annual rainfall. Based on this comparison of average annual pollutant loadings, the permittees shall indicate whether pollutant loadings are increasing or decreasing for each major outfall or major watershed. Submit average annual pollutant loading information with the Year 3 ANNUAL REPORT.
- If the total annual pollutant loadings for each parameter in Table V.A.1 have not decreased since the issuance of the previous MS4 permit, each permittee shall re-evaluate its SWMP and identify and submit revisions to its SWMP, as appropriate, to reduce pollutant loadings, especially to impaired waters, in the Year 4 ANNUAL REPORT.

B. Assessment Program.

- Assessment Program Objective:* The purpose of the assessment program is to provide information for the permittee to determine the overall effectiveness of the SWMP in reducing stormwater pollutant loadings from the MS4. The following elements shall be used to develop the assessment program:

- a. A water quality monitoring plan intended to identify local sources where urban stormwater is adversely effecting surface water resources.
 - b. Pollutant loadings.
 - c. A description of how the data from a. and/or b. above will be used to:
 - (1) Evaluate trends in pollutant loadings from the MS4 and in water quality; and
 - (2) Identify portions of the MS4 which can be targeted for loading reduction /corrective action with additional pollutant reduction measures.
2. *Assessment Program Requirements:* Each permittee, or permittees operating under a collaborative assessment program, shall develop and submit an assessment program to the Department for review and approval within 12 months of permit issuance. Prior to Department approval, the permittee shall continue to implement their previously approved monitoring program. If multiple permittees operate under one collaborative assessment program, the program shall specify which permittees are collaborating on which elements in 1.a. through c. above, within an interlocal agreement. The monitoring plan shall be prepared in accordance with the Department's [Guidance For Preparing Stormwater Monitoring Plans As Required For Phase I Municipal Separate Storm Sewer System \(MS4\) Permits](#) (most current version).
3. *Reporting of Assessment Results:* Each ANNUAL REPORT shall include the following:
 - a. Status of water quality monitoring plan implementation. Status may include sampling frequency changes, monitoring location changes, or sampling waiver conditions.
 - b. Brief discussion of the assessment program results to date which includes a summary of the water quality monitoring data and / or stormwater pollutant loading changes from the reporting year.
NOTE: Results must be specific to each permittee's SWMP.
 - c. An analysis of the data discussing changes in water quality and/or stormwater pollutant loading from previous reporting years.
NOTE: Analysis must be specific to each permittee's SWMP.
4. *Changes to Approved Assessment Program:* Requests for changes to the permittees' approved Assessment Program (Part V.B.2) shall be made to the Department at any time in writing and shall include the rationale for the requested change.
5. *Submission of the Assessment Program for Reissuance:* The permittees shall submit a copy of the assessment program as an attachment to the Year 4 ANNUAL

REPORT, including any suggested changes to improve the plan, for Department review and approval. Specifically, the submission of the assessment program shall:

- a. Based on an analysis of the assessment results, identify any evidence of water quality and/or pollutant loading improvements or degradation over the permit period or a statement indicating that the results are inconclusive; and
 - b. Determine whether the assessment program providing data that can be used to assess the effectiveness of the SWMP in reducing stormwater pollutant loadings, assess the effectiveness of specific BMPs, and determine where stormwater retrofitting projects should be prioritized for implementation. If not, identify any additional assessment elements that need to be completed to assist in the evaluation of the effectiveness of the SWMP, and include any requested changes and the rationale for each change.
6. *Monitoring Data and Recordkeeping:* Field testing, sample collection, preservation, laboratory testing, including quality control procedures and all record keeping, shall be maintained for at least five years from the date of sampling or measurement in accordance with Rule 62-160, F.A.C. Ambient monitoring data shall be entered into DEP STORET (or successor) at least annually.
7. *Sample Analysis:* All samples shall be collected and analyzed in accordance with the methods specified at 40 CFR Part 136 and the Department's Quality Assurance requirements as detailed in Rule 62-160, F.A.C.
8. *Sampling Waiver:* In the event a permittee is unable to collect samples due to circumstances beyond the permittee's control, the permittee must submit in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. Circumstances beyond the control of a permittee may include adverse climatic conditions that may prohibit the collection of samples (i.e., drought) and weather conditions that create dangerous conditions for personnel (i.e., local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) that otherwise make the collection of samples impracticable.

PART VI. REPORTING REQUIREMENTS**A. Annual Report: Reporting Period and Due Date.**

Each permittee shall prepare an ANNUAL REPORT to be submitted by no later than six months following the period covered by the report. The ANNUAL REPORT shall cover the 12-month period beginning on May 10th of each year and must be submitted no later than November 10th of each year. If a permittee has a legal agreement with Orange County to conduct any permit requirements on its behalf, the permittee shall obtain (and upon request, Orange County shall make available) the necessary annual report information on the performed activity.

B. Annual Report: Content.

1. The ANNUAL REPORT shall be prepared in accordance with the requirements of Rule 62-624.600, F.A.C.
2. The ANNUAL REPORT shall include a summary of the strengths and limitations for each of the elements in Part III of the permit as set forth in the ANNUAL REPORT form.
3. The ANNUAL REPORT shall include as an attachment the reporting of the assessment program results in accordance with Part V.B.3 of the permit.
4. Where a SWMP activity is being performed by another entity on behalf of a permittee, the permittee remains responsible for reporting on the activities performed by the other entity and maintaining documentation of the activities.

C. Reapplication: Evaluation of SWMP Effectiveness.

The permittee shall attach to the YEAR 4 ANNUAL REPORT and reapplication a summary of the SWMP evaluation including the following:

1. An evaluation of the effectiveness of the SWMP in reducing pollutant loading from the MS4, accomplishments in the implementation of MS4 pollutant reduction activities, and the overall effectiveness of SWMP implementation. The permittee should utilize information generated in Part V and Part VIII of the permit in composing their evaluation.
2. Describe whether stormwater pollutant loadings discharged from the MS4 have decreased? Include results and annual loadings from Part V.
3. Recommended SWMP revisions for each of the elements in Part III of the permit as a result of the SWMP evaluation. Based on an analysis of the assessment results, identify any areas or drainage basins within the boundaries of the MS4

that should be targeted for corrective action(s). If applicable, specify what corrective actions should be completed and a timetable for implementation. Corrective action(s) include but are not limited to retrofits, structural BMPs, and non-structural BMPs (e.g., public education, street sweeping).

D. Annual Report: Certification and Signature.

All reports required by the permit and other information requested by the Department shall be signed and certified in accordance with Rule 62-620.305, F.A.C.

E. Annual Report: Where to Submit.

Signed copies of the ANNUAL REPORT required by Part VI.A and any other reports or information requested by the Department shall be submitted by email to the MS4 coordinator. Their email address is available online at <http://www.dep.state.fl.us/water/stormwater/npdes/contacts.htm>. If files are too large to email, materials may be placed on the NPDES Stormwater ftp site at: ftp://ftp.dep.state.fl.us/pub/NPDES_Stormwater/. After uploading the ANNUAL REPORT, an email must be sent to the MS4 coordinator notifying them the report is ready for downloading.

If submitted in hard copy, materials shall be submitted to

Florida Department of Environmental Protection
NPDES Stormwater Section, Mail Station 3585
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

F. Additional Notification.

*** RESERVED***

PART VII. OTHER SPECIFIC CONDITIONS**A. Revision of Permit Conditions.**

The permit may be revised in accordance with Rule 62-620.325, F.A.C. Modifications to the SWMP do not require revision to the permit and can be authorized pursuant to Part II.G of this permit.

B. Reopener Clause.

1. This permit may be reopened and revised for good cause as defined in Rule 62-620.325, F.A.C.
2. The permit may be reopened and revised during the life of the permit to:
 - a. Adjust effluent limitations or monitoring requirements should future adopted total maximum daily load (TMDL), water quality studies, the Department-approved changes in water quality standards, or other information show a need for a different limitation or monitoring requirement;
 - b. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;
 - c. Address changes in State or Federal statutory or regulatory requirements; or
 - d. Include the addition of a new permittee who is the owner or operator of a portion of the MS4.

C. Duty to Reapply.

1. The permittees shall submit an application to renew this permit at least 180 days before the expiration date of this permit, or in the Year 4 ANNUAL REPORT. Reapplication must be in accordance with Rule 62-624.420, F.A.C.
2. A complete application filed in accordance with subsection 1 of this section shall be considered timely and sufficient. When an application for renewal of a permit is timely and sufficient, the existing permit shall not expire until the Department has taken final action on the application for renewal or until the last day for seeking judicial review of the agency order or a later date fixed by order of the reviewing court.
3. The late submittal of a renewal application shall be considered timely and sufficient for the purpose of extending the effectiveness of the expiring permit only if it is submitted and made complete prior to the permit expiration date.

D. Termination of Coverage for a Single Permittee.

Permit coverage may be suspended, revoked or terminated, in accordance with the provisions of Rule 62-624.300(4) and Rule 62-620.345, F.A.C., for a single permittee without terminating coverage for the other permittees.

PART VIII. STORMWATER DISCHARGE COMPLIANCE AND WATER QUALITY STANDARDS

A. The Maximum Extent Practicable (MEP) Standard.

The stormwater management program must be designed and implemented to reduce the discharge of pollutants from each permittee's MS4 to surface waters of the State to the MEP. Narrative effluent limitations requiring implementation of best management practices (BMPs) are generally the most appropriate form of effluent limitations when designed to satisfy technology requirements (including reduction of pollutants to the MEP) and to protect water quality. Implementation of BMPs consistent with the provisions of the stormwater management program required pursuant to this permit constitutes compliance with the standard of reducing pollutants to the MEP. The MEP standard is applied to MS4s in recognition of the fact that an operator typically does not have total control over the quality or quantity of stormwater entering its system and ultimately entering waters of the State. Stormwater management programs must be assessed and adjusted by the permittee, as part of an iterative process, to maximize their efficiency and make reasonable further progress toward an ultimate goal of reducing the discharge of pollutants to the extent necessary to protect receiving waters.

B. Requirements for Total Maximum Daily Loads (TMDLs).

For the purposes of Part VIII.B., the term "TMDL" shall mean either a DEP-adopted TMDL or an EPA-established TMDL within a water body that is verified impaired by DEP for the pollutant of concern using the processes defined in the Impaired Waters Rule (62-303, F.A.C. The term "MS4 discharge" shall mean direct discharge, or indirect discharge through an interconnected MS4. "Point of interconnection" shall mean the point at which the MS4 of one permittee discharges into the MS4 of another permittee whose MS4 discharges to the TMDL water body. This situation is termed an "indirect discharge" to a TMDL water body. Additional guidance and information about direct and indirect discharges are included in the NPDES [Phase I MS4 Permit Resource Manual](#) (most current version).

The requirements of this section apply only to the permittee's MS4 discharges to receiving waters with TMDLs and associated allocations. It is the intent of this section to ensure that pollutant discharges for those pollutant listed in the TMDL are reduced to the MEP through the implementation of the permittee's SWMP. Adequate progress toward addressing TMDL wasteload allocations (WLAs) will be demonstrated through the implementation of structural and nonstructural best management practices and other program activities that are targeted at TMDL-related pollutants within watersheds that discharge to a water body with a TMDL.

The requirements in this section apply to all of the TMDLs that have been adopted or established as of the effective date of this permit.

DEP Adopted TMDLs are listed in Chapter 62-304, F.A.C. at:

<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-304> and in the

TMDL Tracker Application at:

<http://webapps.dep.state.fl.us/DearTmdl/welcomehz.do>.

EPA-established TMDLs can be found at:

http://iaspub.epa.gov/apex/waters/f?p=ASKWATERS:V_WO_APPROVED_TMDLS:0:::P4_OWNER:ATTAINS and

<https://archive.epa.gov/pesticides/region4/water/tmdl/web/html/index-2.html>

1. For water bodies within an adopted DEP TMDL and Basin Management Action Plan (BMAP).

a. BMAP Adopted:

In accordance with Section 403.067, F.S., NPDES permits must be consistent with the requirements of adopted TMDLs. Therefore, when a Basin Management Action Plan (BMAP) and / or an implementation plan for a TMDL for a water body into which the permitted MS4 discharges the pollutant of concern is adopted pursuant to Section 403.067(7), F.S., the MS4 operator must comply with the adopted provisions of the BMAP and/or implementation plan that specify activities to be undertaken by the permittee during the permit cycle.

b. BMAP in Development and Scheduled to be Adopted Within Two Years of Effective Date of the Permit:

If a BMAP is being developed by DEP and watershed stakeholders, including the permittee, for a water body with an adopted TMDL and the BMAP is scheduled to be adopted within two years of effective date of the permit, the permittee shall not be required to undertake the activities in Part VIII.B. 2 or 3 below. The permittee shall continue to participate in the BMAP process and shall comply with the adopted provisions of the BMAP that specify activities to be undertaken by the permittee during the permit cycle.

For those permittees that discharge to a water body with an adopted TMDL for which a BMAP has been adopted or is scheduled to be adopted within two years of the effective date of the permit, the permittee shall include the water body in the list of TMDLs in the TMDL Prioritization Plan pursuant to Part VIII.B.2.a; however, this water body does not need to be included in the final prioritized list of TMDLs. If the permittee only discharges to a water body with a BMAP, or to a water body where a BMAP is scheduled for adoption within two years of effective date of the permit, their TMDL Prioritization Plan shall consist of a letter informing DEP of their participation in the BMAP.

2. For water bodies with a TMDL and without a BMAP.

a. TMDL Prioritization Plan (Due within six months of the effective date of the permit):

Each permittee shall develop a list of TMDL water bodies into which its MS4 discharges. If the permittee discharges into only one TMDL water body, the permittee shall prioritize that water body. If the permittee(s) discharges into more than one TMDL water body, each permittee shall develop a list of factors to rank these water bodies. Each permittee shall prioritize the water body(ies) that will be addressed within the permit cycle. Include a schedule for completing the remaining tasks set forth in Parts VIII.B.2.b through VIII.B.3.a for the prioritized water body(ies) within the current permit cycle. Each permittee shall prepare a final report that includes the list of ranked water bodies that the MS4 discharges into and factors used, the prioritized TMDL water body(ies) and , and the associated schedule for completing the remaining tasks for those TMDL water body(ies) that will be addressed within the current permit cycle. The plan shall be submitted to DEP within six months of the effective date of the permit for review and approval.

Steps b. through d. below, shall be applied to the TMDL(s) selected by the permittee for implementation during the current permit cycle (excluding bacteria TMDLs, which are addressed in Part VIII.B.3 below).

- b. TMDL Outfall Prioritization Plan (Due within twelve months of the effective date of the permit):

The permittee shall develop an Outfall Prioritization Plan for the TMDL(s) water body selected by the permittee in Part VIII.B.2.a for implementation during the current permit cycle. Each permittee shall determine, collect, and assess any additional information that is needed to identify either a MS4 stormwater outfall or point of interconnection that will be used to determine progress towards addressing the pollutant load reductions established in the MS4 wasteload allocation of the TMDL. This outfall or point of interconnection shall be referred to as the "load assessment discharge point." The permittee shall select the load assessment discharge point using the factors listed below.

- (1) Estimated annual loading of the pollutant(s) of concern into the prioritized waterbody using water quality or sediment monitoring results; or
- (2) Estimated annual loadings for the pollutants(s) of concern discharged into the prioritized water body using (EMCs) and rainfall data. For permittees that discharge indirectly, calculate the loads at the point of interconnection; or
- (3) Planned stormwater retrofitting projects.

NOTE: If the permittee has only one outfall or point of interconnection to the TMDL water body, the permittee shall use that point as their load assessment discharge point, and will be exempt from steps (1) through (3) above.

The Outfall Prioritization Plan shall be submitted to DEP within twelve months of the effective date of this permit.

c. TMDL Monitoring (Years 2 and 3):

The purpose of this monitoring is to provide baseline pollutant loads for the load assessment point. There are two options for monitoring listed below.

1. Conduct storm event monitoring to obtain flow-weighted composite samples from the load assessment discharge point identified in the Outfall Prioritization Plan. A minimum of seven storm events will be monitored at the load assessment discharge point; or
2. Develop a Targeted Water Quality Monitoring Plan for the TMDL waterbody to obtain current estimates of stormwater annual loadings, identify the major sources of the pollutant of concern that are discharging into the waterbody, and evaluate water body health changes over time. The plan shall include monitoring at the prioritized outfall and within receiving waters and shall include biological and sediment monitoring if appropriate to the pollutant of concern. The plan shall provide a description of the monitoring locations, methods of monitoring at each location, monitoring frequency, and a narrative detailing the monitoring plan's ability to evaluate changes in stormwater pollutant loadings and water body health over time. The permittee shall submit the Targeted Monitoring Plan to DEP within twelve months of the effective date of the permit.

The outfall monitoring data shall be normalized to average annual rainfall to allow calculation of the average annual stormwater pollutant loading for the parameter(s) analyzed. A final report summarizing the monitoring program's results, including rainfall normalized annual stormwater pollutant loadings, shall be submitted to DEP in the Year 3 ANNUAL REPORT. The normalized annual stormwater loadings measured at the load assessment discharge point shall be used along with other relevant data, such as load reduction data from BMPs that have been implemented in the MS4 drainage basins discharging to the TMDL water body, to evaluate progress over time towards addressing the MS4 wasteload allocation in the TMDL water body through the implementation of the Supplemental SWMP required in Part VIII.B.2.d. below.

- d. Supplemental SWMP (Year 4 ANNUAL REPORT and permit reapplication package):

Each permittee shall develop a Supplemental SWMP for reducing stormwater pollutant loads within the MS4 drainage basins discharging to the TMDL water body. Each Supplemental SWMP shall include structural and nonstructural BMPs, as needed, and other program activities to increase the reduction of stormwater pollutant loads of the pollutant(s) of concern to the MEP, and a schedule for their implementation. The Supplemental SWMP shall include, but not be limited to, the following:

- (1) Modifications to the existing SWMP to implement additional structural and nonstructural BMPs and program activities in MS4 drainage basins that discharge to the TMDL water body. A table shall be included that lists the BMPs and program activities to be implemented, a schedule for their implementation, and projected load reduction associated with the implementation of each BMP or activity.
- (2) A specific strategy for implementing periodic monitoring in the manner and method as done in Part VIII.B.2.c to document progress in addressing the TMDL, along with BMP effectiveness monitoring; or ambient water chemistry, biological, or sediment monitoring, as appropriate; together with other evaluation techniques to enable the permittee to evaluate the effectiveness of the Supplemental SWMP in reducing TMDL pollutant loads to the MEP.

3. **Discharging into Waters with a Bacteria TMDL that does not have a BMAP.**

- a. Bacteria Pollution Control Plan (Year 3 ANNUAL REPORT):

If the permittee has prioritized a bacteria TMDL in Part VIII.B.2.a, the permittee shall develop a Bacterial Pollution Control Plan (BPCP) to identify the sources and activities to reduce bacteria loadings from the MS4 to the MEP and submit with the Year 3 ANNUAL REPORT. To develop the plan, the permittee shall use the assessment tools and methodology within the Department's current bacteria guidance:

http://www.dep.state.fl.us/water/watersheds/docs/fcg_toolkit.pdf (most current version).

The BPCP shall include the following elements:

- (1) Identification of potential sources of bacteria discharged from the MS4.
- (2) Bacteria source tracking including monitoring to better identify sources of bacteria in the MS4 and to prioritize activities to reduce fecal coliform loadings.
- (3) Implementation of a pet waste management ordinance or program.
- (4) Implementation of an education program directed at reducing bacterial pollution.
- (5) Identification of additional structural or nonstructural BMPs or activities to reduce bacteria loadings discharged from the MS4 to the MEP. A table shall be included that lists the BMPs and other activities to be implemented, a schedule for their implementation, and estimated load reductions of each of BMP or activity.

4. Status of Part VIII.B.2 and 3 (Each ANNUAL REPORT):

Each ANNUAL REPORT shall include a table summarizing the status of the TMDL process. The report also shall include a summary of the estimated load reductions that have occurred for the pollutant(s) of concern being discharged from the MS4 to the TMDL water body during the reporting period and cumulatively since the date the Supplemental SWMP was implemented.

5. Collaboration with Other MS4 Permittees and Pollution Sources within the Drainage Basin:

The permittees are encouraged to collaborate with each other and other entities that have TMDL-assigned Wasteload Allocations or Load Allocations within the drainage basin of a TMDL water body to complete the tasks outlined in Part VIII.B.2 through 3 above. The Department recognizes that TMDLs are best implemented on a watershed-wide basis and that no single entity is responsible for developing and implementing a TMDL implementation plan or for addressing the load reductions specified in an adopted TMDL. Additionally, the Florida Watershed Restoration Act requires the equitable allocation of allowable loads and required load reductions among all sources that are causing or contributing to the water body impairment.

PART IX. GENERAL CONDITIONS

These general conditions apply to all permits subject to Rule 62-620, F.A.C. except as noted. These conditions are primarily designed for wastewater facilities and may or may not be appropriate for MS4 stormwater discharges. Consult with the Department on the applicability of specific provisions.

- (1) The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [62-620.610(1), F.A.C.]
- (2) This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. [62-620.610(2), F.A.C.]
- (3) As provided in Subsection 403.087(6), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringements of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. [62-620.610(3), F.A.C.]
- (4) This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [62-620.610(4), F.A.C.]
- (5) This permit does not relieve the permittee(s) from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee(s) to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee(s) shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee(s) 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 permit. [62-620.610(5), F.A.C.]
- (6) If the permittee(s) wishes to continue an activity regulated by this permit after its expiration date, the permittee(s) shall apply for and obtain a new permit. [62-620.610(6), F.A.C.]
- (7) [General Condition 62-620.610(7), F.A.C. is excepted by 62-624.310, F.A.C.]

- (8) This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee(s) for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [62-620.610(8), F.A.C.]
- (9) The permittee(s), by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:
- (a) Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;
 - (b) Have access to and copy any records that shall be kept under the conditions of this permit;
 - (c) Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
 - (d) Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules. [62-620.610(9), F.A.C.]
- (10) In accepting this permit, the permittee(s) understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, Florida Statutes, or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. [62-620.610(10), F.A.C.]
- (11) When requested by the Department, the permittee(s) shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee(s) shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee(s) becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. [62-620.610(11), F.A.C.]
- (12) [General Condition 62-620.610(12), F.A.C. is excepted by 62-624.310, F.A.C.]
- (13) The permittee(s), in accepting this permit, agrees to pay the applicable regulatory program and surveillance fees in accordance with Rule 62-4.052, F.A.C. [62-620.610(13), F.A.C.]

- (14) This permit is transferable only upon Department approval in accordance with Rule 62-620.610(14), F.A.C. The permittee(s) shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. [62-620.610(14), F.A.C.]
- (15) [Not Applicable] [62-620.610(15), F.A.C.]
- (16) [General Condition 62-620.610(16), F.A.C. is excepted by 62-624.310, F.A.C.]
- (17) [General Condition 62-620.610(17), F.A.C. is excepted by 62-624.310, F.A.C.]
- (18) Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapter 62-160 and 62-601, F.A.C. and 40 CFR 136, as appropriate.
- (a) [Not Applicable]
 - (b) If the permittee(s) monitors any contaminate more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR [ANNUAL REPORT].
 - (c) Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
 - (d) Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified through the Department of Health Environmental Laboratory Certification Program. Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit.
[Not Applicable]
 - (e) Field activities including on-site test and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.
 - (f) Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220 and 62-160.330, F.A.C. [62-620.610(18), F.A.C.]
- (19) Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. [62-620.610(19), F.A.C.]
- (20) The permittee(s) shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee(s) becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee(s) becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the

noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

(a) *[Not Applicable]*

(b) Oral reports as required by this subsection shall be provided as follows:

1. *[Not Applicable]*

2. Oral reports, not otherwise required to be provided pursuant to subparagraph (b)1. above, shall be provided to the Department within 24 hours from the time the permittee(s) becomes aware of the circumstances.

(c) If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report. *[62-620.610(20), F.A.C.]*

(21) *[Not Applicable] [62-620.610(21), F.A.C.]*

(22) *[General Condition 62-620.610(22), F.A.C. is excepted by 62-624.310, F.A.C.]*

(23) *[General Condition 62-620.610(23), F.A.C. is excepted by 62-624.310, F.A.C.]*

PART X. DEFINITIONS

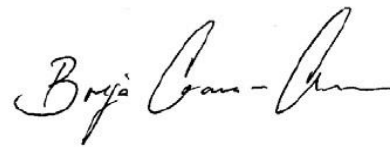
Where terms are used in this permit, definitions found in Rule 62-620.200, F.A.C. and Rule 62-624.200, F.A.C. shall apply. Other definitions used in this permit are provided below:

- A. “Best management practices (BMPs)” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, residuals, industrial sludge or waste disposal, or drainage from raw material storage. [62-620.200(3), F.A.C.]
- B. “Co-permittee” means a permittee to an NPDES permit that is only responsible for permit conditions relating to the municipal separate storm sewer that it operates. [62-624.200(1), F.A.C.]
- C. “Major facility” means any NPDES facility or activity classified as such by EPA with the concurrence of the Department. [62-620.200(23), F.A.C.]
- D. “Major municipal separate storm sewer outfall” or “major outfall” means a municipal separate storm sewer outfall that discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more). [62-624.200(5), F.A.C.]
- E. “Major watershed” is defined as an area bounded peripherally by a water parting (i.e., ridge) and draining to a particular water course or body of water. A major watershed shall encompass a named major water course or may consist of a coastal area draining directly into a bay. A major watershed must contain at least one major outfall.
- F. “Municipal separate storm sewer” or MS4 means a conveyance or system of conveyances like roads with stormwater systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels, or storm drains:
 - 1. Owned or operated by a State, city, town, county, special district, association, or other public body (created by or pursuant to State Law) having jurisdiction over management and discharge of stormwater and which discharges to surface waters of the state;
 - 2. Designed or used for collecting or conveying stormwater;
 - 3. Which is not a combined sewer; and
 - 4. Which is not part of a Publicly Owned Treatment Works (POTW). POTW means any device or system used in the treatment of municipal sewage or industrial wastes of a liquid nature which is owned by a “State” or “municipality.” This definition includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment. [62-624.200(8), F.A.C.]

- G. "Outfall" means a point source at the location where a municipal separate storm sewer discharges to water of the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the state and are used to convey waters of the state. [62-624.200(9), F.A.C.]
- H. "Permittee" means the owner, operator or other entity to which a permit for a wastewater facility or activity is issued by the Department. The term "permittee" shall be functionally synonymous with the terms "owner," "contractor," and "licensee," but shall not include licensed individuals, such as State certified operators, unless they are the persons to whom a facility permit is issued by the Department. The term shall extend to a permit "applicant" for purposes of this chapter. [62-620.200(35), F.A.C.]
- I. "Point source" is defined as any discernible, confined, and discrete conveyance, such as any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, or landfill leachate collection system from which pollutants are or may be discharged. [62-624.200(9), F.A.C.]
- J. "Stormwater" means stormwater runoff, surface runoff and drainage. [62-624.200(12), F.A.C.]
- K. "Stormwater Associated with Industrial Activity" is as defined in 40 CFR 122.26(b)(14).
- L. "Storm sewer," for the purposes of this permit unless otherwise indicated, refers to an MS4.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Borja Crane-Amores
Program Administrator
NPDES Stormwater Program
Division of Water Resource Management



Lake Killarney Advisory Board

agenda item

item type	Action Items	meeting date	December 3, 2021
prepared by	Melissa Meade	approved by	
board approval			
strategic objective			

subject

Election of Chairperson

motion / recommendation

background

alternatives / other considerations

fiscal impact



Lake Killarney Advisory Board

agenda item

item type	Action Items	meeting date	December 3, 2021
prepared by	Melissa Meade	approved by	
board approval			
strategic objective			

subject

Election of Vice-Chairperson

motion / recommendation

background

alternatives / other considerations

fiscal impact



Lake Killarney Advisory Board

agenda item

item type	Action Items	meeting date	December 3, 2021
prepared by	Melissa Meade	approved by	
board approval			
strategic objective			

subject

Establish a regular meeting schedule

motion / recommendation

background

alternatives / other considerations

fiscal impact