

Tips for Preparing Annual Pollution Reduction and/or TMDL Plan Reports
Developed by the Pennsylvania Stormwater Workgroup of the Campaign for Clean Water
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As part of the Phase 2 Small Municipal Separate Storm Sewer System (MS4) permit, permittees are required to submit an Annual MS4 Status Report (Annual Report) to the Pennsylvania Department of Environmental Protection (DEP) on September 30th each year addressing permit compliance and progress achieved during the preceding year ending on June 30th. Tracking progress and accountability are important measures of the National Pollutant Discharge Elimination System (NPDES) program.

Permittees are required to submit DEP's Annual Report form (Document ID# 3800-FM-BCW0491). The Annual Report form provides a framework for municipalities to track their progress towards completing activities and goals established in the permit, including Pollutant Reduction Plans (PRPs) and Total Maximum Daily Load (TMDL) plans. Preparing the Annual Report is the ideal time for a permittee to reflect on progress, plan next year's permit activities, and develop future goals and activities for municipal stormwater management.

The Stormwater Workgroup of the Campaign for Clean Water (Workgroup) has developed recommendations for permit holders completing the Annual Report form based on the Workgroup's review of the accompanying guidance information provided by DEP in their *MS4, TMDL & CB Plan Workshops* training document, and draft PRPs provided by municipalities during public comment periods. The following Workgroup recommendations may help guide municipal reporting of progress and planning for future PRP and TMDL Plan activities. We



offer these recommendations to support municipal activities to improve local water quality and successfully achieve the end goals established in PRPs and TMDL plans.

Our recommendations provide helpful tips for improving how you report outcomes over the five-year permit period, by supplementing the minimum annual reporting requirements set by DEP. We follow the seven elements for PRPs and TMDL plans as outlined in the permit instructions. For more information on plan development, please see the Workgroup's factsheet on "Seven Focus Areas for a Quality Urban Municipal Stormwater Plan to Reduce Pollutants."

Tips to Help Report and Plan Pollution Reduction and TMDL Plan Progress and Goals:

1. Public Participation

Required in Annual Report:

PRPs and TMDL plans require a public notice in a local newspaper followed by a 30-day written comment period when a change is made to a PRP or TMDL plan. Changes that trigger public participation requirements include a change in location, the number, or type of proposed best management practice(s) (BMP), and/ or a change to the storm sewershed map. The Annual Report asks the permittee to report if any modifications occurred since plan approval by DEP and if the public participation requirements were followed. The Annual Report form also asks if the update was submitted to DEP and to describe the changes made to the plan.

Recommendations:

- To encourage public participation and involvement in local stormwater programs, hold a public meeting to share the progress made and planned activities included in the Annual Report. Such a meeting provides an opportunity to educate residents on stormwater and could be included as part of Minimum Control Measures (MCMs) #1 and #2.
- Throughout the year, hold public meetings to discuss the planning activities for the proposed BMPs in the PRPs and TMDL plans. Increasing public involvement in the BMP planning process can help to raise understanding of stormwater problems and solutions. Other benefits may include recruiting volunteers to help with the installation and/ or maintenance of BMPs and shared community knowledge of sites to locate future BMPs.
- Partner with Environmental Advisory Councils (EACs) and other local community groups when hosting public meetings on PRP and TMDL plan activities. Organizations with experience and understanding of stormwater issues can help advance outreach activities and promote attendance at the event.

2. Map

Required in Annual Report:

PRPs and TMDL Plans require additional mapping components beyond the storm sewer collection map required in MCM #3. PRP and TMDL plan maps include land use and/ or impervious surfaces, the storm sewershed boundary, and the location of proposed BMPs. The Annual Report does not contain specific requirements that maps be updated for PRPs and TMDL plans.

Recommendations:

- Preparing the Annual Report is an opportune time to revisit PRP and TMDL plan maps to update with new BMPs installed over the past year. Keeping maps up-to-date will help track progress and will save time when preparing maps for the next permit round.

3 and 4. Pollutant(s) of Concern and Existing Load

Required in Annual Report:

The Annual Report form asks the permittee to identify the pollutant of concern (sediment, phosphorus, and/or nitrogen) and the associated load reductions (lbs/yr) established in the approved permit.

Recommendations:

- The Annual Report is an appropriate time to track the progress towards the pollution reduction goals from the existing load. Add up the total sediment and/ or nutrient reductions attained by the BMPs to assess if the permit activities are meeting plan goals and determine what further reductions are still needed.
- Consider the effectiveness of municipal ordinances at managing new sources of stormwater. New development and/ or redevelopment activities may cause the pollutant loading to increase in future permit rounds. Development and redevelopment can also lead to new designations of local stream impairments. Municipal ordinances may need updating to manage new sources of stormwater. Additionally, DEP's 2022 model ordinance contains optional provisions pertaining to green stormwater infrastructure, Low Impact Development (LID) methods, and riparian buffers. If adopted, these provisions could assist in alleviating additional pollutant loading the municipality may be responsible for in future years.

5. BMPs to Reduce Pollutant Loading

Required in Annual Report:

The Annual Report form tracks all new and ongoing BMPs. See Table 2 (page 13). In this table permittees should report all new structural BMPs installed and ongoing non-structural BMPs implemented during the reporting period that are being used toward achieving load reductions in the permittee's plan(s).

Recommendations:

Provide additional available background information on BMPs addressing planning, design, construction, and performance specifications such as:

- Landowners and landowner agreements associated with the BMP (public and/or private).
- Document changes in BMPs from original PRP, background on how selection of new BMP option came about, and public notification process associated with plan revision.
- Summary of collaboration or partnership history.
- Background documentation of pollutant removal efficiencies for sediment and nutrients.
- BMP implementation schedule over course of the 5-year permit.
- Inspect all BMPs to ensure their performance meets the expected pollutant removal efficiencies. Consider a monitoring program to measure the performance of BMPs.

6. Municipal Funding for PRP/ TDML plan Implementation

Required in Annual Report:

The Annual Report form does not explicitly require that permittees to provide information on the funding of the implementation of PRPs and TMDL plans. It is recommended that municipalities create a budget and evaluate available funding sources to describe its plan to fund the proposed BMPs in the remaining years of the permit term.

Recommendations:

- Document summary of expenditures for the past year linked to individual BMP(s) and other related costs, such as administration, inspection, and maintenance. Compare expected versus actual revenue to identify gaps or needs for the following year.
- List expected costs identified for next year for projects and administration, e.g. new construction, retrofit, inspection, and maintenance.
- List expected revenue sources for each project noted in bullet #2 by type (grants, loans, capital funds, stormwater fees, or bonds) for next year's projects.
- Consider the cost-savings to the municipal budget made possible when integrating stormwater management projects with planned capital improvements, such as repairs and upgrades to transportation features, parks, and open space.

7. Parties Responsible for Operation & Maintenance (O&M) of BMPs

Required in Annual Report:

For existing BMPs, the Annual Report form requires reporting on the date of the last inspection and if the BMP is operating satisfactorily. See Table 3 (page 13).

Recommendations:

- Provide detailed inspection logs for each BMP identifying the date of all inspections and include observations made during each inspection. Note any maintenance that was required at each BMP and when it was completed.
- When conducting inspections, determine if BMP is functioning to expected performance specifications. If not, repair the BMP to ensure proper volume and/ or pollutant capture.
- Consider a monitoring program to ensure all stormwater BMPs function at credited efficiency rates.

