



7.0 MCM5: Post-Construction Stormwater Management in New Development and Redevelopment

7.1 Overview

Post-construction stormwater management in new development and redevelopment focuses on the implementation of controls to maintain good water quality conditions after an area has been developed. New development can also have a significant effect on water quality because during the course of development, natural landscapes are often replaced by impermeable roads, parking lots, sidewalks and other paved surfaces that lead to increases in both the volume of stormwater runoff and the accompanying pollutants that reach local water bodies.

The MS4s are required to develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale that discharge to the small MS4. The program must ensure that controls are in place to prevent or minimize water quality impacts. A summary of the BMPs are also provided in Table 7-1.

7.2 TPDES Phase II Permit Requirements

7.2.1 Develop and Maintain an Ordinance

Develop and maintain an ordinance or other regulatory mechanism as described in Part IV.D.5.(a)(2).

Measurable Goals

- Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable.

Evaluation

- Conduct review and make/document any necessary updates within the first two years.
- Maintain ordinance.

7.2.2 Document and Maintain Records of Enforcement Actions

Document and maintain records of enforcement actions and make them available for review by the TCEQ as described in Part IV.D.(b)(1).

Measurable Goals

- Maintain records of 100% of enforcement actions taken each year.
- Make 100% of enforcement records available to TCEQ for review within 24 hours of request.

Evaluation

- Evaluate that 100% of enforcement action records are accounted for.

- Make 100% of enforcement action records are immediately accessible for the TCEQ if requested.

7.2.3 Ensure Operation and Maintenance of Structural Stormwater Control Measures

Ensure the long-term operation and maintenance of structural stormwater control measures installed as described in Part IV.D.5.(b)(2).

Measurable Goals

- Each year, implement a maintenance plan and schedule established by the small MS4 operator addressing 100% of stormwater control measures where the small MS4 operator is responsible for maintenance.
- Each year, require 100% of the owners or operators of any new development or redeveloped sites to develop and implement a maintenance plan addressing maintenance requirement for any structural control measures installed on site.
- Require the site owner or operators to maintain documentation, such as a tracking log, onsite of 100% of the maintenance performed and made available for review by the small MS4 operator or TCEQ within 24 hours of the request.

Evaluation

- Conduct and document annual maintenance on 100% of the facilities the operator is responsible for.
- Receive, document, and maintain proof of new development or redeveloped sites and the owners/operators annual maintenance records.
- Review owner/operator documentation of maintenance records. Have immediately available upon request.

7.2.4 Develop and Implement an Inspection Program

Develop and implement an inspection program as described in Part IV.D.5.(c)(1).

Measurable Goals

- Develop and implement an inspection program to ensure that 100% of post construction stormwater control measures in the small MS4 area are operating correctly and are being maintained as required consistent with its applicable maintenance plan each year. At a minimum, the small MS4 operator must inspect 20% of the post construction stormwater controls in the small MS4 area each year, or more if required by the MS4 maintenance plan.

Evaluation

- Update and implement inspection program, annually.
- Compare number of inspections to total inventory, annually.

7.2.5 Maintain Inspection Reports

Maintain Inspection Reports as described in Part IV.D.5.(c)(2).

Measurable Goals

- Document inspection findings in an inspection report for 100% of inspections performed each year.
- Make 100% of inspection reports available to TCEQ staff for review within 24 hours of request.

Evaluation

- Document 100% of inspections performed.
- Have 100% of inspection reports available within 24 hours.

Table 7-1. MCM5 - Post Construction Stormwater Management in New Development and Redevelopment

Best Management Practice	Measurable Goals	Permit Years					Key Departments/Divisions	Evaluation	Tracking Tool
		1	2	3	4	5			
Develop and maintain an ordinance or other regulatory mechanism as described in Part IV.D.5.(a)(2).	Review and update the ordinance or other regulatory mechanism at least one time during the permit term to address changes and make improvements to the ordinance where applicable.						Public Works/Engineering/Planning	Conduct review and any necessary updates within the first two years	Once during the permit term
Document and maintain records of enforcement actions and make them available for review by the TCEQ as described in Part IV.D.5.(b)(1).	Maintain records of 100% of enforcement actions taken each year. Make 100% of enforcement records available to TCEQ for review within 24 hours of request.						Public Works/Engineering/Planning	Evaluate that 100% of enforcement action records are accounted for	Annually
Ensure the long-term operation and maintenance of structural stormwater control measures installed as described in Part IV.D.5.(b)(2).	Each year, implement a maintenance plan and schedule established by the small MS4 operator addressing 100% of stormwater control measures where the small MS4 operator is responsible for maintenance. Each year, require 100% of the owners or operators of any new development or redeveloped sites to develop and implement a maintenance plan addressing maintenance requirement for any structural control measures installed on site. Require the site owner or operators to maintain documentation, such as a tracking log, onsite of 100% of the maintenance performed and made available for review by the small MS4 operator or TCEQ within 24 hours of the request.						Public Works/Engineering/Planning	Make 100% of enforcement action records are immediately accessible for the TCEQ if requested.	Annually
							Public Works/Engineering/Planning	Conduct and document annual maintenance	Annually
							Public Works/Engineering/Planning	Document proof of owners/operators annual maintenance records	Annually
							Public Works/Engineering/Planning	Review owner/operator documentation of maintenance records. Have readily available upon request	Annually

Best Management Practice	Measurable Goals	Permit Years					Key Departments/Divisions	Evaluation	Tracking Tool
		1	2	3	4	5			
Develop and implement an inspection program as described in Part IV.D.5.(c)(1).	Develop and implement an inspection program to ensure that of post construction stormwater control measures in the small MS4 area are operating correctly and are being maintained as required consistent with its applicable maintenance plan each year. At a minimum, the small MS4 operator must inspect 20% of the post construction stormwater controls in the small MS4 area each year, or more if required by the MS4 maintenance plan.						Public Works/Engineering/Planning	Update and implement inspection program, annually. Compare number of inspections to total inventory.	Annually
Maintain Inspection Reports as described in Part IV.D.5.(c)(2).	Document inspection findings in an inspection report for 100% of inspections performed each year. Make 100% of inspection reports available to TCEQ staff for review within 24 hours of request.						Public Works/Engineering/Planning Public Works/Engineering/Planning	Document 100% of inspections performed Have 100% of inspection reports available within 24 hours	Annually Annually