



Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Enforcement and Compliance Section
L&C Annex, 6th Floor, 401 Church Street
Nashville, TN 37243
(615) 532-0625

Small Municipal Separate Storm Sewer System (MS4) Annual Report

1. MS4 INFORMATION

City of Brentwood

Name of MS4

Todd A. Spangler

Name of Contact Person

(615) 371-0080

Telephone (including area code)

P.O. Box 788

Mailing Address

Brentwood

TN

37024

City

State

ZIP code

What is the current population of your MS4? 35,262

What is the reporting period for this annual report? From 7/1/09 to 6/30/10

2. PROTECTION OF STATE OR FEDERALLY LISTED SPECIES

A. Do any of the MS4 discharges or discharge-related activities likely to jeopardize any state or federally listed species (**Part 3, Special Conditions, General Permit for Phase II MS4s**) ☐ Yes ☒ No

B. Please attach the determination of the effect of the MS4 discharges on state or federally listed species per sub-part **3.2.1** ~~Error! Reference source not found.~~

3. WATER QUALITY PRIORITIES

A. Does your MS4 discharge to waters listed as impaired on your state 303(d) list? ☒ Yes ☐ No

B. If yes, identify each impaired water, the impairment(s), whether a TMDL has been approved by EPA for each, and whether the TMDL identifies your MS4 as a source of the impairment.

Impaired Water	Impairment	Approved TMDL		MS4 Assigned to WLA	
Owl Creek & Tribs	Sedimentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Holt Creek	Sedimentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Beech Creek	Sedimentation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

C. What specific sources of these pollutants of concern are you targeting? Construction Disturbance

D. Do you have discharges to any Exceptional TN Waters (ETWs) or Outstanding National Resource Waters (ONRWs)? ☒ Yes ☐ No

E. Are you implementing additional specific provisions to ensure the continued integrity of ETWs or ONRWS located within your jurisdiction? ☒ Yes ☐ No

4. PUBLIC EDUCATION AND PUBLIC PARTICIPATION

A. Is your public education program targeting specific pollutants and sources of those pollutants? ☒ Yes ☐ No

Small Municipal Separate Storm Sewer System (MS4) Annual Report

- B. If yes, what are the specific causes, sources and/or pollutants addressed by your public education program? Residential impacts to Water Quality, to include car washing and maintenance, yard fertilizers, animal waste, and yard waste.
- C. Note specific successful outcome(s) (NOT tasks, events, publications) fully or partially attributable to your public education program during this reporting period. None

D. Do you have an advisory committee or other body comprised of the public and other stakeholders that provides regular input on your stormwater program? ☐ Yes ☒ No

E. Provide a summary of all public meetings required by the permit. Public Hearing for Annual Report

5. CODES AND ORDINANCES REVIEW AND UPDATE

- A. Is a completed copy of the EPA Water Quality Scorecard submitted with this report? ☐ Yes ☒ No
- B. Include status of implementation of code, ordinance and/or policy revisions associated with permanent stormwater management. Not begun or required under old permit

6. CONSTRUCTION

- A. Do you have an ordinance or adopted policies stipulating:
- | | | |
|--|---|-----------------------------|
| Erosion and sediment control requirements? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Other construction waste control requirements? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Requirement to submit construction plans for review? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| MS4 enforcement authority? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

B. How many active construction sites disturbing at least one acre were there in your jurisdiction this reporting period? 15

C. How many of these active sites did you inspect this reporting period? All

D. On average, how many times each, or with what frequency, were these sites inspected Monthly (e.g., weekly, monthly, etc.)?

E. Do you prioritize certain construction sites for more frequent inspections? ☒ Yes ☐ No
If Yes, based on what criteria? Based on priority watershed to impaired waters or critical habitat

7. ILLICIT DISCHARGE ELIMINATION

- A. Have you completed a map of all outfalls and receiving waters of your storm sewer system? ☒ Yes ☐ No
- B. Have you completed a map of all storm drain pipes of storm sewer system? ☒ Yes ☐ No
- C. How many outfalls have you identified in your system? 327
- D. How many of these outfalls have been screened for dry weather discharges? 327
- E. How many of these have been screened more than once? 0
- F. What is your frequency for screening outfalls for illicit discharges? ongoing by City staff during normal duties
- G. Do you have an ordinance that effectively prohibits illicit discharges? ☒ Yes ☐ No
- H. During this reporting period, how many illicit discharges/illegal connections have you discovered (or been reported to you)? 3
- I. Of those illicit discharges/illegal connections that have been discovered or reported, how many have been eliminated? 3

8. STORMWATER MANAGEMENT FOR MUNICIPAL OPERATIONS

- A. Have stormwater pollution prevention plans (or an equivalent plan) been developed for:
- | | | |
|---|---|-----------------------------|
| All parks, ball fields and other recreational facilities | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| All municipal turf grass/landscape management activities | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| All municipal vehicle fueling, operation and maintenance activities | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| All municipal maintenance yards | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| All municipal waste handling and disposal areas | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
- B. Are stormwater inspections conducted at these facilities? ☒ Yes ☐ No

Small Municipal Separate Storm Sewer System (MS4) Annual Report

1. If Yes, at what frequency are inspections conducted? annually

- C. Have standard operating procedures or BMPs been developed for all MS4 field activities? (e.g., road repairs, catch basin cleaning, landscape management, etc.) ☐ Yes ☒ No
- D. Do you have a prioritization system for storm sewer system and permanent BMP inspections? ☒ Yes ☐ No
- E. On average, how frequently are catch basins and other inline treatment systems inspected? Three times a year or as need arises
- F. On average, how frequently are catch basins and other inline treatment systems cleaned out/maintained? As needed approximately 360 work orders were completed regarding storm drainage system maintenance.
- G. Do municipal employees in all relevant positions and departments receive comprehensive training on stormwater management? ☒ Yes ☐ No
- H. If yes, do you also provide regular updates and refreshers? ☒ Yes ☐ No

If so, how frequently and/or under what circumstances? Annually

9 PERMANENT STORMWATER CONTROLS

- A. Do you have an ordinance or other mechanism to require:
- Site plan reviews of all new and re-development projects? ☒ Yes ☐ No
- Maintenance of stormwater management controls? ☒ Yes ☐ No
- Retrofitting of existing BMPs with green infrastructure BMPs? ☐ Yes ☒ No
- B. What is the threshold for new/redevelopment stormwater plan review? (e.g., all projects, projects disturbing greater than one acre, etc.) All new or redevelopment
- C. Have you implemented and enforced performance standards for permanent stormwater controls? ☒ Yes ☐ No
- D. Do these performance standards go beyond the requirements found in paragraph 4.2.5.2 and require that pre-development hydrology be met for:
- Flow volumes ☒ Yes ☐ No
- Peak discharge rates ☒ Yes ☐ No
- Discharge frequency ☒ Yes ☐ No
- Flow duration ☐ Yes ☒ No
- E. Please provide the URL/reference where all permanent stormwater management standards can be found.
<http://library.municode.com/index.aspx?clientId=12774&stateId=42&stateName=Tennessee>
- F. How many development and redevelopment project plans were reviewed for this reporting period? 15
- G. How many development and redevelopment project plans were approved? 15
- H. How many permanent stormwater management practices/facilities were inspected? 145
- I. How many were found to have inadequate maintenance? 1
- J. Of those, how many were notified and remedied within 30 days? (If window is different than 30 days, please specify) 1
- K. How many enforcement actions were taken that address inadequate maintenance? 0
- L. Do you use an electronic tool (e.g., GIS, database, spreadsheet) to track post-construction BMPs, inspections and maintenance? ☒ Yes ☐ No
- M. Do all municipal departments and/or staff (as relevant) have access to this tracking system? ☒ Yes ☐ No

Small Municipal Separate Storm Sewer System (MS4) Annual Report

- N. Has the MS4 developed a program to allow for incentive standards for redeveloped sites? ☐ Yes ☒ No
- O. How many maintenance agreements has the MS4 approved during the reporting period? 0 not required by ordinance or old permit

10. ENFORCEMENT

- A. Identify which of the following types of enforcement actions you used during the reporting period, indicate the number of actions, the minimum measure (e.g., construction, illicit discharge, permanent stormwater control) or note those for which you do not have authority:

Action	Construction	Permanent Stormwater Controls	Illicit Discharge	Authority?	
Notice of violation	# _____	# _____	# <u>3</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Administrative fines	# _____	# _____	# _____	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Stop Work Orders	# <u>1</u>	# _____	# _____	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Civil penalties	# _____	# _____	# _____	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Criminal actions	# _____	# _____	# _____	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Administrative orders	# _____	# _____	# _____	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Other _____	# _____	# _____	# _____		

- B. Do you use an electronic tool (e.g., GIS, data base, spreadsheet) to track the locations, inspection results, and enforcement actions in your jurisdiction? ☒ Yes ☐ No
- C. What are the 3 most common types of violations documented during this reporting period? E&SC, dumpster spills, carwash discharge

11. PROGRAM RESOURCES

- A. What was your annual expenditure to implement the requirements of your MS4 NPDES permit and SWMP this past reporting period? \$162,106
- B. What is next year's budget for implementing the requirements of your MS4 NPDES permit and SWMP? \$207,400
- C. Do you have an independent financing mechanism for your stormwater program? ☐ Yes ☒ No
- D. If so, what is it/are they (e.g., stormwater fees), and what is the annual revenue derived from this mechanism?
 Source: _____ Amount \$ _____
 Source: _____ Amount \$ _____
- E. How many full time employees does your municipality devote to the stormwater program (specifically for implementing the stormwater program vs. municipal employees with other primary responsibilities that dovetail with stormwater issues)? 0, Todd Spangler is primarily responsible as a portion of his job description
- F. Do you share program implementation responsibilities with any other entities? ☒ Yes ☐ No

Entity	Activity/Task/Responsibility	Your Oversight/Accountability Mechanism
Engineering	review, inspection, Enforcement, and implementation of program	Authority by designation of responsibility
Public Works	Drainage system maintenance	Authority by designation of responsibility
GIS	System mapping	Authority by designation of responsibility

12. EVALUATING/MEASURING PROGRESS

Small Municipal Separate Storm Sewer System (MS4) Annual Report

- A. What indicators do you use to evaluate the overall effectiveness of your Stormwater Management Program, how long have you been tracking them, and at what frequency? Not that these are not measurable goals for individual BMPs or tasks, but large-scale or long-term metrics for the overall program, such as in-stream macroinvertebrate community indices, measures of effective impervious cover in the watershed, indicators of in-stream hydrologic stability, etc?

Indicator	Began Tracking (year)	Frequency	Number of Locations
Example: E. coli	2003	Weekly April–September	20
Complaint tracking	2006	on going	City wide

- B. Provide a summary of data (e.g., water quality information, performance data, modeling) collected in order to evaluate the performance of permanent stormwater controls installed throughout the system. This evaluation may include a comparison of current and past permanent stormwater control practices. None completed or required by old permit

13. STORMWATER MANAGEMENT PROGRAM UPDATE

- A. Describe any changes to the MS4 program during the reporting period including but not limited to:

Changes adding (but not subtracting or replacing) components, controls or other requirements per paragraph

4.4.2.a.Error! Reference source not found. of the permit. none

Changes to replace an ineffective or unfeasible BMP per paragraph **4.4.2.b.Error! Reference source not found.** of the permit. none

Information (e.g. additional acreage, outfalls, BMPs) on program area expansion based on annexation or newly urbanized areas. none

Changes to the program as required by the division. Clarification as to procedure for work within a stream in storm water program documentation and pending addition of design standard for erosion control BMP's into ordinance.

14. CERTIFICATION

This report must be signed by a ranking elected official or by a duly authorized representative of that person. See signatory requirements in sub-part 6.7.2 of the permit.

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

Printed Name and Title

Signature

Date

Annual reports must be submitted in accordance with the requirements of subpart 5.4. (Reporting) of the permit. Annual reports must be submitted to the appropriate Environmental Field Office (EFO) by September 30 of each calendar year, as shown in the table below:

EFO	Street Address	City	Zip Code	Telephone
Chattanooga	540 McCallie Avenue STE 550	Chattanooga	37402	(423) 634-5745
Columbia	1421 Hampshire Pike	Columbia	38401	(931) 380-3371
Cookeville	1221 South Willow Ave.	Cookeville	38506	(931) 432-4015
Jackson	1625 Hollywood Drive	Jackson	38305	(731) 512-1300
Johnson City	2305 Silverdale Road	Johnson City	37601	(423) 854-5400
Knoxville	3711 Middlebrook Pike	Knoxville	37921	(865) 594-6035
Memphis	8383 Wolf Lake Drive	Bartlett	38133	(901) 371-3000
Nashville	711 R S Gass Boulevard	Nashville	37216	(615) 687-7000



United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

April 30, 2010

Mr. Todd A. Spangler
City Engineer
City of Brentwood
5211 Maryland Way
Brentwood, Tennessee 37027

Re: FWS #2010-EC-0037

Dear Mr. Spangler:

Thank you for your letter of March 29, 2010, regarding storm water discharge within the city limits of Brentwood in Williamson County. Fish and Wildlife Service (Service) personnel have reviewed the information submitted and offer the following comments.

Information available to the Service does not indicate that wetlands exist in the vicinity of the proposed project. However, our wetlands determination has been made in the absence of a field inspection and does not constitute a wetlands delineation for the purposes of section 404 of the Clean Water Act. The Corps of Engineers should be contacted if other evidence, particularly that obtained during an on-site inspection, indicates the potential presence of wetlands.

Endangered species collection records available to the Service do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our database is a compilation of collection records made available by various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitat and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality. However, based on the best information available at this time, we believe that the requirements of section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Obligations under section 7 of the Act must be reconsidered if (1) new information reveals impacts of the proposed action that may affect listed species or critical habitat in a manner not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

Thank you for the opportunity to comment on this action. If you have any questions, please contact Jim Widlak of my staff at 931/528-6481, ext. 202.

Sincerely,

A handwritten signature in black ink that reads "Mary E. Jennings". The script is cursive and fluid, with the first name "Mary" and last name "Jennings" clearly legible.

Mary E. Jennings
Field Supervisor

DRAFT