

Jefferson Parish Department of Environmental Affairs



STORM WATER MS4 PROGRAM

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STORM WATER SUPERVISOR

Municipal Separate Storm Sewer System known as “MS4”



Background history

- 1987 – congress amended the CWA to require implementation, in two phases, of a comprehensive national program for addressing stormwater discharges
- 11/16/1990 – Phase I – addresses MS4 (large and medium – 100,000 and more), active construction (5 or more acres) and certain industrial facilities
- 12/8/1999 – Phase II – addresses certain small MS4s and active construction (between 1 and 5 acres). It also allowed “no exposure certification” for industrial facilities with no industrial activities exposed to stormwater runoff

Definition of urban

- The U.S. Census Bureau defines an **urban area** as: “Core census block groups or blocks that have a population density of at least 1,000 people per square mile (386 per square kilometer) and surrounding census blocks that have an overall density of at least 500 people per square mile (193 per square kilometer)”
- The Census Bureau introduced the **urban cluster** concept for Census 2000, replacing **urban** places located outside **urbanized** areas. **Urban clusters** are defined based on the same criteria as **urbanized** areas, but represent areas containing at least 2,500 and less than 50,000 people.

Municipal separate storm sewer system means a...

- “conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man – made channels, or storm drains):
- Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law)...including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization or a designated and approved management agency under section 208 of the Clean Water Act that discharges into water of the United States,
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.”

A MS4 can be:

- Local Municipal Government (e.g., cities and counties)
- State Departments of Transportation
- Universities
- Local Sewer Districts
- Hospitals
- Military Installations
- Prisons

The term MS4 can refer to the system itself or the entities;
That own and operate the system.

Types of MS4s

- Phase I – Municipalities with population greater than 100,000
- Phase II – Municipalities with population less than 100,000
- Permits reduce pollutants before the discharge reaches drainage system

EPA Region 6 MS4s



- Phase I = 35
 - – Arkansas – 1
 - – Louisiana – 4
 - – New Mexico – 1
 - – Oklahoma – 2
 - – Texas – 27
- Phase II = 375 plus



Phase I MS4s have Individual Permits

- Shreveport (and its co-permittees)
- New Orleans Sewerage and Water Board (and its co-permittees)
- Baton Rouge (and its co-permittees)

These individual permits contain specific requirements based on the contents of their Stormwater Management Plan (SWMP), which was submitted with the Notice of Intent. The standard for the SWMP was “reduce pollutants to the MEP (maximum extent practicable)”

Phase II MS4s

- With a few exceptions, these MS4s are primarily covered by the general permit with six minimum control measures
- Louisiana has 47 Phase II MS4s
- Once a MS4, always a MS4



Traditional MS4 – City or County Government

- Have fire and police protection
- Construction and maintenance of streets
- Provide health, recreation, and social needs
- Governed by city, council/council-manager/mayor/council
- Counties could provide these in unincorporated areas
- Enacts local ordinances
- Can be run by public works, building department, environmental department, wastewater management staff, third party

Non – traditional MS4

- Some program elements may not apply or may need to be modified (e.g., education)
- May lack legal authority
- May employ a different type of enforcement mechanism

Ever heard of an “umbrella” group?

- An “umbrella” group is a group of municipalities that have been identified as an urbanized cluster and falling under one permit “umbrella”
 - AKA:
 - Co-permittees



Minimum Control Measures for Phase II MS4s

- As required by the Code of Federal Regulations (and the Clean Water Act, of course)
 - Public education and outreach on stormwater impacts
 - Public involvement/participation
 - Illicit discharge detection and elimination
 - Construction site stormwater runoff control
 - Post-construction stormwater management in new development and redevelopment
 - Pollution prevention/good housekeeping for municipal operations

Now it's program not a plan.

- Once your “Plan” has been reviewed by the Permitting Authority (in this case, LDEQ), your “Plan” switches from being your plan to being your “Program”. The acronym is the same but once you have been assigned a permit number and your plan has been reviewed, you should refer to your program – not your plan.

Program Development:

- Program Management

- Input from internal and external stakeholders, including but not limited to:
 - Departments
 - Agencies
 - Co-permittees
 - General public
 - Nonprofit organizations
 - State agencies
 - Watershed groups

Program Development:

- Program Management

- Include organized structure, coordination scheme, detailed description of controls
- Include performance standards, goals, timelines, prioritization
- Communication mechanisms if there are co-permittees or other agencies involved in the program
- Communication mechanisms between various internal departments or activities

Program Development:

- Program Management

- Goals and performance standards are an important way for the MS4 and an auditor to gauge the success of program
- Allows MS4 to adjust programming, funding, or staffing levels from year to year

Consider these levels of stormwater program management outcomes

- Implementation outcomes
 - Compliance with activity – based permit requirements
 - Changes in attitudes, knowledge and awareness
 - Behavioral change and BMP implementation
- Reduction in loading, changes in discharge and receiving water quality
 - Pollutant load reductions
 - Changes in urban runoff and discharge quality
 - Changes in receiving water quality

Each MS4 should have a coordinator to manage the program

- To coordinate activities between departments and/or co-permittees
- To collect data to be reported in the annual report
- To periodically re – assess the program and recommend or implement revisions
- To evaluate the SWMP for use in budgeting, staff allocation, long term planning
- To “Fight” for the funding to run a top – notch stormwater program for the municipality

Note: This coordinator is typically the one in the hot seat during an audit

Common issues identified during a program evaluation

- The permittee lacks necessary intradepartmental coordination on stormwater issues
- The permittee does not describe a formal, coordinated program framework
- The SWMP does not identify pollutants of concern or program priorities
- The program does not have measurable goals to track and quantify progress towards desired outcomes
- The “Umbrella” group for multiple co-permittees has a program or plan, but nothing has been developed for each specific co-permittee to detail actual implementation or goals specified to each co-permittee’s program
- No SWMP planning document(s) exist to guide the implementation of SWMP components
- The SWMP has not been revised and updated based on evaluations of effectiveness



Jefferson Parish MS4

MS4 Co-Permittees

- Jefferson Parish
- City of Gretna
- City of Harahan
- City of Kenner
- City of Westwego
- LA Dept. of Transportation & Development



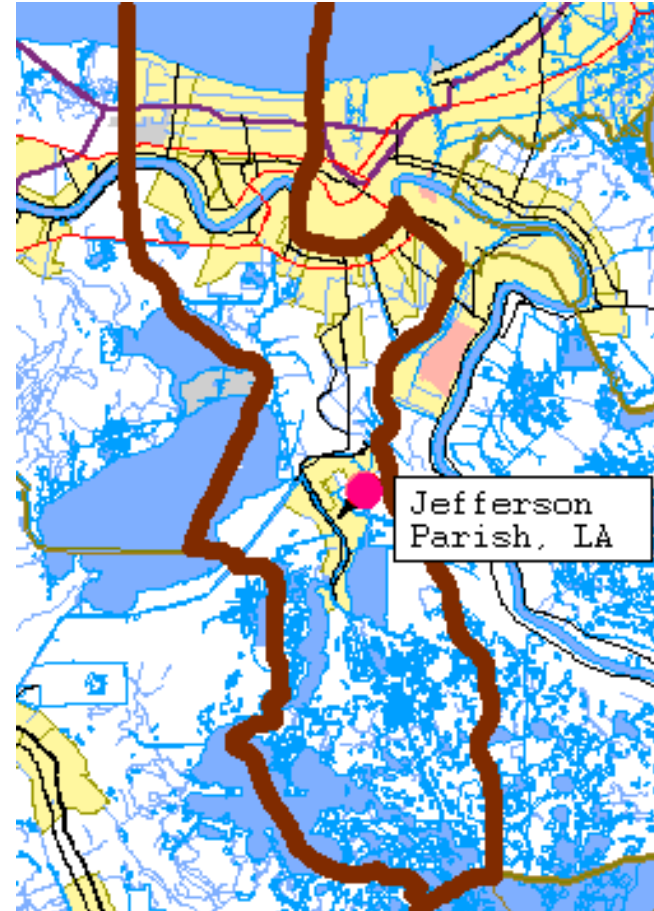
Jefferson Parish's Role

- Working with Local Programs
 - U.S. Army Corps of Engineers
 - Louisiana Department of Environmental Quality
 - Greater New Orleans Water Collaborative
 - Lake Pontchartrain Basin Foundation

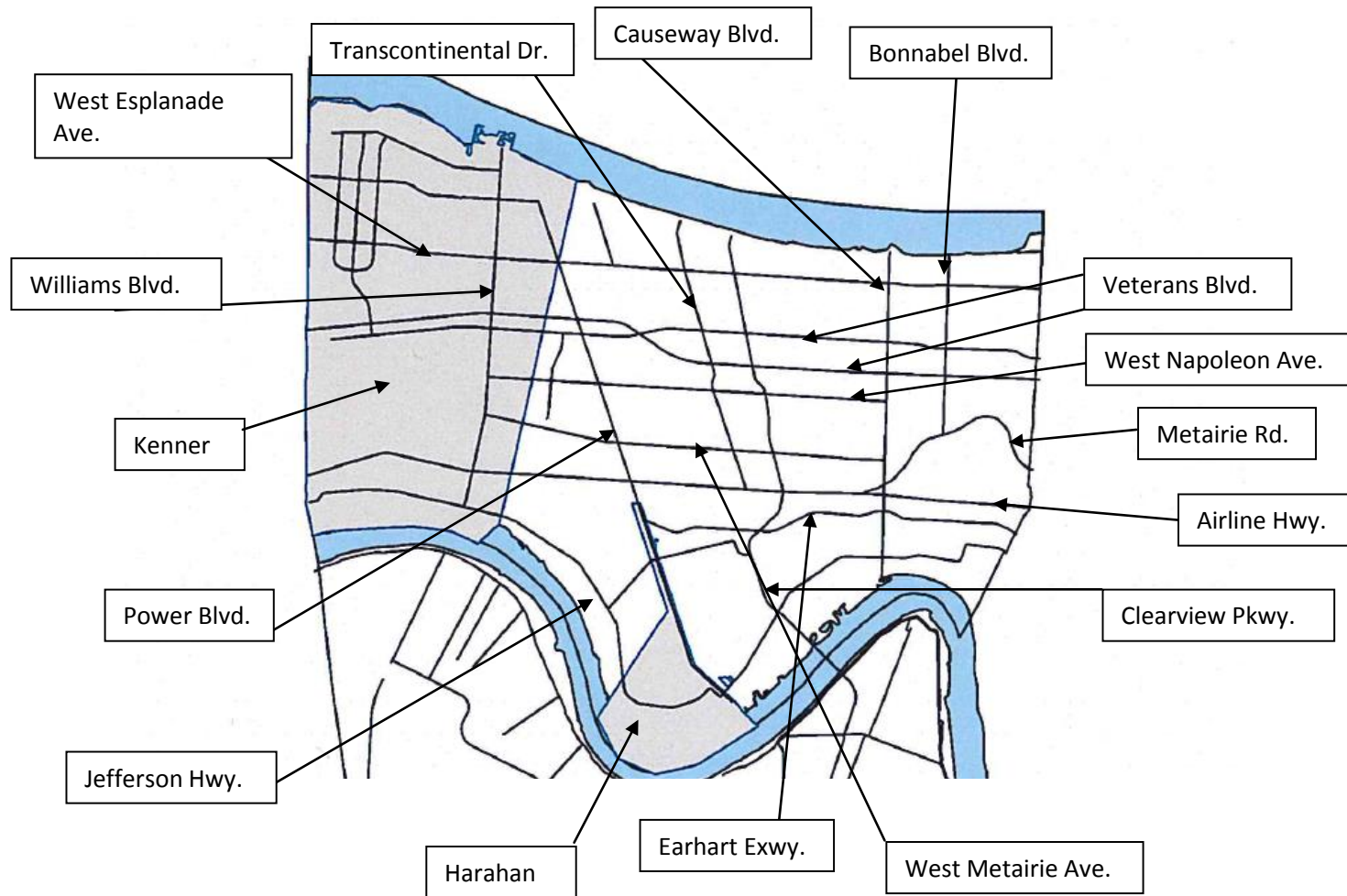


Jefferson Parish – Background

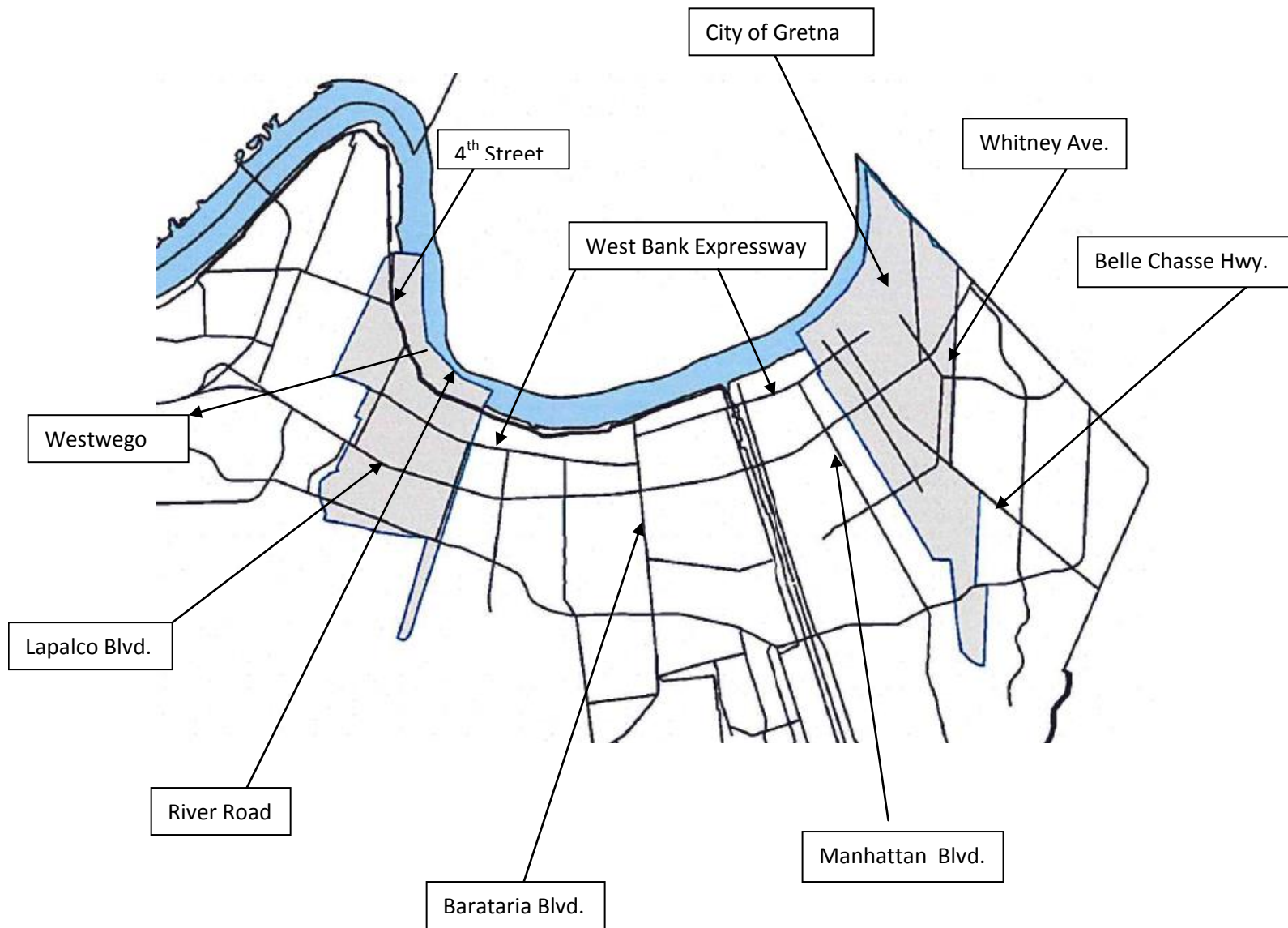
- Lake Pontchartrain to the north
- Orleans and Plaquemines Parishes to the east
- St. Charles and Lafourche Parishes to the west
- Gulf of Mexico to the south



Boundaries for the City of Kenner and Harahan



Boundaries of the City of Westwego and Gretna



Hoey's Basin



17th St. Canal



JP Permit History



Jefferson Parish Permit History

- Jefferson Parish has a MS4 Phase 1 permit
- Jefferson Parish has their own co-permittees
- Jefferson Parish is the only MS4 Phase 1 to be on two different permits
 - Jefferson Parish MS4
 - S&WB MS4
 - Because of the 17th St. Canal is the border between the two parishes
- For years, Jefferson Parish has been trying to correct this issue

Jefferson Parish Permit History

- January 1989
 - Jefferson Parish gives the SWBNO land for the Drainage Pump Station #6 (75% on them, 25% on us)
- January 1997
 - First permit was issued
 - S&WB permit was issued but it wasn't approved until 2000
 - Jefferson Parish was added to the S&WB permit when it was issued even though we had our own
 - An interagency agreement was not signed through JP's council
- 1998
 - Jefferson Parish interagency agreement was signed through the JP council
- 2001
 - Permit was modified to include discharge permit

Jefferson Parish Permit History

- 2004
 - Permit renewal application was submitted
- 2006
 - Final permit was issued
- January 2011
 - Permit renewal application submitted
 - First request to be taken off S&WB permit
- December 2011
 - Final Permit was issued
- 2016
 - Permit renewal application submitted
 - Second request to be taken off S&WB permit

Jefferson Parish Permit History

- 2017
 - Final Permit was issued
- May 2018
 - Letter was sent officially requesting to be taken off the S&WB permit
- June 2019
 - S&WB sent letter to LDEQ requesting that we remain on their permit
- July 2019
 - Another letter was sent to LDEQ requesting our removal from the S&WB permit
 - Emails sent from S&WB about the 17th Street canal

Jefferson Parish Permit History

- August 2019
 - Emails were sent to the S&WB about the information requested regarding the 17th Street Canal
- September 2019
 - Meeting was held at LDEQ with Jefferson Parish and the S&WB about the permit
 - Drafts were sent about a MOA between the two parishes
 - An approved MOA wasn't reached by LDEQ's deadline
- October 2019
 - S&WB procured an outside attorney
 - Letter was sent from LDEQ stating that we have 2 weeks to meet with an agreement before they proceed with the S&WB permit renewal application

Reporting Issues



Other Parish Departments

- We have issues receiving our other parish department's (Drainage, Streets, Parkways, Sewerage, etc.) information for the Annual Report without giving some departments extensions.
- We receive complaints from other departments that don't pertain to Stormwater Management
 - Sewerage overflows
 - Algae in yards

Co-permittee issues

- We have issues getting some of our co-permittees to attend our monthly MS4 meetings
- We have issues getting some of the Annual Report information from our Co-permittees by the deadline set.
- We have issues getting co-permittees to attend Public Outreach activities

Contact Information

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