

**CITY OF BOISE  
STORMWATER MANGEMENT PROGRAM PLAN  
2020**



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## List of Document Corrections

Date	SWMP Year	Summary of Changes
March 2014	2014	Corrected T graphs (Appendix L) Updated exceedance stats (Appendix L) Added maps of Parks Dept. sites where road deicer is stored (Appendix B)
November 2014	2015	Revised SWMP for public comment
December 2015	2016	Revised SWMP for public comment
March 2016	2016	Finalized SWMP following public comment period to include minor updates to text to correct and clarify grammar and to provide an update to Appendix L for 2015
March 2017	2017	Revised SWMP for public comment to include updates, minor text changes and consolidation of appendices.
May 2017	2017	Finalize SWMP following public comment period; no public comment received.
April 2018	2018	Completed significant revisions to SWMP to incorporate and combine new program requirements with existing requirements. Also, minor text edits, data updates and format changes.
February 2019	2019	DRAFT for public comment. Minor text edits and data updates.
April 2019	2019	FINAL after public comment period; no comments received.
March 2020	2019	Draft for public comment
June, 2020	2020	FINAL after public comment period; no comments received.

## Abbreviations

ACHD	Ada County Highway District
BMP	Best Management Practice
BSU	Boise State University
CGP	Construction General Permit
CWA	Clean Water Act
DD3	Ada County Drainage District #3
EPA	Environmental Protection Agency
ESC	Erosion and Sediment Control
FTE	Full-time Employee
GB	Government Buildings
GSI	Green Stormwater Infrastructure
HCD	Housing and Community Development
IDEQ	Idaho Department of Environmental Quality
IFCAP	Idaho Fish Consumption Advisory Program
ITD3	Idaho Transportation Department, District 3
LID	Low Impact Development
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
MSGP	Multi Sector General Permit
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
PDS	Planning and Development Services

PW	Public Works
SWMP	Stormwater Management Program
QA	Quality Assurance
QAP	Quality Assurance Plan
QC	Quality Control
SOP	Standard Operating Procedure
STV	Statistical Threshold Value
TMDL	Total Maximum Daily Load
TSS	Total Suspended Sediment
UM	Utility Maintenance
USACOE	United States Army Corps of Engineers
USGS	United States Geological Survey

## I. Background

The National Pollutant Discharge Elimination System (NPDES) is a federal permit program authorized under the Federal Clean Water Act of 1972 (as amended) that regulates stormwater and wastewater discharges to Waters of the United States. The stormwater permit requirements are the result of the 1987 amendments of the Clean Water Act that created permitting obligations for three sectors, construction (Construction General Permits), industry (Multi-sector General Permits), and municipalities (Municipal Separate Storm Sewer System or MS4 permits), to address stormwater pollutants discharged to surface waters.

While the NPDES permit program is a federal requirement, it is primarily administered by the states, except in the District of Columbia, six US territories, and four states, including Idaho, that are not authorized to implement the program. The Environmental Protection Agency (EPA) is the permitting authority for states or territories not authorized to conduct NPDES permitting. EPA Region 10 is the NPDES permitting authority for the State of Idaho.

The first NPDES Phase I Municipal Stormwater Permit for the Boise/Garden City Area was issued by EPA Region 10 on November 29, 2000 with a five-year term and included eleven program elements. The second Boise/Garden City Area MS4 permit was issued by EPA on December 12, 2012, became effective on February 1, 2013, and includes four general elements and six minimum control measures. The new Boise Area MS4 permit includes several new or “next generation” requirements recommended by the National Academies or anticipated to be included in EPA’s proposed MS4 rulemaking to strengthen water quality protection. In late March 2014 EPA announced that it was deferring release of the proposed national stormwater rule and was instead pursuing an approach of incentives for implementation of the stormwater program that include the National Academies recommendations.

This document focuses exclusively on the municipal separate storm sewer system (MS4) requirements contained in the current permit. The City of Boise is subject to all three types of stormwater permits for specific City activities, including the Construction General Permit for land disturbance > 1 acre (e.g. construction of sewer lines, airport, parks, municipal wastewater treatment facility, etc.); the industrial multi sector general

permit (MSGP) for the Boise Airport; and, the MS4 permit that regulates the discharge of stormwater from the MS4.

## II. Introduction

The City of Boise and Garden City Area MS4 NPDES permit (IDS-027561) (Boise Area MS4 permit) was issued by the EPA on December 12, 2012. The permit, effective February 1, 2013, was issued for a five-year (5) term and included six co-permittees. The permit expired on January 30, 2018 and is currently administratively by EPA on October 11, 2017.

The Boise Area MS4 co-permittees include the Ada County Highway District (ACHD), the City of Boise (City), Garden City, Boise State University (BSU), Ada County Drainage District 3 (DD3), and Idaho Transportation Department, District 3 (ITD3).

The Boise Area MS4 permit requires each co-permittee to prepare written documentation of their Stormwater Management Program (SWMP) as implemented in their jurisdiction<sup>1</sup>. Organization of the documents is required to be consistent with SWMP program components contained in Parts II and IV of the permit, be submitted with the first annual report (January 2014), and updated annually. The contents of the document must include:

- A physical description of the permittee's MS4

- Illustrative maps and graphics

- All related ordinances, policies and activities as implemented, and

- An opportunity for public review and comment

As described in the following sections, many of the required SWMP elements have already been or will be implemented by the City to comply with the conditions of the permit. The City gathers, tracks, maintains and uses information on an on-going basis to evaluate SWMP development and

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<sup>1</sup> Boise/Garden City Area MS4 permit at II.A.b (p. 6)



implementation to ensure that stormwater discharges are reduced to the maximum extent practicable (MEP).

Pursuant to the requirements of the Permit for SWMP documentation, the SWMP is organized according to program components in Parts II and IV of the permit, provides a narrative description of the City's MS4, illustrative maps and graphics, all related ordinances, policies and activities, and is advertised for public review and comment.

The document will be updated annually until the permit expires on January 30, 2018 and subsequently during permit administrative continuance. This document fulfills the requirements for written documentation identified in section II.A.b of the permit.

### III. Organization of the Document

The permit requires the document to be organized per the program components in parts II and IV of the permit and include a current narrative description of the MS4, maps, and all related ordinances, policies and activities as implemented. There are eleven program components in Section II and IV of the permit, seven in section II and four in section IV. Many of the elements are addressed in existing portions of the City's MS4 program and new requirements that must be developed and implemented by the City. This document describes the existing elements of the City's MS4 program and identifies those new elements that will be developed and implemented as required in the permit. The most recent Annual Report contains a description of current programs and activities and is available at the [Partners for Clean Water website](#).

This document contains program implementation information and data from the most recent annual report to describe the City's approach to each of the required MS4 permit requirements, reporting data, or level of effort. The Section II and IV MS4 components include:

#### Section II

- General Requirements
- Six Minimum Control Measures (MCM)
- Discharges to Water Quality Impaired Receiving Waters
- Reviewing and updating the SWMP

- Transfer of ownership, operational authority, or responsibility for SWMP Implementation
- SWMP Resources
- Legal Authority

#### Section IV

- Monitoring
- Recordkeeping
- Reporting Requirements
- Addresses

## IV. Narrative Description of the City's MS4

Boise City, Idaho is the capitol and most populous city in Idaho. According to the 2016 US Census estimates, the Boise's population was 223,154<sup>2</sup>. The MS4 permit area covers an area of 120 square miles in 2012. The Boise metropolitan area is home to more than 616,000 people. Boise has an annual average precipitation of approximately 11.7 inches per year and an annual average snowfall of 19.4 inches per year based on National Oceanic and Atmospheric Administration (NOAA) Western Regional Climate Center data.

EPA's analysis of average rainfall depth in the Boise area, based on 48 years of 24-hour precipitation data obtained from NOAA and collected at the Boise Airport, demonstrates that approximately 95% of all storms in the Boise area result in a rainfall volume of 0.6 inches or less; 90% of all storms result in a rainfall volume of 0.47 inches or less.

The MS4s subject to the permit are owned and operated by the permittees: Boise, Garden City, ACHD, BSU, ITD3, and DD3. The MS4s are located within the corporate boundaries of the City of Boise and the City of Garden City.

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<sup>2</sup> [US Census Idaho Quick Facts](#)

The permit authorizes storm water discharges from the MS4s owned or operated by the permittees to the Boise River and other waters of the United States within the greater Boise/Garden City area.

The Boise Area MS4 includes many publicly owned conveyance or system of conveyances used for collecting and conveying storm water which discharges to waters of the United States. MS4s include roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and/or storm drains. Surface runoff within the Boise/Garden City area is directed to a wide network of subsurface conveyances, ditches, and surface streets. These MS4s provide drainage for areas within the Boise/Garden City boundaries under the direct jurisdiction of the permittees. Within the permit area the MS4s are owned and operated as follows:

- ACHD owns and operates all public roadways and associated storm water conveyances, except routes and storm water facilities operated solely by ITD3. ACHD, the co-permittees, and private entities are responsible for approximately 1,069 outfalls discharging to Boise River and its tributaries within the permit area.
- ITD3 owns and operates the conveyances and storm water facilities associated with Interstate-84, Interstate-184, U.S./State Highways 20, 21, 26, 30, 44, and 55; Glenwood Street, Chinden Boulevard, and the Chinden-Broadway Connector. Drainage facilities include gutters, culverts, ditches, swales, pipes, poly drains, french drains, catch basins/inserts, sand & grease traps, edge drains, transverse drains, and retention/detention ponds. ITD3 is responsible for at least two known outfalls within the permit area, located near Barrister Drive and Cole Road, and Americana Boulevard at Kathryn Albertson Park.
- The City of Boise is directly responsible for discharges from storm sewer systems and outfalls which the City owns and or operates. These areas are generally limited to City owned properties. Additionally, the City operates flood control structures which are associated with the natural and modified foothills floodway conveyance systems, ponds, and dams.

Properties owned or operated by the City that have direct discharge to surface water bodies include Julia Davis Park, Ann Morrison Park and the Fire Department Training Station.

The parking areas of the Boise Library, Log Cabin, and Library Annex discharge into a large diameter ACHD MS4 pipe 250 feet from its river outfall. These outfalls existed before the effective date of the 2012 Boise/Garden City Area MS4 permit.

All other City properties either (1) retain and infiltrate an approximate 1-inch depth of stormwater per 24-hour precipitation event; (2) discharge stormwater in accordance with another NPDES permit (e.g., Lander Street and West Boise Water Renewal Facilities, Boise Airport); or (3) discharge stormwater to another jurisdiction by their permission (drainage or irrigation entity, ACHD, state highway, etc.).

It is noted that discharge from the majority of the Boise Airport property is authorized by a Multi-Sector General Permit for Stormwater Discharge from Industrial Activities.

- Garden City has jurisdiction over their facilities and private property within its city limits; at least one known outfall discharges directly from City property to the Boise River.
- DD3 owns and operates drainage channels and drain pipes in the southeast section of Boise. The DD3 system receives drainage from storm drains under ACHD control, irrigation runoff from irrigated land and irrigation canals, and drainage from both residential and commercial development. DD3 is responsible for eight known storm water outfalls.
- BSU is responsible for 153 acres of State-owned university land adjacent to the Boise River south of Julia Davis Park. Facilities consist of drainage conveyances, drop grates, and manhole/catch basin structures. BSU is responsible for eight known storm water outfalls that discharge from the campus directly to the Boise River.
- According to an inventory of major outfalls (i.e., those outfalls of at least 36 inches in diameter or greater) submitted by the permittees as part of the Year 2009-2010 Annual Report, these MS4s discharge to the Boise River and its tributaries, including but not limited to: North Slough; South Slough; Milk Lateral; Gruber Lateral; Settlers Canal; Chaffin Ditch; Ridenbaugh Canal; Wilson Fruit Lateral; Five Mile Creek; Synder Lateral; Threemile Creek; Boise City Canal; Crane Creek; Davis Drain; Thurman Mill Canal; Drain A; Drain A-1; Drain B; Drain E; Julia Davis Pond; Dry Creek; Logger Creek;

Powell Lateral; Rust Lateral; Farmers Lateral; Bennett Lateral; Rossi Mill; New York Canal; Eagle Drain; Riverside Creek; Elmore Drain; Warm Springs Canal; Zinger Lateral; Karnes Lateral; Farmers Union Canal; Lake Elmore; Stewart Gulch; Dry Creek Canal; Boise Valley Canal; and Hull's Gulch.

The Public Works Department (PW) is responsible for managing Boise City's stormwater program and water quality programs. Other City entities with major permit-related responsibilities include: Planning and Development Services (PDS), including Housing and Community Development (HCD); Parks and Recreation (Parks); Airport; Utility Maintenance (UM) (a division of Public Works); Facilities Services (formerly Government Buildings) (FS), and Library!.

A total of 803 permanent stormwater structures are summarized by managing Department in Table 1.

**Table 1: Inventory of City Owned Permanent Stormwater Structures**

Department	Structures**
Airport	112*
Government Buildings/Fire and Rescue	223
Planning and Development Services/ Housing and Community Development	8
Library!	29
Parks and Recreation	446
Public Works - Foothills Flood Control	14
<b>Total</b>	<b>803</b>

\*Airport data is intended to be provided for MS4 system only, does not include MSGP

\*\*Additionally, some Departments track multiple stormwater facilities as part of an entire site or facility that they manage.

A map of the current municipal MS4 boundaries is found in Appendix A.

## V. General Requirements

The MS4 permit contains four general requirements that apply to each of the co-permittees (i.e. reduce pollutants to MEP) or are activities that the co-permittees will jointly accomplish (i. e. subwatershed planning).

The four requirements include:

Stormwater Management Program Plan (SWMP)

Shared implementation with outside entities

Modification of the SWMP

Subwatershed planning

### **A. Stormwater Management Program Plan (SWMP)**

The City develops, annually updates and implements a Stormwater Management Program Plan (SWMP) intended to meet the general and specific requirements (minimum control measures) identified in the MS4 Permit. The SWMP identifies existing or ongoing programs and new requirements that remain to be completed prior to the end of the current Permit term.

The SWMP includes the required documentation identified in the Permit and is updated annually, with public notification and opportunity for comment as required. The SWMP identifies accomplishments and statistics that will be reported in each Annual Report.

The MS4 permit included new requirements with completion dates ranging from July 1, 2013 through January 30, 2018. All permit requirements are listed by section with the identification of programs that address permit requirements in the permit are described below in each of the following sections of the SWMP.

### **B. Shared Implementation with Outside Entities**

The City of Boise is one of six co-permittees responsible for implementation of the Boise/Garden City Area MS4 permit. The permit provides the option for co-permittees to individually or jointly meet permit obligations. The co-permittees have developed an intergovernmental agreement that identify three shared responsibilities (monitoring, administration, and public education) and individual agency cost share support for each of these obligations. The agreement also provides a mechanism for joint funding of other permit activities (e.g. subwatershed planning) that will occur during the term of the permit. The permit requires that the co-permittees update the intergovernmental agreement no later than July 1,

2013. The co-permittees have updated the Intergovernmental Agreement (see Appendix B) as required by the permit.

The 2013 Intergovernmental Agreement identifies ACHD as the lead for administration and monitoring requirements and the City of Boise as the lead for education, outreach and public involvement.

### **C. Modification of the SWMP**

The permit provides for modification of the SWMP in accordance with Part II.D<sup>3</sup> of the permit. Part II.D requires that permittees annually review their SWMP in preparation for the annual report and provides a process for the permittees to request minor modifications of the SWMP or EPA to require changes to the SWMP to address MS4 impacts to water quality or exceedances of state water quality standards.

### **D. Subwatershed Planning**

Sub-watershed planning requirements have been completed and details are provided in the ACHD Annual report and the plans are available at the [Partners for Clean Water website](#).

## **VI. Six Minimum Control Measures**

The MS4 permit contains six minimum control measures, including:

- A. Construction Site Runoff Control Program
- B. Stormwater Management for Areas of New Development and Redevelopment
- C. Industrial and Commercial Stormwater Discharge Management
- D. Stormwater Infrastructure and Street Management
- E. Illicit Discharge Management
- F. Education, Outreach and Public Involvement

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<sup>3</sup> The permit references Part II.E, Transfer of Ownership, Operational Authority, or Responsibilities for SWMP Implementation, instead of Part II.D Reviewing and Updating the SWMP, which appears to be the more appropriate reference.

## **A. MCM 1 - Construction Site Runoff Control Program**

The Permittees must implement a construction site runoff control program to reduce discharges of pollutants from public and private construction activity within its jurisdiction.

### **II.B.1 - Construction Site Stormwater Runoff Control**

The City of Boise has established a construction site erosion and sediment control program and implements the program in accordance with the approved City ordinance for construction site runoff and erosion and sediment. The program regulates applicable public and private construction activities to reduce discharge of pollutants.

The program is primarily implemented by the City's Department of Planning and Development Services with two full time staff who are supported by other City staff when necessary.

#### **II.B.1.a - Ordinance or Regulatory Mechanism**

The City of Boise's construction site runoff control program is established in accordance with the requirements of [Boise City Code 9-14 \(Construction Site Erosion Control Ordinance\)](#). The ordinance identifies general requirements and prohibitions on construction site runoff, permitting and fee authorities, plan review and approval standard, erosion and sediment control best management practices and standards, training and certification program details, administration, inspection, and enforcement. The ordinance also requires erosion and sediment control for all construction sites in the foothills and in environmentally sensitive areas regardless of project size. The ordinance provides construction site controls that are at least as stringent as the federal Construction General Permit requirements.

#### **II.B.1.b - Manuals Describing Construction Stormwater Runoff Controls and Specifications**

To support effective implementation of the Construction Site Stormwater and Erosion and Sediment Control requirements, the following manuals are utilized by City staff implementing the program:



Catalog of Stormwater Best Management Practices for Idaho Cities and Counties

Idaho Construction Site Erosion and Sediment Control Field Guide

[City of Boise Erosion and Sediment Control Website](#)

Additional information is provided in Appendix A. Also, please see II.B.2.b

### **II.B.1.c - Plan Review and Approval**

Erosion and Sediment Control (ESC) plan review and permitting is managed by the City's Department of Planning and Development Services (PDS). ESC Permits are required for all private and public construction sites with significant earth disturbance or potential exposure of pollutants to stormwater runoff. ESC General Permits are issued for lower risk projects and do not require a site-specific ESC plan but must follow the rules and standards set forth in the ordinance. For higher risk or larger projects, an ESC Site Specific Permit is required and a site-specific ESC plan must be reviewed and approved by the ESC Inspectors, who are trained and certified in ESC plan and SWPPP review.

During the application intake process, PDS Plan Reviewers and/or Permit Technicians are trained to route projects for plan review by the ESC Inspectors if an ESC Site Specific Permit is required (based on project type, size, and location). Examples of projects that require an ESC Site Specific Permit are residential subdivision developments greater than 1-acre disturbance, projects requiring a City of Boise grading permit, new development or single family homes in designated foothills and environmentally sensitive zones, City of Boise new facility and park development, and all new commercial buildings in accordance with ordinance requirements.

To ensure that a trained stormwater team is associated with projects needing an ESC permit, all ESC plans must be prepared by a certified Plan Designer. Similarly, all projects must identify a certified Responsible Person who has day to day operational control of the construction site activities required to comply with the permit before the permit is issued. Please see II.B.1.g for additional information regarding the Plan Designer and Responsible Person certification and training program.

The ESC Inspectors utilize a plan review checklist to ensure consistency and uniformity in the plan review process. The checklist and City of Boise ESC Plan Template are available online as a resource for Plan Designers. ESC Inspectors also check that CGP eligible projects have either filed an NOI or are aware they are required to do so. For projects that a SWPPP for CGP 2017 compliance, the ESC Division will review the SWPPP to satisfy the City's ESC plan submittal requirement. Plans must be reviewed, approved, and the ESC permit issued prior to construction being allowed. Project applicants may submit permit documents and plans in paper or apply online using the E-Plan Review web-based tool.

To track ESC permit activity, each project requiring an ESC permit is assigned a unique ESC permit number in the City's permitting and licensing database. All plan review and inspection activities are recorded under this permit number chronologically. During plan review, critical project information such as ESC permit type, plan review comments, area of disturbance, site priority/risk level, CGP 2017 permit eligibility, and stormwater team contacts can be entered into the database. This information is later used by ESC Inspectors during site inspections once the permit is issued. Contractors and the public may view all this information through the PDS Online website. Project plans and documents are available only by filing Public Information Request.

#### **II.B.1.d - Construction Site Inspections**

The City's ESC Inspectors are in the field daily conducting site inspections, identifying non-compliance issues, and responding to stormwater complaints or referrals received. All permitted construction sites within the City's jurisdiction are subject to inspection for compliance with the ESC plan and/or permit conditions. If a construction project does not have a permit and stormwater violations are observed, education, enforcement, and permitting may be used to correct the situation. Inspections consist of visually observing non-stormwater discharges and stormwater runoff, checking ESC/SWPPP plans and operator inspection reports, assessing the effectiveness of the BMPs installed, answering operator questions, and filing an electronic report.

The permitting and licensing database is used to schedule construction site inspections, creating a daily inspection list for the ESC Inspectors to guide their work. This process helps assure that all permitted sites are

inspected at an appropriate frequency based on their risk of erosion and polluted stormwater discharge. The ESC permit risk level/site priority is determined during the pre-construction permit intake process and assigned a high, medium, or low risk inspection frequency based on the project's ESC permit type, size, and location of the project. The higher the risk, the more frequent the inspections.

In addition to inspections that occur according to the assigned ESC permit risk level, if a construction site has been issued an ESC Site Specific Permit the operator must schedule a Site Preparation Inspection at the start of construction to verify that BMPs listed in the ESC plan are properly installed.

Once a project is in progress the scheduled priority inspections are conducted until the project is complete, stabilized and the ESC permit is terminated, either during a general inspection or an operator-scheduled Site Final Inspection. If violations occur or corrective actions are needed during the project, additional targeted follow-up or enforcement inspections are conducted at the site.

Inspection activity and results are recorded in the database and can be viewed by the permit holder and public on the PDS Online website. The database tracks inspection and enforcement activity information for all active ESC permits for reporting, program evaluation and monitoring.

#### **II.B.1.e - Enforcement Response Policy for Construction Site Management Program**

If non-compliance is observed during the inspection process, the City will administer enforcement action following the directives in BCC 8-17. Violation of any provision or failure to comply with any requirement of BCC 8-17 results in an escalating enforcement action.

Erosion Control staff follows the guidelines of the Building Division Enforcement Protocol regarding violations at permitted sites, work without permits, and cases requiring civil or criminal citations. This policy may be viewed on the [Planning and Development services website](#).

Additionally, BCC 8-17 details Administrative Enforcement in section 8-17-03.4 as well civil and administrative penalties in section 8-17-03.7. The

Enforcement Response Policy (ERP) was completed and included with the 2016 Annual Report.

### **II.B.1.f - Construction General Permit Violation Referrals**

The Erosion and Sediment Control Division coordinates and cooperates with regional EPA NPDES staff on compliance issues at construction sites required to have CGP coverage within the City of Boise jurisdiction. If an inspector is dealing with significant non-compliance or negligence at a site required to have CGP coverage, the Idaho Operations Office may be notified directly or via the NPDES Compliance Hotline. In all instances of a significant violation or illicit discharge of pollutants, the ESC Division will have initiated the steps of the Enforcement Response Policy in conjunction with notifying the EPA.

Conversely, if the EPA requests information about a construction site in Boise for an investigation of a citizen complaint, the ESC Division is able to provide general information and inspection activity results (viewable to the public on PDS Online). The ESC Inspectors may also accompany EPA inspectors on SWPPP compliance inspections and illicit discharge investigations during joint enforcement operations.

### **II.B.1.g - Construction Program Education and Training**

The City and our Partners have developed a construction site runoff and erosion and sediment control training and certification program that is recognized throughout Idaho as the standard for local jurisdictions. There are two program tracks, one for plan reviewers, preparers and inspectors (Plan Designer) and one for site operators (Responsible Person). Both classes include information on stormwater regulations, permit processes, erosion and sediment controls, environmental awareness, and pollution prevention practices for construction activities.

The instructors for the City Responsible Person and Plan Designer classes must be qualified and approved by the City. Instructors are required to submit a resume to the City detailing their educational history and experience in the area of erosion control. They must also be able to demonstrate knowledge of the principles of erosion; sediment transport; erosion and sediment control technology, implementation, and maintenance; and, local and federal ordinances regulating erosion and sediment control.

Courses are offered through three third party entities: Engineering with a Mission LLC, the College of Western Idaho, and Syman Company throughout the year in various locations in the Treasure Valley. Boise State University's Construction Management Program also presents the class material to their students, who may receive certification if desired. The ESC Inspectors also present these courses quarterly for internal City employees involved in construction projects. As part of the training participants receive education materials including an illustrated ESC Field Guide to Best Management Practices specific to Idaho.

Certifications must be renewed every 3 years by attending the training and passing an examination. It should be noted that regional municipalities such as Nampa, Caldwell, and Garden City also use the City's certification program to verify that contractors and permit applicants in their jurisdictions are qualified to oversee construction sites and design ESC/SWPPP site maps and narratives as necessary.

The City's Erosion and Sediment Control Inspectors maintain certifications as a City Responsible Person, Plan Designer and as a Certified Professional in Erosion and Sediment Control (CPESC), and Certified Inspector of Sediment and Erosion Control (CISEC). Inspectors are members of the International Erosion Control Association (IECA) and receive current updates regarding the erosion control and stormwater pollution prevention through the IECA by attending the annual conference and participating in monthly webinar events.

All other construction code inspectors within the Building Division (structural, plumbing, mechanical, electrical, and fire) maintain the Responsible Person Certification and attend annual field training updates. They have access to enter inspection activities for ESC permits and schedule ESC Inspectors to inspect the site for enforcement if out of compliance. Public Works field utility inspectors and Parks and Recreation staff associated with construction projects also receive training. The training includes regulatory background on erosion control and stormwater management and information on what to do if issues are observed at a construction project.

Building code plan reviewers and PDS permit technicians are also certified as a Responsible Person and select individuals also maintain Plan Designer certification. In addition to the certification courses, the staff receive one-

on-one training in the field with a certified ESC inspector in order to be familiar with ESC processes to answer questions to permit applicants and plan designers.

City staff provide ongoing awareness education and outreach through the website, the City's annual stormwater conference, and can provide site specific training as needed to interested parties and industry groups.

## **B. MCM 2 - Stormwater Management for Areas of New and Redevelopment**

At a minimum, the Permittees must implement and enforce a program to control storm water runoff from new development and redevelopment projects that result in land disturbance of 5,000 square feet or more, excluding individual one- or two-family dwelling development or redevelopment. This program must apply to private and public sector development, including roads and streets. The program implemented by the Permittees must ensure that permanent controls or practices are utilized at each new development and redevelopment site to protect water quality.

### **II.B.2.a - Ordinance or Other Regulatory Mechanisms**

#### **II.B.2.b - Storm Water Design Criteria Manual**

Boise City regulates stormwater runoff from new industrial, commercial, institutional, multi-family residential, private street development and redevelopment projects within City limits. The [Stormwater Ordinance](#) (Boise City Code Chapter 10-6) establishes Stormwater Management requirements and ensures compliance for new and redevelopment projects.

The City adopted stormwater retention requirements for development projects in 1994 and historically the majority of projects are retaining a volume of a 1.0" or 1.1"/1 hr (equivalency of a 50 or 100 year) storm utilizing onsite infiltration facilities. Additionally, the current City ordinance contains the identified requirements listed in II.B.2.a.(iii)-(v).

The [Stormwater Management Design Manual](#), revised in 2019, establishes the stormwater design requirements used for all new development and

applicable redevelopment projects in accordance with MS4 permit requirements.

### **II.B.2.c - Green Infrastructure/Low Impact Development (LID) Incentive Strategy and Pilot Projects**

The City has developed a Green Infrastructure Strategy and will consider future updates as necessary.

The co-permittees coordinated to identify and implement green stormwater infrastructure demonstration projects in accordance with permit requirements. In FY14, ACHD retrofitted two alleyways in downtown Boise utilizing permeable pavers. The new Boise City Library! at Bown Crossing includes permeable pavers and bio-infiltration swales and serves as the third GSI demonstration project.

In addition to the required demonstration projects, GSI implementation is continuing with select public and private projects throughout the City.

### **II.B.2.c.(iii) - Riparian Zone Management and Outfall Disconnection**

Boise City Parks and Recreation and the U.S. Army Corps of Engineers completed an update to the 2001 Boise River Resources Management and Master Plan including an update to the inventory and stewardship plan. A copy of this report was included with the FY15 Annual Report.

Garden City completed the required Outfall Disconnection project during the permit term and details are provided in their portion of the Annual Report.

### **II.B.2.c.(iv) - Repair of Public Streets, Roads and Parking Lots**

The City has implemented a procedure to evaluate the feasibility of incorporating GSI techniques into the repair of city-owned and operated roads and parking lots for new and re-development with the use of a feasibility evaluation form (copy provided with FY15 Annual Report).

### **II.B.2.d - Plan Review and Approval**

The City reviews and approves pre-construction design plans to ensure compliance with the Stormwater Management Ordinance and Design

Manual for new industrial, commercial, institutional, multi-family residential, private street development and redevelopment projects within City limits. Additionally, Boise City Code 8-16 (City Hillside and Foothill Development Ordinances) establishes additional land development regulations for construction in these areas and plans are reviewed for compliance with applicable Ordinances and the Stormwater Management Design Manual. Site inspections occur during and after construction to determine that the facility's stormwater structures have been constructed according to the approved plans and permits.

#### **II.B.2.e - Operation and Maintenance of Permanent Stormwater Management Controls**

The City has developed a comprehensive database to inventory known public and private permanent stormwater facilities. The City's Stormwater Management Design Manual requires an Operation and Maintenance Agreement for private facilities. The responsibility for operation and maintenance of private facilities resides with the property owner.

#### **II.B.2.f - Inspection and Enforcement of Permanent Stormwater Management Controls**

City owned stormwater management facilities are inspected and maintained by various Departments. See II.B.4.b

The City has developed an inspection program for private stormwater management facilities in accordance with the requirements of the MS4 Permit. The program relies partially on existing industrial commercial site inspections, please see II.B.3.a. For sites not inspected within existing programs, high priority locations have been identified and will be inspected annually starting in 2018.

#### **II.B.2.g - Education and Training on Permanent Stormwater Management Controls**

City staff participates in on-going training each year related to the design, construction, operation and maintenance of stormwater facilities.

Relevant information for the public is shared on the [Partners for Clean Water website](#). Also, please see II.B.6.d.



## C. MCM 3 - Industrial and Commercial Stormwater Discharge Management

The Permittees must implement a program to reduce to the MEP the discharge of pollutants from industrial and commercial operations within their jurisdiction. Throughout the Permit term, the Permittees must conduct educational and/or enforcement efforts to reduce the discharge of pollutants from those industrial and commercial locations which have the potential to be significant contributors of phosphorus, bacteria, temperature, and/or sediment to receiving waters.

### II.B.3.a - Inventory of Industrial and Commercial Facilities/Activities

The City and ACHD have developed an inventory of Industrial and Commercial facilities. The City's Industrial Pretreatment staff are contracted to perform inspections at industrial/commercial "high risk" facilities that discharge to ACHD's MS4. Inspections include a review of the on-site stormwater management facilities, including system maintenance, evaluation of conveyance and treatment structures, and outside material storage or "wet" processes. Results of these inspections are recorded in a database. Issues identified during inspections requiring corrective action are tracked until resolved. ACHD reports the number of "high risk" inspections performed in their annual report.

In addition to the inspections completed on behalf of ACHD, pretreatment staff also conducts initial and follow-up inspections at other industrial/commercial facilities within the City.

In accordance with MS4 Permit requirements, Pretreatment staff annually update their facility database to include new facilities and incorporate these facilities into the appropriate inspection program.

In response to the requirements of II.B.3.a to identify industrial or commercial facilities with direct discharge to the City MS4. Given the limited nature of the City owned MS4 and its limits within City owned property, two facilities were identified as having the potential for direct discharge to the City owned MS4 (see Table 4). These facilities are City owned maintenance yards for the Parks and Recreation Department located at Julia Davis Park and Ann Morrison Park and are inspected annually.

**Table 4: Industrial Commercial Inventory Information - City of Boise MS4**

<b>FACILITY NAME</b>	<b>ADDRESS</b>	<b>NATURE OF BUSINESS</b>	<b>SIC CODE</b>	<b>RECEIVING WATER BODY</b>
Ann Morrison Park Maintenance Yard	1104 Royal Blvd	Permittee owned maintenance yard	7999	Boise River
Julia Davis Park Maintenance Yard	512 Front St.	Permittee owned maintenance yard	7999	Boise River

The co-permittees developed [fact sheets](#) on pollution prevention and best management practices for mobile businesses and commercial landscapers. The fact sheets are available on the Partners for Clean Water website and are available for distribution by field staff during their interactions with mobile business operators. Also, please see II.B.6.b

**II.B.3.b - Inspection of Industrial and Commercial Facilities/Activities**

The City and ACHD maintain an agreement to address the inspection program for industrial and commercial facilities. The City is coordinating with ACHD to update our existing Industrial/Commercial Inspection program agreement. Also, please see II.B.3.a.

**II.B.3.c - Maintain Industrial and Commercial Facility/Activity Inventory**

Applicable updates to inventory and inspections are provided with Annual Reports.

**D. MCM 4 - Stormwater Infrastructure and Street Management**

The Permittees must maintain their MS4 and related facilities to reduce the discharge of pollutants from the MS4 to the MEP. All Permittee-owned and operated facilities must be properly operated and maintained.

This maintenance requirement includes, but is not limited to, structural storm water treatment controls, storm sewer systems, streets, roads, parking lots, snow disposal sites, waste facilities, and street maintenance and material storage facilities.

#### **II.B.4.a - Storm Sewer Inventory and Mapping**

The City maintains of a comprehensive asset management system to map, track, and report on city-owned and operated facilities, stormwater controls, inspections, and maintenance. The database is fully utilized by several City Departments to track inventory, inspection and maintenance activities for stormwater facilities.

The map identifies key MS4 system elements including regulated outfalls, system interconnections and the identification of receiving waters, sub-watersheds, land use and drainage area to each regulated outfall.

#### **II.B.4.b - Catch Basin and Inlet Cleaning**

Inspections and maintenance (if applicable) of catch basins and inlets on City owned properties are completed by the appropriate City Department staff.

#### **II.B.4.c - Street and Road Maintenance**

#### **II.B.4.d - Street, Road and Parking Lot Sweeping**

City staff is responsible for street and parking lot maintenance for City owned facilities, with the majority of these facilities being operated by the Department of Parks and Recreation.

City facilities with public streets/roads and parking lots collect litter and sweep as needed to remove accumulated debris and leaves. City owned/operated public streets/roads and parking lots are inventoried, mapped and have sweeping plans. Public streets/roads and parking lots are defined as improved, paved, and/or pavers, and routinely or regularly used by the public to access public service buildings, schools, cultural facilities, plazas, sports and event venue locations. Streets/roads or parking lots with restricted and/or limited access or use by the public were not considered public and exempted from this requirement.

Public and/or visitor parking at city owned/operated facilities where use by the public is incidental, infrequent, or unusual were not considered public and exempted from this requirement. Undeveloped, unimproved, and/or unpaved streets/roads and parking lots were considered infeasible to sweep.

#### **II.B.4.e - Implement Appropriate Requirements for Pesticide, Herbicide and Fertilizer Applications**

City operations implement programs to address potential pollution from pesticide, herbicide and fertilizer applications. The Department of Parks and Recreation maintains the majority of City owned lands where these programs are applicable. Parks staff members obtain certification from the Idaho Department of Agriculture as commercial applicators. Parks' Horticulture Unit facilitates an Integrated Pest Management (IPM) program for all Parks sites and the Library. Generally, fertilizers used by Parks do not contain Phosphorus, except in limited instances where it is a needed nutrient for establishing new turf or other appropriate uses.

#### **II.B.4.f - Develop and Implement Stormwater Pollution Prevention Plans**

Stormwater Pollution Prevention Plans (SWPPPs) have been developed for the two high priority municipal sites that have the potential to discharge to the City owned MS4 in accordance with II.B.3.a and II.B.4.a.vii.

#### **II.B.4.g - Stormwater Management**

The City has implemented a procedure to evaluate the feasibility of incorporating reduction techniques into redevelopment of city-owned properties. Also, please see II.B.2.c.(iv).

The Sub-Watershed Plans prepared by the Partners also identify the retrofit potential of various areas of the identified sub-watersheds.

#### **II.B.4.h - Litter Control and Solid Waste Management**

The City implements effective recycling and litter control programs both Citywide and as part of City operations. The Boise City Code 8-10 (Solid Waste Ordinance) establishes solid waste program requirements including litter control. The ordinance provides for enforcement authority and oversight for trash and recycling storage, collection, and hauling services to reduce litter throughout the city. Most compliance and enforcement activities are conducted by the City's Code Enforcement staff.

The Boise City Solid Waste Fund supports Code Enforcement efforts and the management of solid waste, recycling and litter in Downtown Boise.

The Boise City Special Events Committee also addresses litter control and recycling where possible as part of special events that are hosted in the City.

An exciting development in the City's Solid Waste program is the commencement of the residential compost collection program. The program supports year-round collection of leaves, woody debris and certain types of food waste through collection from residential customers. Materials are diverted from the landfill to a processing site where the material is converted to compost. Once finished the compost is available for pick up by City residents.

The Department of Parks and Recreation addresses collecting litter, emptying trash receptacles (as often as needed by the site), and coordinating trash management with user groups as part of the operation and maintenance program of City Parks and Facilities.

Additionally, Parks promotes the Adopt the River and Greenbelt Pathway Programs. These programs offer litter/debris clean-up along the Boise River and Greenbelt Pathway on a regularly scheduled / as needed basis. These activities ensure the natural and aesthetic atmosphere of the City's premiere recreational areas.

#### **II.B.4.i - Training**

Pollution prevention training for City employees has been incorporated into the City's online training management system (I-Learn) to enhance the effective delivery of this training. New and existing employees in positions where this training is applicable will require initial and follow up training. Where applicable, online training can be supplemented with customized in-person training to meet the needs of specific Departments or work groups.

### **E. MCM 5 - Illicit Discharge Management**

An illicit discharge is any discharge to an MS4 that is not composed entirely of storm water. Exceptions are described in Part I.D. of this permit. The Permittees must continue to implement their illicit discharge management program to reduce to the MEP the unauthorized and illegal discharge of pollutants to the MS4.

### **II.B.5.a - Ordinance or Other Regulatory Mechanisms**

[Boise City Code 10-6 \(Stormwater Management and Discharge Control\)](#) provides legal authority for civil and criminal misdemeanor enforcement for Boise City Code (BCC) within the City's jurisdictions. Ordinance authorities have been extended to interested co-permittees under an enforcement agreement (submitted with the FY2005 Boise Area MS4 Annual Report). The City's Pretreatment program provides complaint response and investigations for illicit discharges and improper disposal.

### **II.B.5.b - Illicit Discharge Complaint Reporting and Response Program**

The City addresses illicit discharges using multiple mechanisms including commercial and industrial stormwater inspections, and complaint response. ACHD operates a stormwater hotline number for citizen reports of stormwater pollution problems. Both ACHD and Boise City Pretreatment staff respond to hotline complaints. The appropriate agency will complete the investigation. Boise staff also respond to direct reports of stormwater violations from citizens, employees and other agencies. Complaints are tracked to ensure appropriate follow-up.

### **II.B.5.c - Illicit Discharge Mapping**

Due to the limited nature of the City's MS4 system, no on-going illicit discharges to our system have been observed. Outfalls for dry-weather screening are selected each year in accordance with MS4 Permit requirements.

### **II.B.5.d - Dry Weather Outfall Screening Program**

ACHD has completed dry weather discharge screenings on a contract basis for the City.

### **II.B.5.e - Follow Up**

Follow up for Illicit Discharges reports are included with Annual Reports.

### **II.B.5.f - Prevent and Respond to Spills to the MS4**

Training materials for municipal staff provide information on spill prevention and response at City owned facilities. Also, please see II.B.4.i

The Boise Fire Department is responsible for responding to spills involving hazardous materials. Regional responses are reported through the Idaho State Bureau of Homeland Security.

### **II.B.5.g - Facilitate Disposal of Used Oil and Toxic Materials**

The City coordinates with Ada County to facilitate the collection of Household Hazardous Waste (HHW) to ensure proper disposal. The program consists of a permanent collection facility located at the Ada County landfill and City-sponsored collection sites. Residents may take Household Hazardous Waste to any mobile collection site or the Hazardous Waste Facility. There is no charge to residential customers. Additional service is available to elderly and physically challenged residents who are unable to transport hazardous materials to a collection site.

Materials accepted at all household hazardous waste collection sites include household chemicals, cleaning products, paint and automotive products, lawn and garden chemicals, pool supplies, electronics, empty propane cylinders and mercury-containing items such as fluorescent light tubes, compact-fluorescent bulbs, thermometers, and thermostats. These materials are recycled when possible. Liquids including oil, paint, solvents and antifreeze are also collected. Medications are accepted from residents through local law enforcement offices and are not accepted through the HHW program.

Products turned into the HHW program that meet certain criteria are made available to the public free of charge in the "Reuse Area" located at the Hazardous Waste Facility at the Ada County landfill. Items available for reuse include paints, stains, pool/spa, garden/yard chemicals, and automotive fluids.

In addition to residents, businesses located within Ada County can take advantage of the Conditionally-Exempt Small Quantity Generator (CESQG) Program that provides an affordable disposal option for businesses that generate small quantities of hazardous wastes. City departments that generate small quantities of used oil, fluorescent light bulbs, and other hazardous materials and qualify as Conditionally Exempt, manage those materials through the Conditionally Exempt Small Quantity

Generator (CESQG) Program. The CESQG program is operated out of the Hazardous Waste Facility at the Ada County Landfill.

### **II.B.5.h – Training**

Illicit discharge detection and elimination training for City employees has been incorporated into the City's online training management system (I-Learn) to enhance the effective delivery of this training. New and existing employees in positions where this training is applicable will require initial and follow up training. Where applicable, online training can be supplemented with customized in-person training to meet the needs of specific Departments or work groups.

## **F. MCM 6 - Education, Outreach and Public Involvement**

The City, and its co-permittees formed the Partners for Clean Water to develop a cooperative approach to educating the public on stormwater and water quality issues and ensure compliance with the MS4 Permit. The City of Boise is the lead agency for this component of the MS4 Permit with support from our Partners.

### **II.B.6.a - Comply with Applicable Requirements**

The City and permittees use the Partners for Clean Water website to provide public notice when necessary for public involvement and other activities that require public notification.

### **II.B.6.b - Implement an Ongoing Education Outreach and Involvement Program**

The Partners for Clean Water stormwater education and outreach program conducts multiple outreach activities designed to reach the various target audiences identified in the Permit. Target audiences include the general public, businesses, mobile businesses, homeowners, landscapers, property managers, engineers, contractors, developers, plan review staff, and urban agriculture/community gardeners. Outreach program elements and target audiences reached for each program element are identified below:

#### **Annual Media Campaign**



The Partners continue to participate in an annual media campaign which utilize messaging opportunities with television and radio public service announcements, billboards, bus advertisements and event sponsorships. The media campaign reaches all target audiences with general messages on water quality and in the past year a focus on environmentally friendly lawn care techniques. In addition to the traditional methods of advertising the Partners will be expanding the use of social media tools to better reach our target audiences with messaging and education topics and ideas.

### **Manuals and Reference Materials**

Manuals, reference materials and other education and outreach materials are available on the Partners for Clean Water Website. These materials are targeted, based on content, to all of our targeted audiences.

### **Website**

The [website](#) reaches all target audiences, please see II.B.6.d

### **Green Stormwater Infrastructure Tour**

In an effort to highlight successful green stormwater infrastructure projects in the Boise area and to provide real life examples for interested parties we have developed an [online tour](#) utilizing the “Story Maps”, a web-based Geographic Information Systems. The tour is available from the Partners website. We will continue to update the tour as new projects that highlight GSI are completed or improved upon. The tour targets engineers, developers and municipal staff but may also be of interest to other target audiences.

### **Events**

The Partners for Clean Water participate in several events during the year. Different events have different target audiences, but generally all target audiences are reached at the various events throughout the year.

## **Boise WaterShed Environmental Education Center**

The Boise WaterShed Environmental Education Center opened in May, 2008, and was created through a partnership between the City of Boise and Boise WaterShed Exhibits, Inc., a local non-profit organization. Located at the West Boise Water Renewal Facility, the center is the City's first LEED-certified building and Idaho's first water education center. The Boise WaterShed is designed to promote water stewardship by teaching people of all ages how to protect and conserve our precious resource for future generations.

The staff at the Boise WaterShed incorporates stormwater pollution prevention and stormwater management information into the programs, water renewal facility tours, and lessons offered to visitors. Education of personal impacts to water quality via stormwater, wastewater and pollution prevention tips are integrated throughout most exhibits, lessons, tours, and the center's library resources. Since the facility's opening, close to 180,000 people have visited the Boise WaterShed and an additional 85,000 people have been reached through outreach lessons and events. This education facility encourages use of the hazardous waste collection sites and pharmaceutical drop-off programs and supplements the City's other efforts to educate the general public about personal pollution prevention and water conservation.

The outdoor River Campus presents a new dimension to water education with exterior exhibits that show the big picture of the Treasure Valley's water resources. Presented to simulate the workings of the Lower Boise Watershed, the interactive, walk-able, park-like setting takes visitors on a journey from Luck Peak Reservoir and Dam, through Boise's urban streets, and the Water Renewal Facility. From here they watch cleaned water returned to the Boise River and see it flow downstream to the agricultural zone that sustains our food industry. Ultimately, visitors realize that what we do upstream not only affects downstream users, but also the overall health of the Snake River.

## **Annual Conference**

The Partners host an Annual Conference which is primarily targeted to engineers, contractors, developers, and municipal staff. Please see II.B.1.g

## **Mobile Business Fact Sheets**

The Partners distribute [fact sheets](#) targeted to the general public and businesses, specifically mobile businesses. Please see II.B.3.a

### **II.B.6.c. - Targeted Education and Training**

Please see II.B.1.g, II.B.2.g, II.B.4.i, and II.B.5.h for detailed information.

### **II.B.6.d – Stormwater Website**

The City, on behalf of the Partners for Clean Water, maintains a [website](#) that educates the public on stormwater issues for multiple audiences. The website is a key source for stormwater information in Boise and the Treasure Valley. The website contains stormwater training information and events, copies of the annual report, compliance and regulation links and other topics pertinent to educating the community on how to reduce stormwater pollution.

The website was recently updated with a new look and feel and enhanced information to educate the general public and residents in addition to our other target audiences. The website continues to be an important way to educate our target audiences and provide a central location for public education and permit compliance information.

## **VII. Discharges to Water Quality Impaired Receiving Waters**

This section of the MS4 permit contains three requirements:

- Conduct stormwater monitoring as required in the permit (Part IV);
- Identification of the pollutant or pollutants of concern for individual segments of three water bodies (Table II.C);
- Each permittee's SWMP must include a description of how activities of each control measure are implemented to control the discharge

of pollutants of concern and ensure the discharge will not cause or contribute to an excursion of water quality standards, including how the permittees evaluate and measure the effectiveness of the SWMP. For SWMP elements requiring multiple years to implement, the permittees must provide interim updates on progress to date beginning in the first annual report, and annually thereafter.

Boise City developed two new sections in the first and each subsequent annual report that describes the Status of Control Measures, including progress toward implementation of all controls and Assessment of SWMP Control and Water Quality, to assess the effectiveness of SWMP controls and determine if stormwater is causing or contributing to the exceedance of water quality standards. Both sections will be updated annually to track progress on all permit requirements and assess SWMP effectiveness at meeting state water quality standards. The 2018 SWMP Evaluation is included as Appendix E and contains assessment data from the most recent [Boise City MS4 Annual Report](#).

## VIII. Reviewing and Updating the SWMP

The permit contains requirements for annual review and update of the SWMP. The key provisions of this section include:

- Annual review of SWMP actions and activities as part of the annual report preparation;
- Process and procedures for permittees or EPA to request changes to any SWMP action or activities specified in the permit; and
- Permit modifications would be accomplished using procedures in EPA regulations.

## IX. Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation

This section of the permit requires the permittees to implement the actions and activities identified in the SWMP in all new areas added or transferred to the permittees MS4 as soon as practicable but not longer than one year after the transfer of the new areas and identification of additions and schedules for implementation in the subsequent Annual Report following the transfer.

The City currently implements the SWMP including within any new areas added to our MS4 (e.g. annexation).

## X. SWMP Resources

This section of the permit includes three elements:

- Requirement for the City to provide adequate finances, staff, equipment, and support capabilities to implement the SWMP
- Annually report the total costs associated with SWMP implementation
- Encouragement to establish consistent funding source for program implementation

The City has and will continue to provide adequate resources and annual cost estimates of SWMP implementation in the [Annual Report](#). The City Annual Reports estimated the total implementation cost for the MS4 program of \$945,938 in FY 2019.

## XI. Legal Authority

The permit requires the permittees to have adequate legal authority at Part II.G to implement and enforce the SWMP required elements and to review and update ordinances as necessary no later than January 30, 2014.

The City of Boise has adequate legal authority through the Boise City Code (BCC), specifically the [Boise City Stormwater Management and Discharge Control Ordinance \(BCC 10-6\)](#) and [Boise City Construction Site Erosion Control Ordinance \(BCC 9-14\)](#), the adopted [Boise Stormwater Management Design Manual](#) and the co-permittee Intergovernmental Agreement to control pollutant discharges into and from its MS4 to meet the requirements of the NPDES permit Part II.G. Below is a summary of the unique legal authorities which satisfy the five legal authority criteria specifically listed in the permit:

**Criteria 1:** Must have authority to prohibit discharge of pollutants to the MS4 by illicit connections and discharges.

Satisfying legal authority:

- BCC 10-6-2: Discharge Regulations and Requirements- Prohibits illicit discharges to any storm drain, including both the MS4 and private storm drains. BCC 10-6-1-3 defines Illicit Discharge
- BCC 10-6-2-2: Illicit Connections- prohibits illicit drainage connections to the MS4 or to commence or continue illicit discharges to the MS4. BCC 8-15-1.03(M) defines Illicit Connection.

**Criteria 2:** Must have authority to control the discharge to the MS4 of spills, dumping or disposal of materials other than stormwater.

Satisfying legal authority:

- BCC 10-6-2-1: General Requirements and Prohibitions – prohibits non-stormwater and pollutant discharges to MS4
- BCC 10-6-2-3: Parking Lots and Similar Structures- regulates non-stormwater discharges to MS4s from parking lots and similar structures
- BCC 10-6-2-4: Outdoor Storage Areas; Commercial and Industrial Facilities – contains illicit discharge and spill prevention/containment system requirements
- BCC 10-6-2-5 and BCC 9-14 regulate prohibited discharges from Construction Sites
- BCC 10-6-2-6 and adopted Boise Non-Stormwater Disposal Best Management Practices prohibit non-stormwater use of storm drains except under regulated and defined exceptions

**Criteria 3:** Must control through interagency agreements the contribution of pollutants from one portion of the MS4 to another portion of the MS4.

Satisfying legal authority:

- Intergovernmental Agreement for Roles and Responsibilities under the NPDES Municipal Stormwater Permit (Permit #IDS-02756-1) and Operating Guidelines. (Appendix B)

**Criteria 4:** Must have authority to require compliance with conditions

Satisfying legal authority:

- Idaho Code Section 50-302: Grants cities in Idaho to authority to pass ordinances and regulations and enforce ordinances by fines of up to \$1000 and/or incarceration of up to 6 months
- BCC 10-6-4-1: Inspections- provides for the inspection of private and public stormwater systems
- BCC 10-6-4-2 and 10-6-4-3: Sampling and Monitoring- allow the City to require sampling, testing and monitoring
- BCC 10-6-4-4: Violations Constituting Misdemeanors-makes failing to comply with the provisions of the Stormwater Ordinance a misdemeanor
- BCC 10-6-4-7: Acts Resulting in Violation of Federal Clean Water Act-makes violations subject to criminal and civil sanctions
- BCC 10-6-4-8: Violations Deemed a Public Nuisance-allows for violations of Ordinance to be declared a nuisance and summarily abated
- BCC 10-6-4-9: Civil Actions- provides for enforcement of Ordinance provisions through civil actions including injunctions and cost recoveries
- BCC 10-6-4-10: Administrative Enforcement Powers- provides for administrative enforcement including cease and desist orders and notices to clean

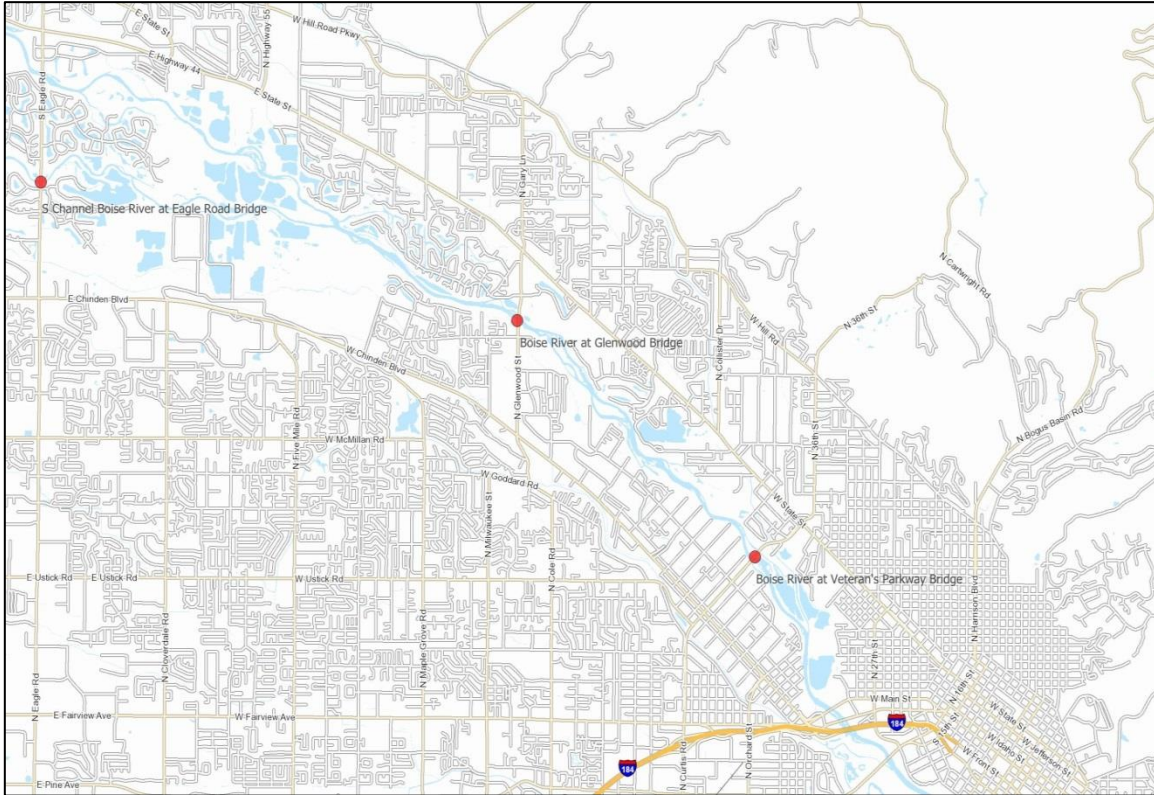
## **XII. Monitoring**

The [Intergovernmental Agreement](#) (Appendix B) designates the ACHD as the lead agency responsible for implementation of the MS4 monitoring obligations identified in section IV of the permit. The City and other co-permittees fund their respective share of the monitoring program costs per the percentages contained in the Intergovernmental Agreement and the annual budget meeting held in January of each year.

The City has high quality data for the Boise River in the MS4 reach since before the Boise/Garden City MS4 permit was issued in 2000 for all four pollutants of concern as identified in the 2012 Boise/Garden City MS4 permit.

The City has used this data to assess the effectiveness of the Boise/Garden City MS4 program.

**Figure 1: Location of Boise WWTF Instream Monitoring Locations**



### **XIII. Recordkeeping**

The permit requires the City to retain records and make those records available to the regulatory agencies and public.

The City retains records of all data and information used in the development and implementation of the SWMP. All records are stored electronically or in hard copy for at least five years. All records are accessible to the IDEQ or EPA upon request and to the public by filing a Public Information Request with the City.

### **XIV. Reporting Requirements and Addresses**

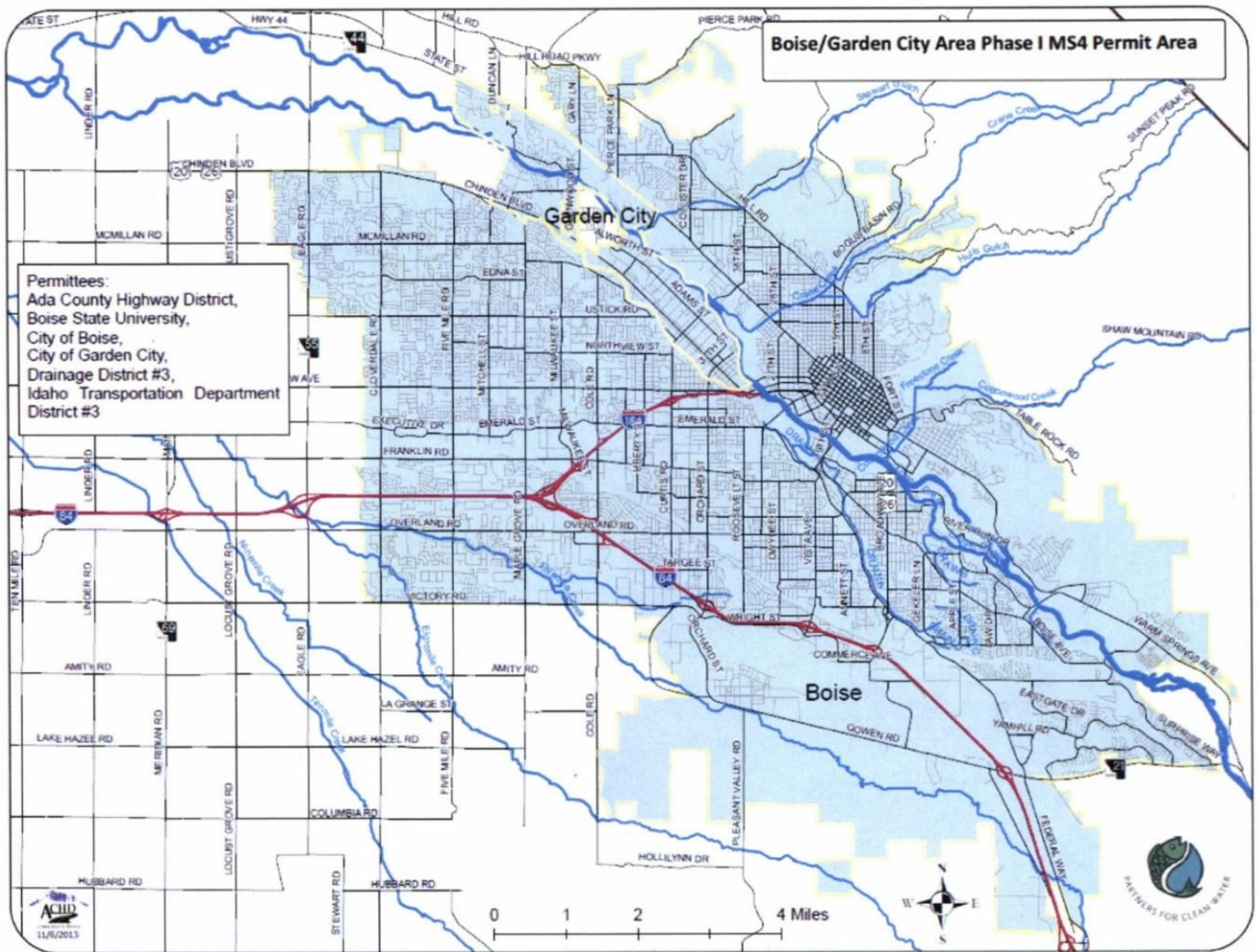
The permit has annual reporting requirements for monitoring, water quality and a coordinated annual report of all permittee SWMP activities by ACHD.



The City will continue to develop and submit annual reports that include all permit required data, information, updates, and schedules for all SWMP elements and information necessary to meet the requirements identified in Part II.C.3 of the permit.

Reports and other documents required by this permit will be signed in accordance with Part VI.E and submitted to IDEQ and EPA at the addresses identified in Section IV.D of the permit.

# Appendix A: 2015 Boise/Garden City MS4 Map



## Appendix B: 2013 Boise/Garden City MS4 Co-Permittee Intergovernmental Agreement

[Intergovernmental Agreement](#)

## Appendix C: City of Boise References

[Stormwater Management Ordinance \(Boise Municipal Code, Chapter 10-6\)](#)

[Construction Site Erosion Control Ordinance \(Boise Municipal Code, Chapter 9-14\)](#)

[Stormwater Management: A Design Manual \(December 2019\)](#)

[Stormwater Management Resource Guide: Boise City Non-Stormwater Disposal Management Practices \(December 2019\)](#)

[Stormwater Management Resource Guide: Operation and Maintenance of Stormwater Systems \(December 2019\)](#)

# Appendix D: Boise/Garden City MS4 Permit

[Boise/Garden City MS4 Permit](#)

## Appendix E: SWMP Effectiveness Assessment for Pollutants of Concern

Please see City of Boise [MS4 Annual Report for 2018, Appendix B](#).

## Appendix F: City of Boise Stormwater Program Team Distribution List

The City of Boise Stormwater Management Program document has been distributed to all City departments and divisions with stormwater management obligations. The distribution list includes:

1. Boise City Public Works
  - a. Haley Falconer, Environmental Manager
  - b. Kate Harris, Water Quality Program Manager
  - c. Aimee Hughes
  - d. Steven Hubble
  - e. Terry Alber
  - f. Rob Bousfield, P.E. Municipal Facility Program Manager
  - g. Jim Pardy, P.E. City Engineer
  - h. Steve Burgos, Director of Public Works
2. Boise City Parks and Recreation
  - a. Jennifer Tomlinson
  - b. Doug Holloway, Director of Parks and Recreation
3. Boise City Airport
  - a. Matt Petaja, P.E.
  - b. Jill Singer
4. Boise City Planning and Development Services/Housing and Community Development
  - a. Erosion and Sediment Control Staff
  - b. Glen Kellerer, Housing and Community Development
  - c. Jason Blais, Building Official, Boise City Planning and Development Services
5. Boise City Library
  - a. Kristine Miller, Interim Director, Boise City Library!
  - b. Denise McNeley