Parish of Ascension

Office of the Parish President

KENNY MATASSA
PARISH PRESIDENT

MAIN FILE

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January 12, 2019

Louisiana Department of Environmental Quality
Office of Environmental Services
Water Permits Division
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313
Attn: Ms. Kimberly Corts, Manager of General and Municipal Permits

Ref: Submittal of NOI and SWMP
Parish of Ascension
LPDES Permit No. LAR041034; AI # 115006

Dear Ms. Corts:

The Parish of Ascension is pleased to submit two copies (one original and one copy) of our Notice of Intent (NOI) to obtain coverage under the reissued Louisiana Pollutant Discharge Elimination System (LPDES) small Municipal Separate Storm Sewer System (sMS4) General Permit. Ascension Parish was previously assigned an LPDES sMS4 General Permit number of LAR041034 and an Agency Interest No. 115006.

As required, Ascension Parish has included an updated Storm Water Management Program (SWMP) plan along with the NOI. Ascension Parish recognizes the challenges of compliance with the reissued permit and has embarked on efforts to improve our program. Our efforts include adding dedicated personnel responsible for LPDES sMS4 General Permit compliance. These efforts also include, but are not limited to:

- Reviewing our ordinances to verify that they are adequate to enforce our program;
- Revising our MS4 map to better identify areas of potential illicit dischargers;
- Improving our municipal housekeeping at parish maintenance facilities;
- Tightening up our construction permitting program to ensure contractor compliance;
- Updating our training program to better communicate the LPDES sMS4 General Permit requirements; and
- Establishing more quantifiable measurable goals for the SWMP.

I look forward to working with you in the upcoming year. If you have any questions or require additional information regarding this submittal, please feel free to contact msayes@apgov.us.

Very truly yours,

Kenny Matassa

Kenny Matassa
Parish President

RECEIVED BY JAN 15 2019

P.O. Box 1659 • 615 East Worthey St. • Gonzales, Louisiana 70707-1659
Telephone 225-450-1012 • Telefax 225-450-1145 • Web Site www.ascensionparish.net

Attachments

Attachment A – Small Municipal Separate Storm Sewer System (MS4) General Permit Notice of Intent (NOI) Form MS4-G

Attachment B – 2019 Storm Water Management Program (SWMP) Plan

Attachment C – Water Quality Environmental Report

ATTACHMENT A –
Small Municipal Separate Storm Sewer System (MS4) General Permit
Notice of Intent (NOI) Form MS4-G

To: Prospective Applicants for a Small Municipal Separate Storm Sewer System General Permit

Attached is a **Small Municipal Separate Storm Sewer System (MS4) General Permit Notice of Intent (NOI) MS4-G,** for a Louisiana Pollutant Discharge Elimination System (LPDES) permit, authorized under EPA's delegated NPDES program under the Clean Water Act. To be considered complete, every item on the form must be addressed and the last page signed by an authorized company agent. If an item does not apply, please enter "NA" (for *not applicable*) to show that the question was considered.

Two copies (one original and one copy) of your **completed NOI**, each with a marked **U.S.G.S. Quadrangle map** or equivalent attached, should be submitted to:

Department of Environmental Quality
Office of Environmental Services
Post Office Box 4313
Baton Rouge, LA 70821-4313
Attention: Water Permits Division

Please be advised that completion of this NOI may not fulfill all state, federal, or local requirements for this operation.

According to La. R.S. 48:385, any discharge to a state highway ditch, cross ditch, or right-of-way shall require approval from:

Louisiana DOTD
Office of Highways
Post Office Box 94245
Baton Rouge, LA 70804-9245
(225) 379-1927

AND

Louisiana DHH
Office of Public Health
Center for Environmental Health Svcs.
Post Office Box 4489
Baton Rouge, LA 70821-4489
(225) 342-7395

A copy of the LPDES regulations found in LAC Title 33:Part IX may be obtained from the Department's website at http://deq.louisiana.gov/page/rules-regulations or from the Office of the Secretary, Regulations Development Section, Post Office Box 4301, Baton Rouge, LA 70821-4303, telephone (225) 219-3981.

After review of the NOI and public notice, this Office will issue written notification to those applicants who are accepted for coverage under this general permit.

For questions concerning this NOI, please contact the Water Permits Division at (225) 219-9371. For help regarding completion of this NOI, please contact DEQ Outreach and Small Business Assistance at 1-800-259-2890.

Date **January 15, 2019**

Agency Interest No. AI **115006**

LPDES Permit No. LAR **041034**

Please check:

- [ ] Initial Permit
- [X] Permit Renewal
- [ ] Permit Modification

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY

Office of Environmental Services, Water Permits Division
Post Office Box 4313
Baton Rouge, LA 70821-4313
Telephone: (225) 219-9371

LPDES NOTICE OF INTENT (NOI) TO DISCHARGE STORMWATER ASSOCIATED WITH SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

(Attach additional pages if needed.)

Submittal of this Notice of Intent (NOI) constitutes notice that the entity identified in Section I of this form requests authorization by LDEQ's Small MS4 LPDES General Permit for storm water discharges from a small municipal separate storm sewer system (MS4) in Louisiana. Submittal of the NOI also constitutes notice that the party identified in Section I of this form has read, understands, and meets the eligibility conditions of Part I.B. of the permit; agrees to comply with all applicable terms and conditions of the permit; understands that continued authorization under the permit is contingent on maintaining eligibility for coverage; and understands that the permittee is required to implement a storm water management program. In order to be granted coverage, all information required on this form must be completed. **Two copies of the completed NOI** (one original and two copies) should be mailed to the Water Permits Division at the above address.

The applicant is the municipality or governmental entity for which coverage is requested. Adjoining municipalities or governmental entities may be co-permittees by submitting a joint NOI (please see next paragraph for check box) per LAC 33:IX.2521.B.1. If necessary, attach additional sheets to provide the information in Sections I-VII for each entity.

Please check box if this NOI is part of a joint application: ☐

SECTION I - FACILITY INFORMATION

A. Permit is to be issued to the following:

1. Legal Name of Applicant/Owner **Parish of Ascension**
   Mailing Address **Lamar Dixon Expo Center, Building G, 2nd Floor, 9039 St. Landry Road, Gonzales, LA** Zip Code: **70737**
2. Name & Title of Contact Person **Malcolm "Mac" Sayes, P.E., Stormwater Compliance Engineer**
   Phone **(225) 450-1319** Fax **NA** Email **MSayes@apgov.us**

B. Name and address of responsible representative who completed the NOI:

Name & Title **Alex Sheffield, P.E., Senior Environmental Engineer**

Company **CK Associates**

Phone **(225) 755-1000** Fax **(225) 751-2010** Email **Alex.shefffield@c-ka.com**

Address **8591 United Plaza Blvd., Baton Rouge, LA 70809**

SECTION II – LAC 33.I.1701 REQUIREMENTS

A. Does the company or owner have federal or state environmental permits in other states that are identical to, or of a similar nature to, the permit for which you are applying? (This requirement applies to all individuals, partnerships, corporations, or other entities who own a controlling interest of 50% or more in your company, or who participate in the environmental management of the facility for an entity applying for the permit or an ownership interest in the permit.)

[X] Permits in Louisiana. List Permit Numbers: **LA0103870, LA0123706, LAG570178, LAG570351, LAF530759, LA0112763**

[X] Permits in other states (list states):

[ ] No other environmental permits.

B. Do you owe any outstanding fees or final penalties to the Department? [ ] Yes [X] No

If yes, please explain.

C. Is your company a corporation or limited liability company? [ ] Yes [X] No

If yes, is the corporation or LLC registered with the Secretary of State? [ ] Yes* [X] No

***If yes, attach a copy of your company's Certificate of Registration and/or Certificate of Good Standing from the Secretary of State.**

SECTION III – SMALL MS4 SYSTEM INFORMATION

1. MS4 Name: **Parish of Ascension MS4 System**
2. Regulated City(ies), Town(s) or unincorporated area(s): **Unincorporated area of Ascension Parish**

Coordinates: (provide the coordinates of the City Hall or municipal business office for the MS4)

Latitude: **90W** deg. **57** min. **22** sec. Longitude: **30N** deg. **11** min. **38** sec.

Method of Coordinate Determination: **ArcMap GIS Software**

(Quad Map, Previous Permit, website, GPS)

3. Population served by the MS4 System: **26,895 (2010 Census)**

4. Indicate all water bodies to which the storm sewer system will discharge, to the extent currently known. Estimate the square miles of the MS4 service area. **Attach a USGS 7.5 minute topographic map (or equivalent) and identify all known discharge points (outfalls), receiving waters, and major control structures.** If all discharge points have not yet been identified, this information will become available when the MS4 mapping is complete. At that time, all discharge points must be identified in the Storm Water Management Plan.

See Figure 1 (Permitted Area) and Figure 2 (Waterbodies Within the Urbanized Area).

Ascension Parish has many canals, bayous, and basins that drain to the Bayou Manchac (Segment 040201). Amite River (Segment 040302), Blind River (Segment 040403), or New River (Segment 040404). The estimated MS4 service area is 40 square miles.

SECTION IV – STORM WATER MANAGEMENT PLAN	
Phase II MS4 **LDEQ Office of Environmental Services** **Water Permits Division**	
Required Information	
Responsible Official(s):	Name and title of person or persons responsible for implementing or coordinating your storm water management program: **Mr. Kenny Matassa, Parish President**
Telephone:	**(225) 450-1012**
Fax:	**(225) 450-1145**
Email:	**kmatassa@apgov.us**
Presence of Co-permittee(s):	Are you relying on another governmental entity to satisfy any of your permit obligations? Yes ☐ No X If yes, please describe: Click here to enter text.

If you are an existing permittee, please attach your SWMP; you will not need to complete Sections V and VI. If you are a new applicant, you may either submit your SWMP or complete Sections V and VI on the following pages for each of the 6 Minimum Control Measures. You may provide the response to items V and VI in a separate document as an attachment to this NOI provided that the attachment fully addresses the 6 Minimum Control Measures and the Measurable Goals. Helpful information and a list of potential best management practices (BMPs) can be found at the EPA website http://www.epa.gov/npdes/stormwater-discharges-municipal-sources **and the document Measurable Goals Guidance for Phase II Small MS4s is available for review at** https://www.epa.gov/sites/production/files/2015-11/documents/measurablegoals_0.pdf**.**

See Attachment B – 2019 SWMP Plan

SECTION V – BMPs USED TO FULFILL EACH MINIMUM CONTROL MEASURE	
Select BMPs used in your program for each Minimum Control Measure by checking boxes in second column:	
Minimum Control Measure 1. Public Education and Outreach on Storm Water Impacts	
Citizen educator volunteers to staff a public education task force	☐
Classroom education on storm water	☐
Educational displays, pamphlets, booklets, and utility stuffers	☐
Education on low-impact lawn and garden activities	☐

Education on proper disposal of campground/recreational vehicle/marina waste	☐
Education on proper disposal of household hazardous wastes	☐
Education/outreach for commercial activities	☐
Event participation (festivals, etc.) and distribution of educational materials	☐
Low impact development (LID)	☐
Pollution prevention education for businesses	☐
Promotional giveaways	☐
Proper pet waste management (for example: information, ordinances, signage)	☐
Storm water educational materials	☐
Tailoring outreach programs to target specific audiences and communities (for example: restaurants, garages, or individual home septic systems)	☐
Trash management	☐
Tributary signage to increase public awareness of local water resources	☐
Using the media to get the message out (for example: public service announcements)	☐
Water conservation practices for homeowners	☐
Others (add text as needed): Click here to enter text.	☐
Minimum Control Measure 2. Public Involvement/Participation in Development and Implementation of Storm Water Program	
Adopt-a-Road programs	☐
Adopt-a-Storm Drain programs	☐
Adopt-a-Stream programs or other volunteer organizations educating the public	☐
Attitude surveys	☐
Citizen complaint hotlines	☐
Citizen panel meetings	☐
Community cleanups	☐
Educational programs conducted by volunteers	☐
Reforestation programs	☐
Stakeholder meetings	☐
Storm drain stenciling	☐
Stream cleanup and monitoring	☐
Volunteer water quality monitoring	☐
Watershed organization meetings	☐
Wetland plantings	☐
Others (add text as needed): Click here to enter text.	☐

Minimum Control Measure 3. Illicit Discharge Detection and Elimination	
Citizen complaint hotline	☐
Illegal dumping/illicit discharge hotline	☐
Inspection and/or database tracking identifying failing septic systems	☐
Inspection to identify industrial/business/household illicit connections of wastewater to the storm water drainage system	☐
Recycling programs for commonly dumped wastes such as motor oil, antifreeze, pesticides	☐
Sanitary sewer overflows	☐
System to inform general public of hazards associated with illegal dischargers and improper disposal of waste	☐
Others (add text as needed): Click here to enter text.	☐
Minimum Control Measure 4. Construction Site Storm Water Runoff Control	
BMP inspection and maintenance	☐
Brush barrier	☐
Check dams	☐
Chemical stabilization	☐
Concrete washout areas	☐
Construction entrance stabilization to prevent vehicle tracking	☐
Construction sequencing	☐
Construction site inspection by municipal inspectors	☐
Contractor certification	☐
Dust control	☐
Erosion control blankets and anchoring devices	☐
Filter berms	☐
General construction site waste management	☐
Geotextiles	☐
Gradient terraces	☐
Grass-lined channels	☐
Land grading	☐
Model ordinances	☐
Mulching	☐
Plan to prioritize construction sites for inspection by municipal inspectors	☐
Requiring erosion/sediment control plans	☐
Riprap	☐
Sediment basins and rock dams	☐

Sediment filters and sediment chambers	☐
Sediment traps	☐
Silt fence perimeter control	☐
Sodding	☐
Soil retention and stabilization	☐
Soil roughening	☐
Spill prevention and control plan	☐
Storm drain inlet protection	☐
Temporary diversion dikes	☐
Temporary slope drain	☐
Temporary stream crossings	☐
Vegetated buffers	☐
Wind fences and sand fences	☐
Educational and training measures for construction site operators	☐
Others (add text as needed): Click here to enter text.	☐
Minimum Control Measure 5. Post-construction Storm Water Management in New Development and Redevelopment	
Alternative pavers	☐
Alternative turnarounds	☐
Alum injection	☐
Bioretention	☐
BMP inspection and maintenance	☐
Buffer zones	☐
Catch basins	☐
Conservation easements	☐
Dry extended-detention ponds	☐
Elimination of curbs and gutters	☐
Grassed filter strips	☐
Grassed swales	☐
Green parking	☐
Infiltration basin	☐
Infiltration trench	☐
Infrastructure planning	☐
In-line storage	☐

Manufactured products for storm water inlets	☐
Narrower residential streets	☐
On-lot treatment of storm water	☐
Open space design	☐
Ordinances for post-construction runoff	☐
Porous pavement	☐
Sand and organic filters	☐
Storm water wetland	☐
Urban forestry	☐
Wet ponds	☐
Zoning: a planning process that identifies storm water program goals, strategies, operation and maintenance (O&M) policies and procedures, and/or enforcement strategies	☐
Others (add text as needed): Click here to enter text.	☐
Minimum Control Measure 6. Pollution Prevention/Good Housekeeping for Municipal Operations	
Alternative discharge options for chlorinated water	☐
Alternative products	☐
Animal carcass collection from roadways	☐
Automobile maintenance	☐
Hazardous materials storage	☐
Illegal dumping control	☐
Low impact landscaping and lawn care	☐
Materials management	☐
Parking lot and street cleaning	☐
Pest control	☐
Pet waste collection in public areas	☐
Road salt application and storage	☐
Roadway and bridge maintenance	☐
Septic system controls	☐
Spill response and prevention plans for municipal facilities	☐
Storm drain system cleaning	☐
Training program for grounds maintenance and landscaping crews	☐
Used oil recycling	☐
Vehicle washing	☐
Operation and maintenance (O&M) program that has a goal of preventing or reducing pollutant runoff from municipal operations	☐

Others (add text as needed): Click here to enter text.	☐

SECTION VI – MEASURABLE GOALS AND BMPs FOR IMPLEMENTATION OF EACH MINIMUM CONTROL MEASURE

For each BMP chosen, list clear and specific measurable goals with starting and ending dates (month and year) in which the MS4 operator began or will begin full implementation of each of the minimum control measures, list the interim milestones (timeframe and quantity to measure, if quantifiable), and provide the frequency of the action (add text as needed or attach separate sheet):

Minimum Control Measure 1. Public Education and Outreach on Storm Water Impacts

List measurable goals for each BMP with start and end dates, interim milestones, and frequency:

BMP PE1. Insert BMP description: Click here to enter text.
Measurable Goal: Click here to enter text.
Person(s) or department(s) responsible: Click here to enter text.
Timeframe/milestones for implementation: Click here to enter text.

BMP PE2. Insert BMP description: Click here to enter text.
Measurable Goal: Click here to enter text.
Person(s) or department responsible: Click here to enter text.
Timeframe/milestones for implementation: Click here to enter text.

BMP PE3. Insert BMP description: Click here to enter text.
Measurable Goal: Click here to enter text.
Person(s) or department(s) responsible: Click here to enter text.
Timeframe/milestones for implementation: Click here to enter text.

BMP PE4. Insert BMP description: Click here to enter text.
Measurable Goal: Click here to enter text.
Person(s) or department(s) responsible: Click here to enter text.
Timeframe/milestones for implementation: Click here to enter text.

BMP PE5. Insert BMP description: Click here to enter text.
Measurable Goal: Click here to enter text.
Person(s) or department(s) responsible: Click here to enter text.
Timeframe/milestones for implementation: Click here to enter text.

BMP PE6. Insert BMP description: Click here to enter text.
Measurable Goal: Click here to enter text.
Person(s) or department(s) responsible: Click here to enter text.
Timeframe/milestones for implementation: Click here to enter text.

BMP PE7. Insert BMP description: Click here to enter text.
Measurable Goal: Click here to enter text.
Person(s) or department(s) responsible: Click here to enter text.
Timeframe/milestones for implementation: Click here to enter text.

BMP PE8. Insert BMP description: Click here to enter text.
Measurable Goal: Click here to enter text.
Person(s) or department(s) responsible: Click here to enter text.
Timeframe/milestones for implementation: Click here to enter text.

Others (add text as needed):

Minimum Control Measure 2. Public Involvement and Participation in Development and Implementation of Storm Water Program

List measurable goals with start and end dates, interim milestones, and frequency (add text as needed):

BMP PI1. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text.
BMP PI2. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text.
BMP PI3. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text.
BMP PI4. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text.
BMP PI5. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text.
BMP PI6. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text.
BMP PI7. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text.
BMP PI8. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text.
Others (add text as needed): Click here to enter text.
<u>Minimum Control Measure 3.</u> Illicit Discharge Detection and Elimination
List measurable goals with start and end dates, interim milestones, frequency, and maintenance activities with schedules (add text as needed):
BMP IDDE1. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP IDDE2. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.

BMP IDDE3. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP IDDE4. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP IDDE5. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP IDDE6. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP IDDE7. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP IDDE8. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
Others (add text as needed): Click here to enter text.
<u>Minimum Control Measure 4.</u> Construction Site Storm Water Runoff Control
List measurable goals with start and end dates, interim milestones, frequency, and maintenance activities with schedules (add text as needed):
BMP CONS1. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP CONS2. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.

BMP CONS3. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP CONS4. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP CONS5. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP CONS6. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP CONS7. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP CONS8. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
Others (add text as needed): Click here to enter text.
<u>Minimum Control Measure 5.</u> Post-construction Storm Water Management in New Development and Redevelopment
List measurable goals with start and end dates, interim milestones, frequency, and maintenance activities with schedules (add text as needed):
BMP POST1. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP POST2. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.

BMP POST3. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP POST4. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP POST5. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP POST6. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP POST7. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP POST8. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
Others (add text as needed): Click here to enter text.
<u>Minimum Control Measure 6.</u> Pollution Prevention/Good Housekeeping for Municipal Operations
List measurable goals with start and end dates, interim milestones, frequency, and maintenance activities with schedules (add text as needed):
BMP PP1. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
BMP PP1. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.

BMP PP1. Insert BMP description: Click here to enter text. Measurable Goal: Click here to enter text. Person(s) or department(s) responsible: Click here to enter text. Timeframe/milestones for implementation: Click here to enter text. BMP maintenance activities and schedule: Click here to enter text.
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Others (add text as needed): Click here to enter text.

SECTION VI.A – IMPAIRED WATERBODIES AND TMDL INFORMATION (Permit Part III)

1. Does any subsegment within your MS4 boundaries fall under the most recent Integrated Report classification of 4a or 5 (see list at http://deq.louisiana.gov/page/water-quality-integrated-report-305b303d)?
Yes X **No** ☐

2. If any of your MS4 subsegments are classified as Integrated Report Category 4a (*Impaired but TMDL Completed*) or 5 (*Impaired and requires a TMDL*) and if the Suspected Sources of Impairment (see Appendix A of the most recent Integrated Report) are municipal in origin (for example, *Sanitary Sewer Overflows*, *Discharges from Municipal Separate Storm Sewer Systems*, *Forced Drainage Pumping*, *Municipal (Urbanized High Density Area)*, *Urban Runoff/Storm Sewers*, and *Residential Districts*) you must document in your SWMP how the BMPs and other controls implemented will control the discharge of these pollutants (see Permit Part III.B; you may add text as needed).

2.a. MS4 Suspected Source of Impairment from Appendix A of Integrated Report: On-Site Treatment Systems Causing Dissolved Oxygen Impairments
Subsegment 040201; BMP name and function: Public Education to Individual Homeowner/Businesses to improve sewer systems
Subsegment 040201; BMP name and function: Pollution Prevention/Good Housekeeping Training for Parish Employees on Septic System Management for Parish-owned systems
Subsegment 040201; BMP name and function: Illicit Discharge Detection to Identify unpermitted or improperly operated sanitary treatment systems.

2.b. MS4 Suspected Source of Impairment from Appendix A of Integrated Report: On-Site Treatment Systems Causing fecal coliform Impairments
Subsegment 040302; BMP name and function: Public Education to Individual Homeowner/Businesses to improve sewer systems
Subsegment 040302; BMP name and function: Pollution Prevention/Good Housekeeping Training for Parish Employees on Septic System Management for Parish-owned systems
Subsegment 040302; BMP name and function: Illicit Discharge Detection to Identify unpermitted or improperly operated sanitary treatment systems.

2.c. MS4 Suspected Source of Impairment from Appendix A of Integrated Report: On-Site Treatment Systems Causing Dissolved Oxygen and fecal coliform Impairments **Subsegment 040404; BMP name and function: Public Education to Individual Homeowner/Businesses to improve sewer systems** **Subsegment 040404; BMP name and function: Pollution Prevention/Good Housekeeping Training for Parish Employees on Septic System Management for Parish-owned systems** **Subsegment 040404; BMP name and function: Illicit Discharge Detection to Identify unpermitted or improperly operated sanitary treatment systems.**
2.d. MS4 Suspected Source of Impairment from Appendix A of Integrated Report: **Subsegment ; BMP name and function:** Click here to enter text. **Subsegment ; BMP name and function:** Click here to enter text. **Subsegment ; BMP name and function:** Click here to enter text.
3. Has a TMDL been approved for any subsegment(s) in your MS4 (Integrated Report Cat. 4a)? **Yes X No ☐** **If Yes, you must list any TMDL requirements (see 3.a below) in the SWMP that are applicable to MS4 discharges into the subsegments where TMDLs have been established (see Permit Parts III.B and IV.H 1-6; you may add text as needed). If there are none, please check this box: ☐**
3.a. **Subsegment 040201; TMDL requirements: No permit limits, but expectation that MS4 apply appropriate BMPs to reduce the nonpoint source loading into the watershed as well as eliminate illicit dischargers.** **Subsegment ; TMDL requirements:** Click here to enter text. **Subsegment ; TMDL requirements:** Click here to enter text.

SECTION VII – TOPOGRAPHIC MAP

Attach to this NOI a USGS 7.5 minute (1:24,000 scale) topographic map, or equivalent, of the MS4 service area with the known municipal storm sewer outfalls and any major control structures (retention or detention basins, infiltration devices, etc.) identified. Include on the map the area extending at least one mile beyond your service boundaries. The map must be attached to BOTH NOIs that are submitted to LDEQ (i.e., the original NOI and the copy of the NOI). Waterways and streets/highways must be clearly identified by name on the map. Appropriate maps can be obtained from local government agencies such as DOTD or the Office of Public Works. Maps can also be obtained online at http://map.deq.state.la.us/ or www.topozone.com. Private map companies can also supply you with these maps. If you cannot locate a map through these sources you can contact the Louisiana Department of Transportation and Development at:

1201 Capitol Access Road
Baton Rouge, LA 70802
(225) 379-1107
maps@dotd.louisiana.gov

Alternatively, permit applicants may submit a CD containing the appropriate GIS layers, created using ESRI software, such as ArcMap.

See Attachment B – 2019 SWMP Plan, Figure 1 – Permitted Area

SECTION VIII – DISCHARGE CHARACTERIZATION

Attach any existing quantitative data that characterizes the discharge. Depending upon availability, you should include:

1. Monthly mean rainfall estimates;

2. Measured or estimated volume of the discharges from the municipal storm sewer per inches of rain;

3. Quantitative data describing the quality of discharges from the municipal storm sewer, including the outfalls sampled, sampling procedures and analytical methods used; and

4. The results of any visual or analytical field screening at identified outfalls, including wet and dry weather screenings.

Ascension Parish has no discharge characterization data. We have attached a summary report on a water quality study prepared under a grant by the Lake Pontchartrain Basin Program to evaluate water quality in the Ascension Parish receiving streams (Attachment C).

SECTION IX - SIGNATURE

According to the Louisiana Water Quality Regulations, LAC 33:IX.2503, the following requirements shall apply to the signatory page in this application:

Chapter 25. Permit Application and Special LPDES Program Requirements

2503. Signatories to permit applications and reports

A. All permit applications shall be signed as follows:

1. For a corporation - by a responsible corporate officer. For the purpose of this Section responsible corporate officer means:

   (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or

   (b) The manager of one or more manufacturing, production, or operating facilities provided: the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken together complete and accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporation procedures.

NOTE: LDEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in the Permit **Standard Conditions, Section D.10.a.(1)(a)**. The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable

corporate positions under Permit **Standard Conditions, Section D.10.a.(1)(b)** rather than to specific individuals.

2. For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or

3. For a municipality, state, federal or other public agency – by either a principal executive officer or ranking elected official. For the purposes of this section a principal executive officer of a federal agency includes:

   (a) The chief executive officer of the agency, or

   (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

B. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Permit **Standard Conditions, Section D.10.a.**, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described in Permit **Standard Conditions, Section D.10.a.**

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or any individual occupying a named position); and

3. The written authorization is submitted to the state administrative authority.

C. Changes to authorization. If an authorization under Permit **Standard Conditions, Section D.10.b** is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of **Section D.10.b** must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Any person signing any document under Permit **Standard Conditions, Section D.10.a. or b** shall make the following certification:

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

Signatory Requirements

All storm water management plans, storm water pollution prevention plans, reports, certifications, or information either submitted to the state administrative authority or that this permit requires be maintained by the permittee, shall be signed by a person described in LAC 33:IX.2503.A, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described in LAC 33:IX.2503.A.3,

2. The authorization specifies either a principal executive officer or ranking elected official. (A duly authorized representative may thus be a named individual or any individual occupying a named position), and

3. The written authorization is submitted to the state administrative authority.

Pursuant to the Water Quality Regulations (specifically LAC 33:IX.2503) promulgated September 1995, the state NOI must be signed by a responsible individual as described in LAC 33:IX.2503 and that person shall make the following certification:

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

Signature Kenny Matassa

Printed Name Kenny Matassa

Title Parish President

City/Town Gonzales

Date January 14, 2019

Telephone

CHECKLIST

To prevent any unnecessary delay in the processing of your notice of intent to be covered under the general permit, please take a moment and check to be certain that the following items have been addressed and enclosed:

1. ALL questions and requested information have been answered (N/A if the question or information was not applicable).
2. The appropriate person has signed the signatory page.
3. Please forward the original and one copy of this NOI and all attachments.

ATTACHMENT B –
Storm Water Management Program (SWMP) Plan

Municipal Separate Storm Sewer System (MS4)

Storm Water Management Plan

LDEQ Agency Interest Number 115006

LPDES Permit No. LAR041034

January 2019

Prepared for:

Kenny Matassa, Parish President

Parish of Ascension

615 East Worthey Road

Gonzales, Louisiana 70737

Prepared by:

Malcolm 'Mac' Sayes, P.E.

Ascension Parish Storm Water Compliance

9039 South St. Landry Road

Gonzales, Louisiana 70737

Phone: (225) 450-1319

SWMP Review and Amendments Record Summary

Date	Comments
September 2011	Initial Plan Approval
May 2013	Change in Organizational Structure
February 2014	Change in Organizational Structure
January 2019	Updates to Address MS4 Permit Reissuance

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APPENDICES

1.0 INTRODUCTION

This Storm Water Management Program (SWMP) Plan has been developed to comply with Part IV of the Louisiana Department of Environmental Quality (LDEQ) Louisiana Pollutant Discharge Elimination System (LPDES) General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (LAR040000), herein referred to as the LPDES sMS4 General Permit. The purpose of this Plan is to maintain or improve water quality inside the Ascension Parish (Ascension Parish or the Parish) urbanized area (UA).

Ascension Parish was reissued coverage under the LPDES sMS4 General Permit, LAR041034, effective September 1, 2018. As per the requirements of the permit (**See Appendix C**), Ascension Parish must develop, implement, and enforce an SWMP designed to reduce the discharge of pollutants from small MS4s to the maximum extent practicable (MEP) to protect water quality and to satisfy the appropriate water quality requirements of the Clean Water Act. Permittees must prepare an SWMP Plan to document program and permit compliance.

Ascension Parish is responsible, under the permit, for that portion of the parish located inside the UA that is not within the incorporated areas of Sorrento or Gonzales. The incorporated areas of Sorrento and Gonzales maintain separate coverage under LPDES permit numbers LAR040340 and LAR041035, respectively. Currently there is no "umbrella" group, Memorandum of Agreement (MOA), or entity that facilitates coordination between the separate permittees. **Figure 1** represents the area permitted under LAR041034.

The Storm Water Management Program Plan is based on the Federal Storm Water Phase II rule, issued in 1999, which requires (MS4) owners and operators, in U.S. Census-defined UAs as well as in additionally designated areas to develop a Storm Water Management Program. There are six program elements designed to reduce the discharge of pollutants to the MEP. The program elements, titled Minimum Control Measures (MCMs), include:

1. Public Education and Outreach
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post-Construction Storm Water Management
6. Pollution Prevention/Good Housekeeping for Municipal Operations

This SWMP describes each MCM and the Best Management Practices (BMPs) that have been implemented or will be implemented to maintain compliance with LAR041034.

1.1 Storm water Management Team Organization

The Parish President's Office is responsible for development, review, and direction of Storm Water Management Program activities. It is the responsibility of the Public Utilities Department to ensure that all pertinent Parish Departments within the MS4 are made aware of any required information, activities, or functions associated with permit compliance. Individual departmental responsibilities to achieve and sustain compliance for the MCMs are clearly defined for each BMP. The Public Utility Department will facilitate discussions and/or meetings with the responsible Departments on an as-needed basis to ensure coordination and collaboration of program and departmental activities.

An organizational chart listing Departments with responsibility under the Storm Water Management Program is provided as **Appendix D**. Some activities which occur under the Program may be covered through the collective efforts of third party, nonprofit, watershed, or other community groups. Certain components and requirements of this program have been codified into Ascension Parish code of ordinance.

This Plan will be reviewed on an annual basis and updated as necessary to take into consideration the latest technologies and information to maintain compliance with the general permit, as well as to account for progress made.

1.2 Waterbodies and Pollutants of Concern Inside the Urbanized Area

The UA of Ascension Parish contains portions of four LDEQ designated water quality basin subsegments defined at LAC 33:IX.1123. Table 3, as follows:

Table 1 – Named Waterbodies in Ascension Parish UA

Subsegment	Waterbody Description
Subsegment 040201	Bayou Manchac – Headwaters to the Amite River
Subsegment 040302	Amite River – Louisiana Highway 37 to the Amite River Diversion Canal
Subsegment 040403	Blind River – Source to Confluence with the Amite River Diversion Canal (Scenic)
Subsegment 040404	New River – Headwaters to New River Canal

Attached as **Figure 2** is a quadrangle map depicting the above watersheds that are located within the Ascension Parish UA. Although water quality subsegment 040303 is designated as scenic, this designation applies only to Blind River and not its tributaries or distributaries. As depicted on **Figure 2**, no portions of the Blind River main stem are located within the UA of Ascension Parish. The Parish has identified pathogens (fecal coliform), organic enrichment (nutrients), sedimentation, and low dissolved oxygen (DO) as the primary pollutants of concern within the waterbodies located in the UA. These pollutants are consistent with those identified by LDEQ as impaired on the §303(d) List. In accordance with the LDEQ 2006 §303(d) List of Impaired

Waterbodies (the currently approved list) each of the above listed subsegments is listed as impaired as follows:

Table 2 – Impairments to Named Waterbodies in Ascension Parish UA

Subsegment	§303(d) Listed Impairments	Suspected Sources of Impairments
Subsegment 040201	Chloride	Natural Sources
	Dissolved Oxygen	On-Site Treatment Systems, Natural Sources
	Sulfates	Natural Sources
	Total Dissolved Solids	Natural Sources
Subsegment 040302	Fecal Coliform	On-Site Treatment Systems, Sanitary Sewer Overflows
	Dissolved Oxygen	Natural Sources
	Mercury	Atmospheric Deposition, Unknown Sources
Subsegment 040403	Dissolved Oxygen	Natural Sources
	Mercury	Atmospheric Deposition, Unknown Sources
	Non-Native Aquatic Plants	Introduction of Non-Native Organisms (Accidental or Intentional)
Subsegment 040404	Fecal Coliform	On-Site Treatment Systems
	Dissolved Oxygen	On-Site Treatment Systems
	Non-Native Aquatic Plants	Introduction of Non-Native Organisms (Accidental or Intentional)

Discharges from the Parish MS4 do enter these impaired waterbodies. Although storm water is not listed as a specific source of the impairments, storm water does likely contribute to the transport of the above listed pollutants during storm events.

LDEQ and the US Environmental Protection Agency (USEPA) Region 6 developed TMDLs for several subsegments of the Lake Pontchartrain Basin which including those referenced above. In 2011, LDEQ developed a TMDL for Bayou Manchac (Subsegment 040201) to address low dissolved oxygen and nutrients. The TMDL includes a wasteload allocation (WLA) for the Ascension Parish MS4. According to the TMDL, the loading attributed to the MS4 represents the non-point loading present within the stream under critical low-flow conditions. The WLA in the TMDL did not include storm water and is not intended to be converted into permit limits. The TMDL recognized that there are many permitted and unpermitted facilities discharging into the MS4; therefore the TMDL stated, "the MS4 permittee must apply the appropriate BMPs to reduce the nonpoint source loading into the watershed as well as eliminate illicit dischargers." Because the TMDL greatly reduced effluent limitations on the individual package sewerage treatment plants than previously required, compliance with these effluent limitations from package plants within the MS4 was thought to help ensure non-storm water discharges would be compliant with state water quality standards.

Additionally, the Parish is currently working toward reduction of oxygen demanding pollutants in the Bayou Manchac watershed through the regionalization of sewage treatment in the Parish. There are currently a very large number of individual package type treatment plants which discharge to surface waters of the state within the Parish. These plants range from larger neighborhood collection and treatment systems to individual home septic systems and small aerated units at commercial businesses. Under the regionalization plan, the Parish intends to tie as many of these decentralized units into the Parish collection system for advanced treatment and final discharge to waters of the State. In doing this, the Parish expects the water quality in the Bayou Manchac watershed to be significantly improved. However, the Parish also recognizes that the East Baton Rouge Parish South Sewer Plant routinely experiences overflows (SSOs) during storm events which allows millions of gallons of untreated sewage mixed with storm water to be discharged to Bayou Manchac. Until the time that this significant upstream source is eliminated, the Bayou Manchac watershed will struggle to show demonstrated improvements in water quality.

1.3 Legal Authority

Ascension Parish manages stormwater through its municipal ordinance codes (**See Appendix E – Pertinent Ascension Parish Ordinances to MS4 Program**) are enforceable by Ascension Parish personnel, primarily by the Public Works Director or his designee, and the Engineering Department Director or his designee. Noncompliance issues that are not resolved can result in financial penalties and/or cease and desist orders. The Ascension Parish Stormwater Management Team has reviewed these regulatory mechanisms as required under the LPDES sMS4 General Permit and determined that revisions may be necessary to adequately control pollutant discharges (specifically POCs identified within this SWMP plan) from MS4 outfalls. The Ascension Parish Stormwater Management Team will review the ordinance as part of our Annual Report preparation for the 2018 report and will identify the efforts to update the ordinances as needed.

1.4 Special Conditions

Ascension Parish must comply with Part III (Special Conditions) of the LPDES sMS4 General Permit that requires that there be no current discharges causing or having the reasonable potential to cause a violation of water quality standards. LDEQ has not notified Ascension Parish that Ascension Parish discharges are causing or have the reasonable potential to cause or contribute to a violation of water quality standards. If Ascension Parish receives such notice, Ascension Parish will take all necessary actions to ensure that future discharges do not cause or contribute to the violation of a water quality standard. All actions to ensure violations no longer occur would be documented in this SWMP plan.

2.0 REVIEW OF MINIMUM CONTROL MEASURES (MCMS)

The LPDES sMS4 General Permit requires the permittee to develop and implement a storm water management program that is documented in a SWMP. The program must include six minimum control measures:

- Public Education and Outreach on Storm Water Impacts
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Control
- Post-Construction Storm Water Management in Redevelopment and New Developments
- Pollution Prevention/Good Housekeeping for Municipal Operations

This section provides a review of each MCM including BMPs that Ascension Parish implements for each MCM; the measurable goals for each BMP that Ascension Parish utilizes to assess conformance with the MCM; and the person(s) responsible for implementing or coordinating the BMPs.

2.1 Minimum Control Measure 1: Public Education and Outreach

An informed and knowledgeable community is crucial to the success of a storm water management program since it helps to ensure (1) greater support for the program as the public gains a greater understanding of the reasons why it is necessary and important and (2) greater compliance with the program as the public becomes aware of the personal responsibilities expected of them and others in the community, including the individual actions they can take to protect or improve the quality of area waters.

2.1.1 Description of Minimum Control Measure

The Public Education and Outreach MCM consists of BMPs that focus on the development of educational materials designed to inform the public about the impacts that storm water discharges have on local water bodies. The educational materials contain specific actions as to how the public, as individuals or collectively as a group, can participate in reducing pollutants and their impact on the environment. The Public Education and Outreach program and BMPs, in combination, are expected to reach all of the constituents within the MS4's permitted boundary. The target pollutant sources are construction site runoff, individual home treatment plant maintenance, impacts from new and redevelopment projects, and illicit discharges detection and elimination.

2.1.2 General Permit Requirements

An MS4 must, at a minimum:

a. Implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of the storm water discharges on waterbodies and the steps the public can take to reduce pollutants in storm water runoff *(Driving Force)*
b. Determine the appropriate BMPs and measurable goals for this MCM *(Goal)*
c. Describe how the Parish plans to inform individuals and households about the steps they can take to reduce storm water pollution *(Format)*
d. Describe how the Parish plans to inform individuals and groups on how to become involved in the storm water program *(Distribution)*
e. Identify target audiences for the education program who are likely to have significant storm water impacts and why these audiences were selected *(Audience)*
f. Identify target pollutant sources the public education program is designed to address *(Pollutants)*
g. Identify the Parish outreach strategy, including the mechanisms the Parish will use to reach the target audiences and define how many people expected to be reached over the permit term *(Strategy)*
h. Identify who is responsible for management and implementation of the public education program and who is responsible for each of the BMPs identified *(Responsibility)*
i. Describe how the Parish will evaluate the success of the public education program including how the measurable goals were selected *(Evaluation)*

2.1.3 Methodology for Compliance with Permit Requirements

The Parish is currently utilizing or planning to develop several BMPs necessary for this MCM over the term of this and future permits. These include brochures and if possible television spots on local government access television. These BMPs will be evaluated by the Parish on an annual basis and updated or enhanced as necessary. The BMPs implemented or which are underway are described below.

Individual Treatment Units

Responsibility - Department of Utilities

Driving Force - Low dissolved oxygen levels and nutrient overloading due to on-site wastewater treatment systems

Goal - Improve the performance of individual home/business treatment units to reduce the discharge of Biochemical Oxygen Demand (BOD)

Format - Brochures and posters

Distribution - Parks, libraries, parish offices, website

Audience - Homeowners, homeowners associations, businesses, and operators

Pollutants - Dissolved oxygen, nutrients

Strategy - With each year's annual report, the estimated number of people reached through the brochures and posters will be provided. By the end of the permit cycle, the Individual Treatment Unit materials should have reached at least 50 percent of the target population within the UA. The messages communicated through the brochures and posters will be designed to educate about changes in maintenance behavior of the intended audience.

Evaluation - Annual review of LDEQ sewage sludge hauling records to determine if there is an increase in the approximate number of individual treatment units being pumped out. The Parish will maintain records of distribution of these materials.

Vegetation

Responsibility – Vegetation Management and Department of Utilities

Driving Force - High nutrient levels in storm water runoff attributed to vegetation management practices as well as high sediment loads due to increased runoff rates

Goal - During the permit term, reduce the quantity of nutrients and quantity of flow entering Parish waterbodies through residential runoff

Format - Brochures and posters

Distribution - Parks, libraries, parish offices, direct mail outs to landscaping businesses, website

Audience - Homeowners, homeowners associations, landscaping businesses

Pollutants - Nutrients, BOD, pesticides, flow, sediments from erosion

Strategy - With each year's annual report, the estimated number of people reached through the materials distributed will be provided. By the end of the permit cycle, the materials should have reached at least 60 percent of the target population within the UA.

Evaluation - To the extent possible, the Parish will work with a representative number of local businesses and stores that sell and utilize these products to determine if annual

sales and application rates are being affected. The Parish will maintain records of distribution of these materials.

Website

Responsibility – Department of Utilities

Driving Force - Increase overall storm water pollution prevention knowledge in the Parish

Goal - Develop and maintain a website designed to educate businesses, municipalities, schools, and the general public regarding the impacts that storm water runoff has on local water bodies.

Format - Website with brochures, handouts, coloring activities, crafts, lesson plans and posters in multiple languages that can be printed for public use

Distribution - Parish website

Audience - The general public, business owners, contractors, workers

Pollutants - Nutrients, BOD, fecal coliform, sedimentation, litter

Strategy - With each year's annual report, the Parish will provide the number of website hits and downloads. During the year, the materials should have reached at least 40 percent of the target population within the UA. The messages communicated through the website will be designed to educate about behavioral changes and encourage participation in community clean up events and other storm water related events.

A variety of subjects will be posted regularly on the website, including (but not limited to) the following:

- Storm Water related meeting minutes and agendas
- Upcoming opportunities and events
- Important forms and resources for citizens and school groups
- Educational materials
- Spanish language documents

Evaluation - The Parish will regularly update and monitor the website with new information.

Public Education Display and Community Events

Responsibility – Department of Utilities

Driving Force - increase overall storm water pollution prevention knowledge in the Parish

Goal - Develop and maintain a public education display addressing general storm water pollution prevention for use by the Parish at community events. A comprehensive education and outreach package is created when combined with other materials such as USEPA and LDEQ brochures and a knowledgeable Parish or other representative.

Format - Booth type display with educational materials and handouts

Distribution - The display will be available upon request for outreach and community events such as open houses, festivals, fairs and other similar venues.

Audience - the General public

Pollutants - Nutrients, BOD, fecal coliform, sedimentation

Strategy - With each year's annual report, the Parish will provide the number of times the display was utilized. During the year, the materials should have reached at least 40 percent of the target population within the UA. The messages communicated through the Public Education Display will be designed to educate about behavioral changes and encourage participation in community clean up events and other storm water-related events.

Evaluation - The Parish will regularly review and update the materials accompanying the display.

Contractor Education

Responsibility – Department of Utilities

Driving Force - high sediment levels due to construction site runoff

Goal - Develop and maintain a construction site storm water runoff brochure/handout for contractors that will be issued with the Parish permit for construction to help contractors understand their collective impact on the Parish watersheds

Format - Handout/brochure

Distribution - With Parish permits and available at the DPW, on website

Audience - Contractors and construction workers

Pollutants - Sedimentation

Strategy - With each year's annual report, the Parish will provide the number of permits and therefore handouts issued. Subsequent to development, the materials will reach 100% of the contractors applying for permits in the Parish.

Evaluation - The Parish will regularly review and update the brochure.

Litter

Responsibility – Vegetation Management

Driving Force - High levels of litter present in waterbodies throughout the Parish attributed to personal practices and choices

Goal- During the permit term, reduce the quantity of litter entering Parish waterbodies

Format - Brochures, stickers, posters, coloring books, pamphlets in multiple languages

Distribution -Libraries, class rooms, parish offices, website, stickers on parish owned vehicles and equipment

Audience - Children, construction workers, homeowners' associations, businesses

Pollutants - Litter

Strategy - With each year's annual report, the estimated number of people reached through the materials distributed will be provided. By the end of the permit cycle, the materials should have reached at least 60 percent of the target population within the UA.

Evaluation - The Parish will work litter detail crews to determine the amount of litter being removed from Parish rights-of-way and waterbodies. The Parish will also maintain records of distribution of these materials.

2.1.4 Reporting Requirements

During the Annual Report, the Parish will provide the information as described in each of the BMPs listed in Section 7.1.3 above.

2.2 Minimum Control Measure 2: Public Involvement and Participation

The USEPA believes that the public can provide valuable input and assistance to a regulated small MS4's municipal storm water management program and, therefore, suggests that the public be given opportunities to play an active role in both the development and implementation of the

program. An active and involved community is crucial to the success of a storm water management program because it allows for:

- Broader public support since citizens who participate in the development and decision-making process are partially responsible for the program and, therefore, may be less likely to raise legal challenges to the program and more likely to take an active role in its implementation
- Shorter implementation schedules due to fewer obstacles in the form of public and legal challenges and increased sources in the form of citizen volunteers
- A broader base of expertise and economic benefits since the community can be a valuable, and free, intellectual resource
- A conduit to other programs as citizens involved in the storm water program development process provide important cross-connections and relationships with other community and government programs. This benefit is particularly valuable when trying to implement a storm water program on a watershed basis, as encouraged by USEPA

2.2.1 Description of Minimum Control Measure

The Public Involvement and Participation MCM consists of a set of BMPs that are focused on getting members of the local community involved in the Parish storm water management program. Compliance with state and local public notice requirements will be maintained whenever public participation is sought or required. The BMPs include several practices designed to seek public input on the SWMP and Annual Report accomplishments in addition to describing specific activities that encourage public participation. The target audiences for the public involvement program are key individuals and groups that may have an interest in the BMPs as well as the general public located within the UA.

2.2.2 General Permit Requirements

To satisfy this MCM, the operator of a regulated small MS4 must:

a. Comply with the State Open Meetings Law and local public notice requirements, when implementing a public involvement participation program;
b. Identify each individual BMP and its corresponding measurable goal that will be used in public involvement / participation program that is designed to minimize the discharge of pollutants into the Parish UA;
c. Describe how the Parish has involved the public in the development and submittal of the Notice of Intent (NOI) and Storm Water Management Program;
d. Describe how the Parish plans to actively involve the public in the development of the Storm Water Management Program;
e. Identify target audiences for the public involvement/participation program, including a description of the types of ethnic and economic groups engaged;

f. Identify and describe the types of public involvement activities included in the public involvement / participation program;
g. Identify who is responsible for overall management and implementation of the public involvement / participation program and if different who is responsible for each BMP identified; and
h. Describe how you will evaluate the success of this control measure and how you selected measurable goals were selected for each BMP.

2.2.3 Methodology for Compliance with Permit Requirements

To comply with this MCM, the Parish will involve the local public in their Storm Water Management Program. The Parish will comply with certain aspects of the Storm Water Management Program such as public participation at council and other public meetings, incorporating a feedback mechanism into their local websites and accounting for storm water business that is covered during public meetings. The Parish will allow public review of the Plan and Annual Reports, which will both be posted on the website. The BMPs implemented or which are underway are described below.

Comply with State and Local Public Meeting Laws

Responsibility – Department of Utilities. The Parish will comply with all State Open Meetings Law and local public notice requirements.

Comply with State and Local Public Notice Requirements

Responsibility - Administration, Public Information Officer. A copy of the initial NOI and the current Parish MS4 permit will be posted to the website for public review and access. Upon reissuance by LDEQ in 2018, the LPDES master general permit will be made available by LDEQ for review and public comment.

Public Review of Annual Reports

Responsibility - Administration, Public Information Officer. All regulated MS4s must submit an annual report by March 10 of each year that updates the LDEQ on the status of their Storm Water Management Program. Upon submittal to LDEQ, a copy of the Annual Report will be posted on the website and will present the Annual Report at a meeting that is open to the public and/or on the website to solicit public review and comment in accordance with any state or local Open Meetings Law or other local public notice requirements. The Parish will present the Annual Report at a meeting that is open to the public and/or on the internet to solicit public review and comment.

Public Review of Storm Water Management Program Plan

Responsibility – Department of Utilities. The Parish will provide the public with an ongoing opportunity to inspect the SWMP by supplying copies of it to Parish Offices, libraries, and by posting it on the website.

Community Cleanup Events

Responsibility - Department of Utilities. The Parish will work with Homeowners Associations and other groups to develop and hold several community cleanup events throughout
each reporting period with the idea of developing and retaining the public's interest in storm water pollution prevention. These include existing programs such as the Household Hazardous Waste Collection program facilitated by the Parish monthly, nationally-sponsored events such as the "Great American Cleanup" and the "Beach Sweep," and the State sponsored Adopt A Highway program. The Parish will:

- Publish a notice in local papers and on the website that notifies residents of their opportunity to participate in Community Cleanup Events;
- Facilitate events by availing public resources, such as gloves, trash bags, equipment, and trucks and dumpsters for waste hauling and disposal;
- Advertise these events on the website; schedule at least four stream or roadway cleanups per year; and
- Have information on local cleanup opportunities available at Parish Offices.

Storm Drain Stenciling

Responsibility - Department of Utilities and Drainage Management. The Parish will engage with local groups in the stenciling of storm water inlet structures with messages related to storm water quality issues. The premise behind this is to inform and educate the public on why not to dump pollutants down storm drains by indicating where the drain deposits the runoff it collects. The Parish will:

- Identify local groups that may be willing to participate in the storm drain stenciling program such as Boy and Girl Scout organizations, schools, or other civic minded organizations;
- Provide necessary support for volunteer storm drain stenciling groups, *(i.e.* stencils, paint, rollers, traffic control, safety equipment, trash bags, and landfill access or bulk litter collection);
- Maintain records of storm drain stenciling and volunteer participation; and
- Annually report on number of storm drains stenciled by volunteers.

General Education and Outreach Efforts

Responsibility - Department of Utilities. The storm water display, website, brochures, scheduling, and appearance at public events, and other similar activities are all designed to reach out to and engage members of the public regarding the importance of storm water issues and the purpose of the Phase II program. The Parish will:

- Continue to develop and/or update innovative storm water education and outreach materials;
- Continue to identify opportunities for citizen engagement about the storm water program.

Incorporate a Feedback Mechanism into the Website

Responsibility - Department of Utilities. The Parish will provide a means for public input/comment regarding the Storm Water Management Program through the website. The Parish will:

- Maintain storm water website feedback mechanism for residents to document their input/comments on the Storm Water Management Program; and
- Document input/comments received, and actions taken.

2.2.4 Reporting Requirements

At a minimum, the Parish will report on the items below:

a. Annual report presentation information (date, time, attendees) or information about how the annual report was made available for comment;
b. Comments received and intended responses (attachment to the annual report);
c. Public involvement participation activities (for example stream cleanups including the number of people participating, the number and extent of storm drain stenciling); and
d. Report on effectiveness of program, BMP, and measurable goal assessment.

2.3 Minimum Control Measure 3: Illicit Discharge Detection and Elimination

Federal regulations define an illicit discharge as " ... any discharge to an MS4 that is not composed entirely of storm water ... " with some exceptions. These exceptions include discharges from National Pollutant Discharge Elimination System (NPDES)-permitted industrial sources and discharges from fire-fighting activities. Illicit discharges are considered "illicit" because MS4s are not designed to accept, process, or discharge such non-storm water wastes.

Discharges from MS4s often include wastes and wastewater from non-storm water sources. A significant portion of these dry weather flows were from illicit and/or inappropriate discharges and connections to the MS4.

Illicit discharges enter the system through either direct connection *(e.g.,* wastewater piping either mistakenly or deliberately connected to the storm drains) or indirect connections *(e.g.,* infiltration into the MS4 from cracked sanitary systems, spills collected by drain outlets, or paint or used oil dumped directly into a drain). The result is untreated discharges that contribute high levels of pollutants, including heavy metals, toxics, oil and grease, solvents, nutrients, viruses, and bacteria to receiving waterbodies. Pollutant levels from these illicit discharges have been shown in USEPA studies to be high enough to significantly degrade receiving water quality and threaten aquatic, wildlife, and human health.

2.3.1 Description of Minimum Control Measure

The Illicit Discharge Detection and Elimination (IDDE) MCM consists of BMPs that focus on the detection and elimination of illicit discharges located within the Parish. The BMPs describe outfall mapping and update procedures, the legal authority mechanism that will be used to effectively prohibit illicit discharges, enforcement procedures and actions to ensure that the regulatory mechanism is implemented, the dry weather screening program, procedures for tracking down and locating the source of any illicit discharges, procedures for locating priority areas, and procedures for removing the sources of the illicit discharges.

2.3.2 General Permit Requirements

An MS4 must, at a minimum:

a. Develop, implement, and enforce a program to detect and eliminate illicit discharges into the small MS4;
b. Develop and maintain a map, at a minimum within the permittee's jurisdiction in the UA showing the location of all outfalls and the names and location of all waters of the State that receive discharges from those outfalls;
c. To the extent allowable under state or local low, effectively prohibit through an ordinance, or other regulatory mechanism, a prohibition on non-storm water discharges into the MS4, and appropriate enforcement procedures and actions;
d. Develop a plan to detect and address non-storm water discharges, including illegal dumping, into the MS4;
e. Inform public employees, businesses, and the general public about the hazards associated with illegal discharges and improper disposal of waste;
f. Address the listed categories of non-storm water discharges or flows that have been identified as significant contributors to the MS4; and
g. Develop a list of other occasional incidental non-storm water discharge that will not be addressed as illicit discharges.

2.3.3 Methodology for Compliance with Permit Requirements

To regulate the activities of, connections, and to prohibit illicit discharges to the MS4 within the UA as well as establish enforcement procedures, the Parish has/will be developed an ordinance prohibiting illicit discharges. The Parish will assist field staff with illicit outfall identification. The following BMPs have been implemented or are underway.

Outfall Mapping

Responsibility – Department of Utilities. The Parish will develop and maintain a map, at a minimum within the permittees jurisdiction in the UA and additionally designated area, showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls.

Figure 3 details the current boundaries of the UA watersheds and all outfalls identified using GIS, LDEQs TEMPO database and other tools. Outfalls will be verified with field surveys during routine field work such as grass cutting, ditch clean out, and other field activities.

Illicit discharge detection will be continually ongoing, and the map will be updated on a periodic basis to reflect new outfalls. The Parish will work with the GIS staff to make the Storm Water Management Program map an interactive web-based system so that real time updates are made available to the public and regulators. The Parish will update information to the base outfall map (electronically) during routine maintenance visits, scheduled outfall inspections, and in response to complaints.

Adoption of a Storm Water Management Ordinance

Responsibility – Department of Utilities. The Parish will work over the next year to adopt a storm water management ordinance to prohibit illicit discharges, and further reinforce enforcement procedures and actions as necessary as related to storm water.

The Parish will amend the storm water ordinance as necessary to maintain compliance with state standards and requirements; and revise enforcement action procedures as needed.

Addressing Categories of Non-Storm Water Discharges

Responsibility - Department of Utilities. All Non-Storm Water Discharges listed in Section 7.3.1 of this document as well as the following, are exempt from LPDES permit coverage as established by local law, unless the MS4 has determined them to be substantial contributors of pollutants. They are as follows:

- Water line flushing or other potable water sources;
- Landscape irrigation or lawn watering;
- Existing diverted stream flows;
- Rising ground water;
- Uncontaminated ground water infiltration to storm drains;
- Uncontaminated pumped ground water;
- Foundation or footing drains;
- Crawl space or basement sump pumps;
- Air conditioning condensate;
- Irrigating water;
- Springs;
- Water from individual residential car washing;
- Natural riparian habitat or wetland flows;
- De-chlorinated swimming pool discharges;
- Residential street wash water
- Water from fire-fighting activities; and
- Any other water source not containing pollutants.

The Parish will annually review and update the non-storm water discharge list as necessary such that no exempt storm water discharge is a substantial contribution of pollutants. Additionally, LDEQ requires the development of a list of other occasional incidental non-storm water discharge that will not be addressed as illicit discharges, unless the Parish has determined them to be substantial contributors of pollutants.

The Parish has determined the following occasional, incidental non-storm water discharges to not be illicit discharges:

- Residential vehicle and boat washing;
- Flows from riparian habitats and wetlands;
- Discharges compliant with the requirements of an LPDES permit;
- Discharges resulting from dye or smoke testing;
- Discharges from charity (non-commercial) car washes; and
- Other types of discharges as determined by the Parish.

Outfall Surveillance

Responsibility - Department of Utilities and Drainage Management. The Parish will work toward development and implementation of an action plan which will detect illicit discharges by conducting routine visual inspections of mapped outfalls. Also, the plan will set criteria for the inspection process. The following describes procedures to meet the two minimum requirements associated with outfall surveillance: Prioritizing outfalls for inspections and visual inspection procedures.

Dry Weather Outfall Inspections

Responsibility – Department of Utilities and Drainage Management. Over the term of the permit, the Parish will conduct initial visual inspections of the outfalls mapped. These visual inspection reports will be part of the database of information compiled and included as part of the outfall map. This data will be used to prioritize outfalls for both track down and corrective measures as well as for the next round of required inspections. A schedule and percentage of outfalls that will be inspected will be developed annually and assessed annually. Baseline water quality data and effluent data is established on the LDEQ website for streams and outfalls within the Parish UAs. Because most if not all of the LDEQ data collected is from dry critical low
flow periods, the Parish will investigate funding for wet weather testing so that wet weather results can be compared to the baseline dry weather stream sampling results obtained by LDEQ.

Guidance for Prioritizing Storm Water Outfall Inspections

Responsibility – Department of Utilities. The following criterion is one that the Parish may, but should not limit the way in which, it prioritizes the storm sewer outfalls for visual inspections. Since the MS4s are required to track down and eliminate all identified illicit discharges from the system, any outfalls where an illicit discharge was identified during the initial inspection will be given the highest priority. To search for these outfalls where the initial inspection identified a potential problem, the Parish will be able to query the outfall database for areas that have identified odors, structural damage, odd colors, suspended solids, or turbidity. The comment section for the identified outfalls will provide a more detailed description of the problem. Identifying the existing land use in the area or watershed that the outfall drains into will also help to prioritize inspections and follow-up actions. Types of land uses that will receive priority are as follows:

- Any industrial uses - The potential for illicit connections as well as possible contamination from materials stored outside and any industrial processes and practices that take place on the premises is very high on these properties;
- Areas where there are businesses which have industrial storm water permits, or any type of permitted wastewater discharge as well as any areas where there may be known business sectors with a record of enforcement actions;
- Heavy commercial use with large impervious parking lots and limited green space;
- Areas which are under development and have a significant amount of construction activity;
- Older developments may predate more stringent construction codes regarding illegal connections;
- Older areas may also have deteriorating sewer and/or storm sewer infrastructure. Identify any environmentally sensitive areas downstream of the outfall by looking at the following;

- Protected streams, impaired waters (303(d) and TMDL) or protected wetlands;
- Areas associated with public use, access or recreational facilities; and
- Areas where there has been ambient water quality sampling done that identifies high levels of particular contaminants i.e.) bacteria, metals, etc.

Outfalls located in areas where there have been repeated complaints of illegal dumping, illicit discharges from pipes, and/or apparent contamination in receiving waters will receive priority.

Inform Employees, Businesses, and General Public

Responsibility - Department of Utilities. Through the BMPs described in MCMs 1, 2, and 6, the Parish will utilize developed brochures, handouts, general educational materials, and Parish employee training opportunities to educate the selected audience on the detection and reporting of illicit discharges.

2.3.4 Required Reporting

At a minimum, the Parish shall report on the items below:

a) Number and percent of outfalls mapped;
b) Number of illicit discharges detected and eliminated;
c) Percent of outfalls for which an outfall reconnaissance inventory has been performed;
d) Status of system mapping;
e) Activities in and results from informing public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste;
f) Regulatory mechanism status - certification that law/ordinance is in effect and enforceable; and
g) Effectiveness of program, BMP, and measurable goal assessment.

2.4 Minimum Control Measure 4: Construction Storm Water Management

Polluted storm water runoff from construction sites often flows to MS4s and ultimately is discharged into local rivers and streams. According to the 2000 National Water Quality Inventory, States and Tribes report that sedimentation is one of the most widespread pollutants affecting assessed rivers and streams, second only to pathogens (bacteria).

Sources of sedimentation include agriculture, urban runoff, construction, and forestry. Sediment runoff rates from construction sites, however, are typically 10 to 20 times greater than those of agricultural lands, and 1,000 to 2,000 times greater than those of forest lands. During a short period of time, construction sites can contribute more sediment to streams than can be deposited naturally during several decades. The resulting siltation, and the contribution of other

pollutants from construction sites, can cause physical, chemical, and biological harm to our nation's waters. For example, excess sediment can quickly fill rivers and lakes, requiring dredging and destroying aquatic habitats.

2.4.1 Description of Minimum Control Measure

The Construction Site Runoff MCM consists of BMPs that focus on the reduction of pollutants to the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of storm water discharges from construction activities disturbing less than one acre will be considered if it is part of a larger common plan of development or sale that would disturb one acre or more. The BMPs describe the legal authority mechanism that will be used to require erosion and sediment controls, enforcement procedures and actions to ensure compliance, requirements for construction site operators to implement appropriate erosion and sediment control BMPs, requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at the construction site, procedures for site plan review which incorporate the consideration of potential water quality impacts, procedures for receipt and consideration of information submitted by the public, and procedures for site inspection and enforcement of control measures. The storm water regulations for Construction Site Runoff Control apply to both privately-owned and managed projects, and Parish-owned and managed projects. Therefore, the BMPs described in this section are applicable to both types of projects. Pollutants commonly discharged from construction sites include:

- Sediment
- Solid and sanitary wastes
- Phosphorous (fertilizer)
- Nitrogen (fertilizer)
- Pesticides
- Oil and grease
- Concrete truck washout
- Construction chemicals
- Construction debris

2.4.2 General Permit Requirements

The MS4 must, at a minimum:

a) Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the Parish MS4 from construction activities that result in land disturbance greater than or equal to one acre. The program must at a minimum include:
   - An ordinance or other mechanism to require erosion and sediment controls as well as sanctions to ensure compliance to the extent allowable under state law;

- Requirements for construction site operators to implement appropriate erosion and sediment control BMPs;
- Requirements for construction site operators to control waste such as discarded building materials, concrete truck wash out, litter, chemicals, and sanitary waste at the site that may cause adverse impacts to water quality;
- Procedures for site plan review which incorporate consideration of potential water quality impacts;
- Procedures for receipt and consideration of information submitted by the public; and
- Procedures for site inspection and enforcement of control measures.

b) Identify each individual BMP and its corresponding measurable goal that the Parish will use in the construction site storm water runoff control program that is designed to minimize the discharge of pollutants into the MS4. The program must include at a minimum:
   - The mechanism (ordinance) that will be used to require erosion and sediment controls at construction sites and why that mechanism was chosen;
   - The plan to ensure compliance with the erosion and sediment control mechanism (ordinance) including the sanctions and enforcement mechanisms that will be used to ensure compliance. Describe the procedures for determining which sanctions will apply to which infractions;
   - The requirement for construction site operators to implement appropriate erosion and sediment control BMPs and to control waste at construction sites that may cause adverse impacts to water quality;
   - The procedures for site plan review, including pre-construction site plans, which incorporate consideration of potential water quality impacts;
   - The plan for receipt and consideration of information submitted by the public;
   - Procedures for site inspection and enforcement of control measures, including how sites will be prioritized for inspection;
   - Responsibility for overall management and implementation of the construction site program;
   - A description of how the success of this mechanism will be evaluated.

2.4.3 Methodology for Compliance with Permit Requirements

The Parish has adopted a development code which authorizes the Parish to enforce a program that reduces pollutant runoff from construction sites. The Engineering Department is responsible for reviewing Storm Water Pollution Prevention Plans (SWPPP), inspecting construction sites and enforcing the permit requirements on developers/owner/operators that do not comply with the regulations. The Parish will also provide materials to developers, contractors, and design engineers during the permit approval process to inform them of the regulations. Training will also be provided by the Parish to all personnel that will be responsible for inspecting the construction sites and enforcing the permit requirements. The following BMPs have been implemented or are underway:

Storm Water Ordinance

Responsibility – Department of Utilities

Description/Methodology of BMP

The Parish has adopted a construction site storm water runoff control ordinance. This ordinance establishes minimum storm water management requirements and controls to protect the general health, safety, and welfare of the public. The ordinance addresses issues relating to the following:

- Erosion and sediment control;
- Storm water management design requirements; and
- Construction requirements.

The Parish will work over the next two years to revise the development code to develop a fee structure for Parish services relating to SWPPP reviews, inspections, and maintenance.

Annual Compliance Requirements

- The Parish will revise fee schedule as needed subsequent to implementation.

The Parish will amend development code, as necessary, to maintain compliance with LDEQ and Parish storm water standards and requirements as defined the current or any future permits pertaining to storm water management activities.

Design Requirements

Responsibility - Department of Utilities

Description/Methodology of BMP

The Parish will evaluate current in-house design criteria and practices related to the review of project plans. The Parish will make required changes to and (when necessary) develop new policies with a focus on remaining compliant with local, state and/or federal construction storm water regulations. Upon completion of this process, communicate these new procedures to the local design and construction communities. Many MS4-owned and managed as well as some privately-owned and managed projects have special conditions which make it impractical to implement standard pollution prevention practices. Such projects include highway reconstruction, demolition/redevelopment, waterline construction, and some types of linear-type construction. Acceptable design criteria for these special condition projects must be approved by the MS4 on a project by

project basis, and the owner's preparation of the LPDES (SWPPP) is the mechanism by which accepted practices are evaluated by the Parish.

Annual Compliance Requirements

- The Parish will prepare construction design and permitting guidelines, if they differ from those outlined in current state regulations, for the local design and construction communities and involved MS4 personnel;
- If needed, the Parish will distribute construction design and permitting guidelines to the local design and construction communities, and involved MS4 personnel; and
- The Parish will review construction project, planning, and design criteria to determine changes needed to comply with local, state, and/or federal construction storm water regulations.

Construction Plan Review, Both Public and Internal

Responsibility - Department of Utilities

Description/Methodology of BMP

The Parish will develop a set of criteria that can be used to verify construction plan compliance with local, state, and/or federal construction storm water regulations. The Parish will provide the public with an opportunity to review and comment on proposed design plans and construction sites. Develop procedures for the public to request information, and to relay concerns to the representative of the Parish. The Parish will prepare a checklist of items, each of which comes out of the criteria previously developed, that must be verified by the reviewer for each construction plan review. This checklist will be available to developers, contractors, engineers, and architects to assist them in preparing satisfactory plans. The check list will contain approved structural and non-structural BMPs that meet the requirements of the storm water regulations. This list will identify if the BMP needs to be used in combination with other BMPs to completely satisfy all regulatory requirements. The Parish will develop internal tracking and plan review procedures to cover the following issues:

- Conformance to local storm water regulations;
- Appropriate use of temporary erosion controls;
- Inclusion of any required local, state, and/or federal storm water permit documents; provide training for Parish engineers, building department staff, and other Parish representatives that will be completing the construction plan reviews within the Parish;
- Conduct SWPPP review for all sites within the MS4 UA where the disturbance is one acre or greater to ensure consistency with State and local sediment and erosion control requirements; and

- The construction site owner/operators should include the signed SWPPP with the Parish Permit application.

Annual Compliance Requirements

The Parish will:

- Continue to train staff that will be completing construction plan reviews;
- Educate the local construction community on the construction plans review process;
- Implement the construction plan review procedures for local construction sites;
- Provide notice to the public that a project will be open for review and comment; the Planning and Zoning agendas for proposed projects list the projects to be discussed, and are posted to the Parish website prior to the meeting;
- Provide a method, either on the Parish website or at the Parish administration building, or both, to allow residents to comment on construction plans;
- Notify owners/operators of local construction sites who are in violation of the standards defined in the LPDES General Permit;
- Ensure SWPPP reviews are conducted by qualified professionals or supervised by qualified professionals; and
- Maintain records of plans reviewed and approved for construction under this program.

Construction Inspection Procedures and Certification Program

Responsibility - Department of Utilities

Description/Methodology of BMP

The Parish will develop inspection forms and procedures based on the adopted local laws regulating construction sites within an MS4's UA that disturb one acre of land or more the inspection forms and procedures must keep track of, but are not limited to the following storm water management procedures:

- Use of temporary erosion controls;
- Control of other construction related wastes;
- Operational and general prohibitions;
- Site closure and stabilization requirements;
- On-site documentation and records;
- Enforcement actions and on-site communication issues; conduct and report on inspection procedures and educational efforts to familiarize Parish staff and the local construction community with local storm water regulations relating to construction activities; and
- Maintain records of construction site inspections, enforcement actions, and corrective actions performed by local construction site owners and operators.

Annual Compliance Requirements
The Parish will:

- Develop a list of items to be incorporated in the inspection forms based on local construction storm water regulations;
- Educate Parish staff and the local construction community with regards to local inspection procedures;
- Ensure that all appropriate Parish staff and members of the local construction community have been notified of updates to any requirements;
- Inspect and maintain records of all construction sites where one acre of land or more is being disturbed using appropriate inspection procedures and forms to ensure compliance with local storm water regulations;
- Take action against, and maintain records of developers/owners/operators of local construction sites that are not in compliance with local construction storm water regulations using the enforcement regulation outlined in the Parish ordinance; and
- Maintain an inventory of both active and previously active construction sites within the MS4 UA.

2.4.4 Required Reporting

At a minimum, the Parish shall report on the items below:

a) Number of SWPPPs reviewed;
b) Number of construction sites authorized for disturbances of one acre or more; and
c) Report on effectiveness of program, BMP and measurable goal assessment.

2.5 Minimum Control Measure 5: Post-Construction Storm Water Management

Post-construction storm water management in areas undergoing new development or redevelopment is necessary because runoff from these areas has been shown to significantly affect receiving waterbodies. Many studies indicate that prior planning and design for the minimization of pollutants in post-construction storm water discharges is the most cost-effective approach to storm water quality management. There are generally two forms of substantial impacts of post-construction runoff. The first is caused by an increase in the type and quantity of pollutants in storm water runoff. As runoff flows over areas altered by development, it picks up harmful sediment and chemicals such as oil and grease, pesticides, heavy metals, and nutrients *(e.g.,* nitrogen and phosphorus). These pollutants often become suspended in runoff and are carried to receiving waters, such as lakes, ponds, and streams. Once deposited, these pollutants can enter the food chain through small aquatic life, eventually entering the tissues of fish and humans. The second kind of post-construction runoff impact occurs by increasing the quantity of water delivered to the waterbody during storms. Increased impervious surfaces *(e.g.,* parking lots, driveways, and rooftops) interrupt the natural cycle of gradual percolation of water through

vegetation and soil. Instead, water is collected from surfaces such as asphalt and concrete and routed to drainage systems where large volumes of runoff quickly flow to the nearest receiving water. The effects of this process include stream bank scouring and downstream flooding, which often lead to a loss of aquatic life and damage to property.

2.5.1 Description of Minimum Control Measure

The Post-Construction Storm Water Management MCM consists of BMPs that focus on the prevention or minimization of water quality impacts from both new and re-development projects that disturb one acre or more. This includes projects less than one acre that are part of a larger common plan of development or sale that discharge into the MS4. The BMPs describe structural and/or non-structural practices, the legal authority mechanism that will be used to address postconstruction runoff from new development and redevelopment projects, and procedures to ensure long term operation and maintenance of BMPs.

2.5.2 General Permit Requirements

A MS4 must, at a minimum:

a) Develop, implement, and enforce a program to reduce pollutants in postconstruction runoff to their MS4 from new development and redevelopment projects that result in the land disturbance of greater than or equal to one acre;
b) Develop and implement strategies which include a combination of structural and/or non-structural BMPs;
c) Have an ordinance or other regulatory mechanism requiring the implementation of post-construction runoff controls to the extent allowable under state or local law; and
d) Ensure adequate long-term operation and maintenance of controls.

2.5.3 Methodology for Compliance with Permit Requirements

The Parish will adopt an ordinance for Storm Water Management and Erosion and Sediment Control which includes provisions to enforce a program that reduces pollutant runoff from both newly and re-developed sites. Currently, the ordinance is geared more toward storm water quantity and not quality, the Parish will work over the next year to reevaluate the ordinance to determine if changes are necessary to accomplish storm water quality reductions in addition to quantity. The Parish will inspect sites for proper operation and maintenance and enforcing the permit requirements and for properties that are not in compliance. In this manner, the MS4 can ensure adequate long-term management practices for both public and private facilities. The following BMPs are implemented or are underway:

Post-Construction Storm Water Management Ordinance

Responsibility – Department of Utilities

Description/Methodology of BMP

The Parish has adopted a post-construction storm water management/drainage ordinance. This ordinance establishes minimum storm water management requirements and controls to protect the general health, safety, and welfare of the public. The existing ordinance will be reevaluated over the next year to addresses issues relating to the following:

- Permanent erosion and sediment controls;
- Storm water management design requirement; and
- Fee structure for Parish services relating to SWPPP reviews, inspections, and maintenance.

Annual Compliance Requirements

The Parish will:

- Amend storm water ordinance, as necessary, to maintain compliance with state storm water standards and requirements as defined by the current or any future permits pertaining to storm water management activities.

Inspection Program for Newly and Re-Developed Sites

Responsibility - Department of Utilities

Description/Methodology of BMP

The Parish will develop an inspection program for newly developed and redeveloped sites for compliance with the post-construction regulations. This program must include a form and procedures that includes a list of items that Parish personnel and/or members of the local building community can use to guide their operations. This list can include, but is not limited to the following items:

- Construction of controls according to approved development plans and specifications;
- Adherence to any legal commitment to operate or maintain permanent storm water quality structures;
- Maintenance requirements;
- Conformance to open space and landscaping requirements; and
- Conformance to local development standards.

The Parish will provide instruction to inspection personnel and/or members of the local construction community on local post-construction runoff regulations and final inspection procedures. The Parish will perform inspections on qualifying project sites using adopted inspection forms and procedures to ensure conformance with local post-construction runoff regulations. The Parish will issue enforcement measures to owners and/or operators of local development projects that are in violation of local post-

construction runoff regulations. The Parish will develop internal tracking procedures to keep tabs on development projects that are under construction, those that have been completed, and any corrective/enforcement measures that were taken.

Annual Compliance Requirements

- The Parish will maintain an inventory of post-construction enforcement actions;
- Issue enforcement measures to owners or operators of local development projects that are not in compliance with local postconstruction runoff regulations; and
- Record and report on current and past qualified construction sites as well as any corrective and enforcement actions taken.

Asset Management Program for Existing Storm Drainage Facilities

Responsibility - Department of Utilities

Description/Methodology of BMP

The Parish will work over the next several years to develop and implement an asset management program for all existing public storm drainage systems in the UA to identify the location of each storm drainage facility including:

- Open or closed;
- Tributary drainage area; and
- Current conditions.

This process will include development of a list of existing facilities and a form that includes performance indicators that will enable a measurable evaluation of the system. This will allow the Parish to prioritize sites for maintenance, rehabilitation, or replacement. This program will also include development of a list of approved maintenance, rehabilitation, and replacement practices. The inventory shall include at a minimum: location of practice (street address or coordinates); type of practice; maintenance needed, SWPPP if applicable, or other provided documentation; and dates and type of maintenance performed.

Annual Compliance Requirements

The Parish will:

- Work to identify resources that can be used to implement such a program;
- Identify methodology for conducting such an analysis;
- Identify the existing storm facilities;
- Develop the performance indicators, inspection forms, and procedures;
- Record and report on inspection and maintenance efforts; and

- Select appropriate post-construction storm water BMPs and measurable goals to ensure the reduction of all Pollutants of Concern (POC) in storm water discharges to the MEP.

2.5.4 Minimum Required Reporting

At a minimum, the Parish shall report on the items below:

a. Number and type of enforcement actions;
b. Number and type of post-construction storm water management practices inventoried;
c. Number and type of post-construction storm water management practices inspected;
d. Number and type of post-construction storm water management practices maintained;
e. Ordinance Status; and
f. Effectiveness of program, BMP and measurable goal assessment.

2.6 Minimum Control Measure 6: Pollution Prevention and Good Housekeeping for Municipal Operations

The Pollution Prevention/Good Housekeeping for Municipal Operations MCM is a key element of the small MS4 Storm Water Management Program. This measure requires the small MS4 operator to examine and subsequently alter their own actions to help ensure a reduction in the amount and type of pollution that: (1) collects on streets, parking lots, open spaces, and storage and vehicle maintenance areas and is discharged into local waterways; and (2) results from actions such as environmentally damaging land development and flood management practices or poor maintenance of storm sewer systems. While this measure is meant primarily to improve or protect receiving water quality by altering municipal or facility operations, it also can result in a cost savings for the Parish, since proper and timely maintenance of storm sewer systems can help avoid repair costs from damage caused by age and neglect.

2.6.1 Description of Minimum Control Measure

The Pollution Prevention and Good Housekeeping MCM consists of BMPs that focus on training and on the prevention or reduction of pollutant runoff from municipal operations. The BMPs describe the following:

- Training programs;
- Specific municipal operations that are impacted by the proposed operation and maintenance programs;
- Maintenance activities;
- Schedules and long-term inspection procedures for controls to reduce suspended solids and other pollutants;

- Procedures for the proper disposal of waste removed from the MS4 and municipal operations including:
  - Dredge spoil;
  - Accumulated sediments;
  - Suspended solids and other debris;
- Controls for reducing or eliminating the discharge of contaminants from the following:
  - Streets;
  - Roads;
  - Highways;
  - Municipal parking lots;
  - Maintenance and storage yards;
  - Waste transfer stations;
  - Outdoor storage areas; and
  - Salt and/or sand storage locations.

2.6.2 General Permit Requirements

An MS4 must, at a minimum:

a) Develop and implement an operation and maintenance program with the ultimate goal of preventing or reducing pollutant runoff from municipal operations;
b) Include employee training on how to incorporate pollution prevention/good housekeeping techniques into municipal operations such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance;
c) Describe how the operation and maintenance program is designed to prevent or reduce pollutant runoff from Parish operations; the program must specifically list the municipal operations that are impacted by this operation and maintenance program;
d) Describe any government employee training program that will be used to prevent and reduce storm water pollution from municipal operations such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance;
e) The program must address the following:
   - Maintenance activities, maintenance schedules and long-term inspection procedures for controls to reduce floatables, and other pollutants to the MS4;
   - Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt/sand locations;
   - Procedures for the proper disposal of waste removed from the MS4 and municipal operations including dredge spoil, accumulated sediments, floatables, and other debris;

- Procedures to ensure that flood management projects are assessed for impacts on water quality and existing projects are assessed for incorporation of additional water quality protection devices or practices;

f) Describe who is responsible for overall management and implementation of the pollution prevention/good housekeeping program; and

g) Describe how the success of the MCM will be evaluated including how goals were selected for each BMP.

2.6.3 Methodology for Compliance with Permit Requirements

The Parish will develop and provide training to the personnel responsible for implementing the BMPs in their everyday activities. The Parish will hold good housekeeping/pollution prevention workshops for Parish staff on an annual basis.

The Parish will develop educational materials for Parish offices that can be posted conspicuously in maintenance departments and other logical locations to publicize the importance of reducing and preventing the discharge of pollutants from Parish activities. The following BMPs are implemented or are underway:

Municipal Training Program

Responsibility – Infrastructure Division Manager

Description/Methodology of BMP

The Parish will institute a program that provides training to each member of the Parish whose work may potentially impact storm water. This includes highway, water, buildings and grounds, sewer, parks, and recreation departments. The training program will be developed such that one or two members of Department are trained. These individuals will then become responsible for training the remaining members of the Parish.

Annual Compliance Requirements

The Parish will:

- Conduct training sessions for the Parish employee(s) that have been designated to teach the remaining members of the Parish;
- Train Parish employees whose job duties impact storm water management;
- Continue to identify new training opportunities and bring these opportunities to the attention of the Engineering Department;
- Identify new BMPs; and
- Develop and/or modify inspection checklists.

Vehicle, Equipment Maintenance, and Maintenance Facilities Procedures

Responsibility - Department of Utilities

Description/Methodology of BMP

The Parish will develop and maintain an inventory of Parish-owned vehicles and maintenance records. Maintain all MS4 owned vehicles and maintenance facilities using an identified maintenance plan that includes, but not limited to the following procedures:

- Maintain all Parish owned vehicles indoors whenever possible and according to manufacturer's specifications; if maintenance must be performed outside, guard against spillage of materials that could discharge to storm receivers;
- Identify and eliminate vehicle fluid leaks; if leak occurs clean it up immediately using a "dry" method;
- Where feasible perform cleaning;
  - With pressurized cold water, without the use of soaps, if wastewaters will flow directly to drainage;
  - Using minimal amounts of biodegradable soaps only if wastewaters will discharge to the MS4;
- Initiate single purpose use of vehicle bays - dedicate one (or more) bays that have no (or sealed) floor drains for repairs/maintenance;
- Never leave vehicles unattended while refueling;
- Identify appropriate recycling/disposal options for wastes; and
- Review vehicle inspection and maintenance records on an annual basis to evaluate conformance to vehicle manufacturer service specifications.

Annual Compliance Requirements

The Parish will:

- Maintain vehicles and maintenance facilities in accordance with maintenance plan
- Conduct routine inspection on all Parish vehicles according to manufacturers' specifications, also inspecting vehicle for the presence of fluid leaks;
- Identify the need for cleaning of catch basins, oil/water separators;
- Schedule repairs for vehicles determined to have fluid leaks; and
- Maintain/update as necessary any inventories and plans that effect Parish owned vehicles, equipment and maintenance facilities.

Building Maintenance

Responsibility – Facilities Manager

Description/Methodology of BMP

- Conduct building maintenance activities such that they do not impact the storm water systems and local water bodies whenever possible;
- Develop a list of the maintenance activities required inside and outside of each Parish building;
- Identify which activities have an impact on storm water;
- Develop mitigation measures for each activity that impacts storm water; and

- Review the maintenance activity lists on an annual basis to determine if any improvements are necessary.

Annual Compliance Requirements

The Parish will:

- Implement the mitigation measures for each activity;
- Review the maintenance activity list and update as necessary;
- Review the mitigation measures for each activity and revise as necessary; and
- Maintain/update as necessary an inventory of all Parish-owned facilities and material storage areas.

Hazardous Waste and Materials Management

Responsibility - Department of Utilities

Description/Methodology of BMP

The Parish will attempt to prevent the discharge of hazardous waste and materials from impacting municipal storm water systems and local waterbodies by doing the following:

- Post "no dumping" signs, illuminate and/or prevent access to storm drain areas if possible;
- Identify the byproducts and/or wastes that should be recycled such as paper and/or cardboard and where they can be legally disposed of on Parish lands;
- Ensure that all Parish hazardous waste and materials are stored in closed, labeled containers - if stored outside, drums should be placed on pallets, away from storm receivers - inside storage areas should be located away from floor drains;
- Eliminate floor drain systems that discharge to storm drains;
- Use a pretreatment system to remove contaminants prior to discharge;
- Reduce stock of materials "on hand" - use "first in - first out" management technique;
- Use the least toxic material *(i.e.* non-hazardous) to perform the work;
- Install and/or use secondary containment devices where appropriate; and
- Eliminate waste by reincorporating coating and/or solvent mixtures into the original coating material for reuse.

If spills occur, the Parish will comply with federal and state spill prevention control and counter measures plan regulations, and review spill response procedures to ensure storm water quality protection measures are considered during spill response. This will be done by, but not limited to, the follow procedures:

- Develop and/or maintain federal Spill Prevention and Control Countermeasures (SPCC) and state Spill Prevention and Control (SPC) plans for permittee owned facilities that require plans
- Evaluate each Parish owned facility and determine if SPCC/SPC plans are required

- Comply with SPCC/SPC plan requirements at qualifying Parish-owned facilities, including consideration of the following:
  - Conduct employee training
  - Maintain spill prevention equipment
  - Keep all materials properly stored in closed, labeled containment systems
  - Use secondary containment systems where appropriate
  - Obtain spill recovery materials for immediate response to a spill
  - Maintain SPCC/SPC records
  - Update and re-certify the SPCC/SPC plan according to the applicable regulations
  - Annually report on the number of facilities with SPCC/SPC plans and the status of each plan

Annual Compliance Requirements

The Parish will:

- Implement a plan for proper storage of all hazardous and waste materials;
- Inspect secondary containment systems and oil/water separators;
- Inspect containers for leaks, areas near storm receiver inlets and outlets, floor drains for indication of spills;
- Pump out oil water separators as needed;
- Protect drains with oil absorbent materials;
- Clean out receivers on regular schedule; and
- Remove spilled salt from salt loading areas.

Roadway and Bridge Maintenance

Responsibility – Assistant Director of Public Works – Roads and Bridges

Description/Methodology of BMP

The Parish will develop, assess, and implement roadway and bridge maintenance activities and modify procedures to reduce storm water quality impacts using, but not limited to, the following activities:

- Be on the lookout for new and / or alternative practices that would reduce the discharge of construction and other debris during construction or maintenance activities;
- Pave in dry weather only;
- Incorporate preventive maintenance and planning such covering catch basins during regular operations and maintenance activities including but limited to resurfacing, when patching and filling potholes;
- Clean up fluid leaks or spills that occur during regular maintenance activity from paving equipment/materials immediately;
- Maintain roadside vegetation; select vegetation with a high tolerance to road salt;
- Control particulate wastes from bridge sandblasting operations;

- Clean out bridge scuppers and catch basins regularly;
- Direct water from bridge scuppers to vegetated areas;
- Prior to road reconstruction, consider/evaluate the use of "shouldered roads" instead of "curbed roads"; and
- Maintain records of all road maintenance activities and the use of alternative maintenance practices.

Annual Compliance Requirements

The Parish will:

- Evaluate roadway maintenance program and revise roadway maintenance specifications according to identified alternative practices;
- Inspect equipment to verify proper operation. Service trucks and calibrate spreaders regularly to ensure accurate, efficient distribution of salt;
- Maintain and/or update as necessary an inventory of all Parish-owned infrastructure - it is essential to include underground infrastructure *(e.g.* ditches, underground storm piping, septic systems, UST's, oil/water separators, catch basins/sewers, etc.); and
- Maintain records of all road maintenance activities and the use of alternative maintenance practices.

Catch Basin and Storm Drain Cleaning

Responsibility – Drainage Management

Description/Methodology of BMP

The purpose of this BMP is to reduce sediment and suspended solid discharges by routinely cleaning Parish catch basins and storm water inlet structures. The Parish will do this by:

- Identifying areas where catch basins, surface inlets, and / or storm sewer manholes that should be periodically cleaned to reduce discharge of suspended solids, sediment, and other materials;
- Developing a schedule for cleaning inlet structures, catch basins, and manholes based on the previous assessment;
- Implement the catch basin cleaning program according to the developed schedule;
- Evaluate the catch basin cleaning schedule on an annual basis;
- Catch basins and floor drain systems inside of buildings should be either:
  - Sealed to prevent discharge;
  - Permitted by LDEQ; or
  - Discharged to sanitary sewers; and
- Repair/replace storm drain receiver and catch basin receiver grates as necessary.

Annual Compliance Requirements

- Implement the catch basin cleaning program according to the developed schedule;
- Evaluate the catch basin cleaning program to identify improvements and/or modifications; and
- Maintain and / or update, as necessary an inventory of all Parish-owned infrastructure - it is essential to include underground infrastructure (Le. septic systems, USTs, oil/water separators, catch basins/sewers, etc.).

Septic System Management

Responsibility - Department of Utilities

Description/Methodology of BMP

Prevent improperly treated wastewaters from Parish-owned septic systems from impacting municipal storm water systems and local waterbodies by:

- Diverting storm water runoff Le.) from roof drains away from septic system;
- Preventing problems caused by vegetation such as growth of woody plants on the system;
- Preventing hydraulic overloading by "Spreading out" the use of devices which use large volumes of water across the entire day for uses such as clothes washing, dish washing, and bathing;
- Repair leaky fixtures; and
- Minimizing water usage by using flow restrictors on potable water distribution devices i.e., shower heads, water faucets.

Annual Compliance Requirements

The Parish will:

- Determine the interval for pumping out each Parish septic tank; and
- Maintain/update as necessary an inventory of all Parish-owned septic systems and corresponding dates of service for each.

Pest Control

Responsibility - DPW Recreation Mosquito Control Supervisor

Description/Methodology of BMP

The Parish will reduce the discharge of pesticides from Parish-owned facilities as they may harm aquatic life and may contaminate local water bodies and sediment. This may be accomplished by the following:

- Developing an inventory of areas designated for herbicide and pesticide application including the following:

- Area of application;
- Type of pesticide or herbicide applied;
- Purpose of application; and
- Prepare a pesticide and herbicide application schedule.

- Comply with local, state, and federal regulations associated with pesticide and herbicide application (Le. licensing regulations);
- Purchase only enough pesticides necessary for one year – store properly to avoid waste generation (spills, leaks, product deterioration);
- Minimize/eliminate pesticide application, use lowest toxicity pesticides;
- Do not apply pesticides immediately prior to or during rain events;
- Ensure that employees are properly trained and certified in pesticide application techniques and safety; and
- Work to eliminate food, water, and shelter for pests.

Annual Compliance Requirements

The Parish will:

- Provide training records and copies of licenses/certifications for appropriate employees;
- Block an or eliminate access to buildings and/or structures for pests;
- Remove pests; and
- Review pesticide application at all facilities and/or lands and incorporate new methodologies for application or determine if pesticide application can be discontinued at sites.

Vegetation Management

Responsibility – Vegetation Management

Description/Methodology of BMP

The Parish will reduce the discharge of landscaping and lawn care waste from MS4-owned facilities (office buildings, parks, barns, etc.) using the following methods:

- Developing an inventory of vegetation care areas that are owned by the MS4;
- Evaluate current landscaping and lawn care activities to identify opportunities to reduce the discharge of the following:
  - Fertilizers;
  - Leaf litter and tree trimmings;
  - Litter and floatable materials; and
  - Equipment fluids.
- Ensure that proper litter collection is scheduled prior to any mowing activities;
- Use slow release or naturally derived and / or organic all herbicides, pesticides, and fertilizers and in accordance with manufacturers' instructions for application rates and quantities;

- Purchase only enough lawn care products necessary for one year - store properly to avoid waste generation (spills, leaks);
- Train employees in the proper application of lawn care products;
- Consider alternative landscape techniques (Le. nature scaping, xeriscaping, and rain gardens);
- Plant trees away from sewer lines or other underground utilities;
- Use drip irrigation techniques for landscaping; and
- Report annually on the activities conducted under this program.

Annual Compliance Requirements

The Parish will:

- Review monitoring and maintenance program and revise as necessary;
- Maintain and/or update as necessary an inventory of all Parish-owned lands that are and/or will be subject to landscaping and lawn care activities; and
- Document materials/quantities applied.

2.6.4 Minimum Reporting Requirements

At a minimum, the Parish shall report on the items below:

a) Indicate the municipal operations and facilities that the pollution prevention and good housekeeping program assessed;
b) Describe, if not done so already, the management practices, policies and procedures that have been developed, modified, and/or implemented and report, at a minimum, on the items below that the Parish pollution prevention and good housekeeping program addressed during the reporting year:
   - Acres of parking lot swept;
   - Miles of street swept;
   - Number of catch basins inspected and, where necessary, cleaned;
   - Post-Construction control storm water management practices inspected and, where necessary, cleaned;
   - Pounds of chemical fertilizer applied; and
   - Pounds of pesticides / herbicides applied as pure product.
c) Staff training events and number of staff trained; and
d) Effectiveness of program, BMP, and measurable goal assessment; if the pollution prevention and good housekeeping program addresses other operations than what is listed in this Plan, the Parish will report on those additional items that demonstrate program effectiveness.

3.0 MONITORING, RECORDKEEPING, AND REPORTING

3.1 Monitoring

Because the TMDL assigned a WLA to the Parish MS4, Part IV.H of the permit requires that the Parish must describe and implement a monitoring program to determine whether the controls implemented in this plan are adequate to reduce the pollutants of concern. Ascension Parish intends to develop a monitoring program in 2019 to evaluate water quality in the subject receiving streams and the effectiveness of SWMP BMPs.

Wet Weather Sampling

Grab samples will be collected from the three outfalls during one storm event per year. An attempt will be made to the extent practicable to collect wet-weather instream data during wet weather. Instream flows for the sampling events will be estimated or calculated.

Dry Weather Sampling

Annual dry-weather samples will be collected from the three outfalls (if a flow is present) during conditions most representative of critical low flow. Instream flows for the sampling events will be estimated or calculated.

Pollutants of Concern

A standard suite of water quality constituents relevant to the Bayou Manchac TMDL for Dissolved Oxygen and Nutrients will be examined under the Parish sampling and analysis plan that will be used in determining control measure performance. The Parish will analyze the following pollutants:

- Temperature
- Dissolved Oxygen
- pH
- Ammonia - Nitrogen
- Total Phosphorus
- Five Day Carbonaceous
- Carbonaceous Biochemical Oxygen Demand (CBOD5)
- Total Suspended Solids (TSS)
- Turbidity
- Chlorides
- Sulfates
- Total Dissolved Solids

The Parish will evaluate the analytical results annually to determine if additional or modified control measures are necessary to reduce pollutants of concern.

Quality Assurance and Quality Control

All sampling and analysis will be conducted in accordance with the test methods and procedures at 40 CFR 136. Proper sampling techniques will be used to ensure that the analytical results are representative of the pollutants in the discharge. Monitoring will be conducted according to sample collection, preservation and handling procedures required by 40 CFR 136. The contract laboratory will have adequate analytical quality assurance/quality control measures in place and will be properly accredited.

3.2 Recordkeeping

Ascension Parish will retain this SWMP plan at Ascension Parish Stormwater Compliance offices and will make it available to LDEQ/EPA in a timely fashion. In addition to the SWMP plan, the NOI and copy of the LPDES sMS4 General Permit will be maintained at Ascension Parish Stormwater Compliance offices. In addition to these documents, Ascension Parish will keep records of:

- All inspections performed under the LPDES sMS4 General Permit as described in this SWMP plan;
- All monitoring data and records used to complete the NOI; and
- Annual Reports (including support records) completed under the LPDES sMS4 General Permit.

Ascension Parish will retain these records for at least three years from the date of development of the record or for the term of the LPDES sMS4 General Permit, whichever is longer.

3.3 Annual Reporting

Ascension Parish will prepare annual reports as part of the co-permittee team with Ascension Parish for the Louisiana Department of Environmental Quality, which will contain reports, evaluations, and assessments on the monitoring, inspections, and implementation of the SWMP. Ascension Parish will evaluate each year, the overall program compliance, along with the appropriateness of the BMPs, and the progress toward reaching the measurable goals. The Annual Report must include:

- Status of permit compliance;
- Results of information collected and analyzed, including monitoring data used to assess the success of the program at reducing the discharge of pollutants to the maximum extent practicable;
- A summary of the stormwater activities Ascension Parish plans to undertake during the next reporting cycle (including an implementation schedule);
- Any changes made during the reporting period to the SWMP, including control measures;
- Notice if Ascension Parish is relying on another government entity to satisfy any permit obligations; and
- Any other information requested by LDEQ.

Ascension Parish will send two copies of the Annual Report to LDEQ by March 10th. In addition, Ascension Parish will post the SWMP plan and Annual Report on the Ascension Parish website.

3.4 Plan Updates

Ascension Parish will maintain the SWMP plan for the entire LPDES sMS4 General Permit period. Ascension Parish will update the SWMP plan under the following conditions:

- Ascension Parish is directed to do so by LDEQ or EPA;
- LDEQ or EPA has updated a TMDL that includes requirements applicable to MS4 discharges from Ascension Parish
- Ascension Parish facility changes to the drainage system controls/infrastructure;
- Updates to the facility map, ordinances, roles/responsibilities of the Ascension Parish Stormwater Management Team;
- Replacing ineffective or infeasible BMPs identified in the SWMP plan (along with an analysis of why the BMP is ineffective, expectations for the success of the replacement BMP, and an analysis of why the replacement BMP is expected to be successful); and
- Changes to the SWMP necessary to prevent recurrence of reportable spills/releases if one has occurred.

SWMP plan updates will be made in a timely manner and submitted as part of the following Annual Report unless an earlier date is specified by LDEQ. Also, SWMP plan revisions in response to TMDL updates must be made within six months of the approved TMDL. SWMP plan revisions in response to a reportable spill/release must be made within 14 days of the spill/release.

FIGURES

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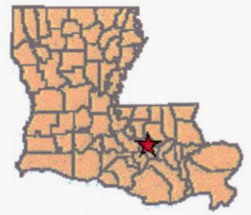


Legend

- Ascension Parish Boundary
- Urbanized Areas

Note

Please note that due to the scale and detail required to delineate the LDOTD MS4 watersheds (all waters draining directly to state highway ditches from both the road surface and adjacent properties) on a figure of this size, areas that fall under the jurisdiction of the LDOTD MS4 are not depicted on this figure.

Reference

Base map comprised of U.S.G.S. 1:100,000 topographic maps, "Baton Rouge, LA" dated 1985 and Ponchatoula, LA" dated 1984.

2.5 1.25 0 2.5 Miles

Reference:
Map from Providence. Drawing Number 266-010-B003, Dated 08/11/11.

Ascension Parish Government

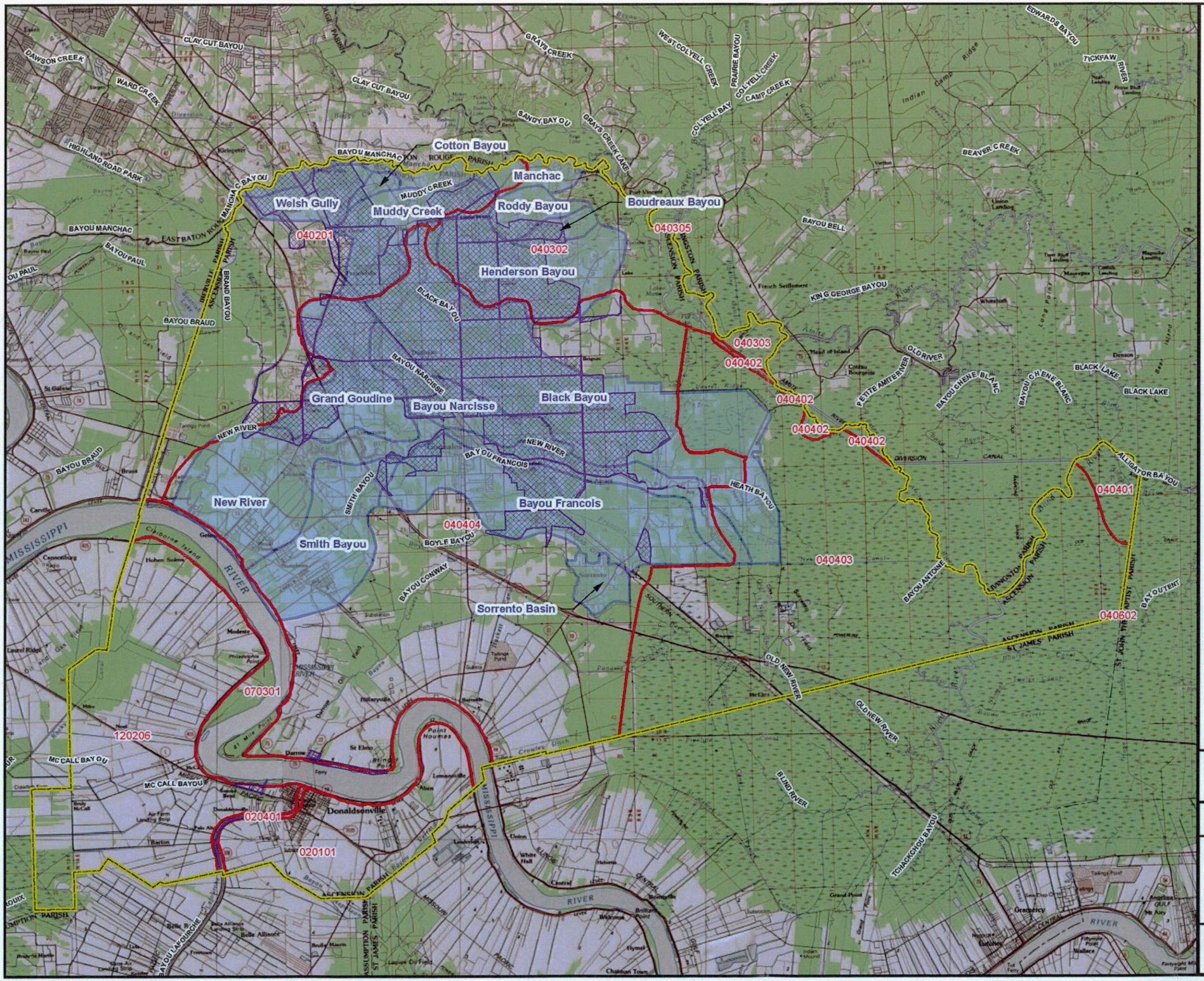
Municipal Separate Storm Sewer System

Permitted Area

Ascension Parish

CK Associates Environmental Consultants

Drawn:	CAL	Checked:	ABS
Date:	1/14/2019	Approved:	ABS
Dwg. No.:	B16048-01		Figure 1



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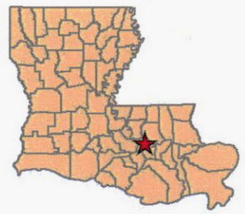


Legend

- Ascension Parish Boundary
- LDEQ Subsegments
- Urbanized Areas
- Ascension Watersheds

Note

Please note that due to the scale and detail required to delineate the LDOTD MS4 watersheds (all waters draining directly to state highway ditches from both the road surface and adjacent properties) on a figure of this size, areas that fall under the jurisdiction of the LDOTD MS4 are not depicted on this figure.

Reference

Base map comprised of U.S.G.S. 1:100,000 topographic maps, "Baton Rouge, LA" dated 1985 and Ponchatoula, LA" dated 1984.

2.5 1.25 0 2.5 Miles

Reference:
Map from Providence. Drawing Number 266-010-B004, Dated 08/11/11.

Ascension Parish Government

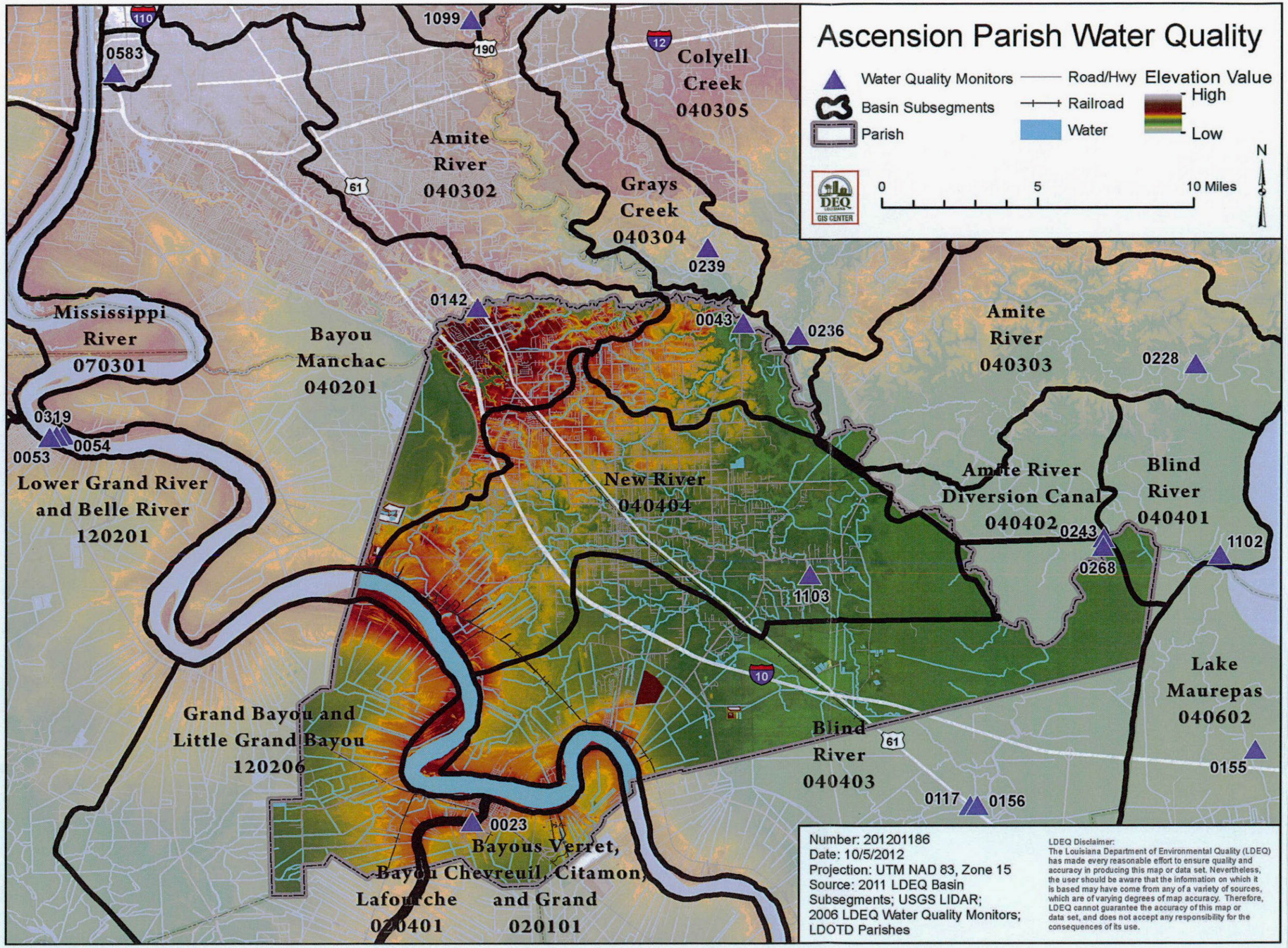
Municipal Separate Storm Sewer System

Waterbodies Within the Urbanized Areas

Ascension Parish

CK Associates Environmental Consultants

Drawn:	CAL	Checked:	ABS
Date:	1/14/2019	Approved:	ABS
Dwg. No.:	B16048-02		Figure 2



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Ascension Parish Government

Municipal Separate Storm Sewer System

Water Quality Monitoring Locations

Ascension Parish

CK Associates Environmental Consultants

Drawn:	CAL	Checked:	ABS
Date:	1/14/2019	Approved:	ABS
Dwg. No.:	B16048-03		Figure 3

APPENDIX A

General Definitions

APPENDIX A
General Definitions

Allowable Non-Storm Water - A non-storm water discharge that does not need to be effectively prohibited but must be controlled to the MEP to protect water quality under the Clean Water Act to be allowed as part of the MS4 discharge.

Best Management Practices (BMPs) - Activities or structural improvements that help reduce the quantity and improve the quality of storm water runoff. BMPs include public education and outreach, treatment requirements, operating procedures, and practices to control runoff, spillage, leakage, sludge and waste disposal, and drainage from raw material storage.

Clean Water Act - Amendments made to the Federal Water Pollution Control Act in 1972 to establish water quality standards and to create the National Pollutant Discharge Elimination System to protect the waters and waterways of the U.S. by regulating the discharge of pollutants from point source discharges and municipal separate storm sewer systems.

Combined Sewer System - A sewer system designed to convey both sanitary wastewater and storm water.

Conduit - Any channel or pipe used to transport flowing water.

Control Measure - Any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the U.S.

Conveyance - The process of moving water from one place to another.

Co-permittee - A permittee to an LPDES permit that is only responsible for permit conditions relating to the discharge for which it is the operator.

Detention - The delay of downstream progress of storm water runoff in a controlled manner. This is typically accomplished using temporary storage areas and a metered outlet device.

Detention Pond - Pond that stores a volume of water for a given period of time and then discharges the water downstream.

Discharge - An outflow of water from a stream, pipe, ground water system or watershed. When used without a qualifier, means the discharge of a pollutant.

Ecosystem - All the plants and animals in an area that interact to make up the local environment.

Erosion - The overall process of the transport of material on the earth's surface including the movement of soil and rock by agents such as water, wind, or gravity.

Excavation - The process of removing earth, stone or other materials from land.

Flood Control - Specific regulations and practices that reduce or prevent the damage caused by storm water runoff.

Grading - The cutting and/or filling of the land surface to a desired slope or elevation.

Groundwater - All the water contained in void space beneath the earth's surface.

Heavy Metals - Metals such as zinc, copper, lead, mercury, chromium, cadmium, iron, manganese, nickel, molybdenum and silver that, even in low concentrations can be toxic or lethal to humans, animals and aquatic life.

Illicit Connection - Any man-made conveyance connecting an illicit discharge directly to an MS4.

Illicit Discharge - Any discharge to an MS4 that is not composed entirely of storm water unless authorized via an NPDES/LPDES permit or otherwise excluded from regulation (firefighting activities). Thus, not all illicit discharges are illegal or prohibited.

Incorporated Place - A City, Town, Township or Village that is incorporated under the laws of the state of Louisiana.

Industrial Activity - Any activity which is directly related to manufacturing, processing or raw materials storage areas.

Industrial Waste - Unwanted materials from an industrial operation, this may include liquids, sludge, solids, or hazardous waste.

Large Municipal Separate Storm Sewer System (Large MS4) - All municipal separate storm sewers that are located in urbanized areas with a population of 100,000 or more according to the latest Census.

Louisiana Pollutant Discharge Elimination System (LPDES) - Louisiana's regulatory program to control the discharge of pollutants to waters of the U.S.

Maximum Extent Practicable (MEP) - The technology-based discharge standard for MS4s to reduce pollutants in storm water discharges.

Medium Municipal Separate Storm Sewer System (Medium MS4) - All municipal separate storm sewers that are located in an incorporated place with a population of more than 100,000 but less than 250,000.

Municipal Separate Storm Sewer Systems (MS4) - Areas with a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and storm drains) that are not a combined sewer or part of a publicly owned treatment system and are owned or operated and regulated by a municipality or authorized agency. MS4s may be small, medium or large with the medium or large MS4s being principally determined by population size.

Non-Point Source Pollutants (NPS) - Pollution coming from many diffuse sources whose origin is often difficult to identify. This pollution occurs as rain or snowmelt travels over the land surface and picks up pollutants such as fertilizer, pesticides, and chemicals from cars. This pollution is difficult to regulate due to its origin from many different sources. These pollutants enter waterways untreated and are a major threat to aquatic organisms and people who fish, use waters and waterways for recreational purposes or as an untreated drinking water source.

National Pollutant Discharge Elimination System (NPDES) - The USEPA's regulatory program to control the discharge of pollutants to waters and waterways of the U.S.

Notice of Intent (NOI) - An application to notify the permitting authority of a facility's intention to be covered by a general permit. This exempts a facility from having to submit an individual or group application.

Nutrients - The term typically refers to nitrogen and phosphorus or compounds containing free amounts of the two elements. These elements are essential for the growth of plant life but can create problems in the form of algal blooms, depletion of dissolved oxygen and pH changes in streams and other water bodies when higher concentrations can enter drainage systems and lakes.

Office - The Office of Environmental Services with the Department of Environmental Quality

Open Space - An undeveloped piece of land adding ecological, scenic or recreational value to an urban area. Open spaces are generally large pervious areas that are free from paving, buildings, structures, etc., except for basic improvements that are complementary, necessary or appropriate to the use and enjoyment of the open area. Open space can be public or private.

Ordinance - A law based on state statutory authority developed and approved by a governmental agency to allow them to regulate the enforcement of criteria contained within the specific law and to invoke sanctions and other enforcement measures to ensure facilities comply with the criteria.

Outfall - The point where a municipal separate storm sewer discharges to waters of the State and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances which connect segments of the same stream or other waters of the state and are used to convey waters of the State.

Permitting Authority - The NPDES authorized state agency which in the state of Louisiana is the Louisiana Department of Environmental Quality.

Person - Any individual, municipality, public or private corporation, partnership, firm, the U.S. Government and any agent or subdivision thereof, or any other juridical person which shall include but is not limited to trusts, joint stock companies, associations, the State of Louisiana, political subdivisions of the state, commissions, and interstate bodies.

Physically Interconnected - where one MS4 is connected to a second MS4 in such a way that it allows for direct discharges into the second system.

Point Source Pollution - Pollution coming from a single, definable source, such as a factory.

Pollutants of Concern - Any pollutant that has been identified as a cause of impairment in any waterbody

Retention Pond - Pond that stores a volume of water without allowing it to discharge downstream.

Retrofit - The modification of storm water management system through the construction and/or enhancement of wet ponds, wetland plantings or other BMPs designed to improve water quality.

Runoff - Any drainage that leaves an area as surface flow.

Sanitary Sewer - An underground pipe system that carries sanitary waste and other wastewater to a treatment plant.

Sediment - Material derived from the weathering of rock such as sand and soil. This material can be detrimental to aquatic life and habitats if too much can wash into rivers and ponds.

Site Plan - A geographic representation of the layout of buildings and other important features on a tract of land.

Small Municipal Separate Storm Sewer Systems - MS4s that are not large or medium MS4s and are owned and operated by the US, a State, city, town, borough, parish, district or other public body having jurisdiction over disposal of sewage, industrial wastes, storm water or other wastes including special districts under state law such as a sewer district, flood control district or drainage district.

Stakeholder - Any entity that holds a special interest in an issue or program since it is or may be affected by it.

Storm Drain - Any drain which drains directly into the storm sewer system, usually found along roadways or in parking lots.

Storm Sewer - An underground pipe system that carries runoff from streets and other surfaces.

Storm water - Storm water or snow melt runoff, and surface runoff and drainage.

Storm water Management - Any measure associated with the planning, maintenance, and regulation of facilities which collect, store, or convey storm water.

Storm water Pollution Prevention Plan (SWPPP) - A plan developed by a facility or entity that thoroughly evaluates potential pollutant sources at a site and selects and implements appropriate best management practice measures designed to prevent or control the discharge of pollutants in storm water runoff.

Surface Runoff - The flow of water across the land surface that occurs when the rainfall rate exceeds the ability of the soil to absorb the water. This is of primary concern when dealing with impervious surfaces, such as parking lots, roofs, roads, or driveways where water cannot infiltrate at all.

Surface Water - Any water that remains on the earth's surface, such as ponds, rivers, streams, impoundments, wetlands, oceans, etc.

Total Maximum Daily Load (TMDL) - A regulatory limit of the maximum amount of a pollutant type that can be released into a body of water in a twenty-four-hour period without adversely affecting water quality.

Tributary - A stream which drains into another larger stream or body of water.

Upset - An exceptional incident in which there is unintentional and temporary non-compliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. This does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance or careless or improper operation.

Urbanized Area (UA) - A land area consisting of one or more central places and the adjacent densely settled surrounding area (urban fringe) that together have a residential population of at least 50,000 and a minimum average population density of at least 1,000 people per square mile.

Wasteload Allocation (WLA) - That portion of the assimilative capacity of the receiving water apportioned to a specific discharger in such a way that water quality standards are maintained under design conditions.

Watershed - A geographic area in which water flowing across the surface will drain into a certain stream or river and flow out of the area via that stream or river, or all the land that drains to a particular body of water, also known as a catchment or drainage basin.

Waters of the U.S. - These are surface waters defined as wetlands, lakes (including dry lakes), rivers, streams (including intermittent streams, ephemeral washes and arroyos), mudflats, sandflats, sloughs, wet meadows, playa lakes, natural ponds, and man-made impoundments.

Wetlands - An area of land where part of the surface is covered with water or the soil is completely saturated with water for a large majority of the year. Wetlands provide an important habitat for many different types of plant and animal species. Wetlands are also natural storm water control areas, since they filter out pollutants and retain large amounts of water during storm events.

APPENDIX B

List of Commonly Used Abbreviations

APPENDIX B
List of Commonly Used Abbreviations

BOD - Biochemical Oxygen Demand
BMPs - Best Management Practices
CWA - Clean Water Act
DPS - Louisiana Department of Public Safety
DPW - Ascension Parish Department of Public Works
LDEQ - Louisiana Department of Environmental Quality
LPDES - Louisiana Pollutant Discharge Elimination System
LSP - Louisiana State Police
MCM - Minimum Control Measure
MEP - Maximum Extent Practicable
MS4 - Municipal Separate Storm Sewer System
NOI - Notice of Intent
NPS - Non-Point Source Pollutants
NPDES - National Pollution Discharge Elimination System
POC - Pollutants of Concern
SPC - Spill Prevention and Control
SPCC - Spill Prevention and Control Countermeasures
SWMP - Storm Water Management Program
SWPPP - Storm Water Pollution Prevention Plan
TMDL - Total Maximum Daily Load
UA - Urbanized Area
USEPA - United States Environmental Protection Agency
UST - Underground Storage Tank

APPENDIX C

LPDES Small MS4 Permit

DEQ
LOUISIANA

GENERAL PERMIT FOR DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

MASTER GENERAL PERMIT NO. LAR040000
AUTHORIZATION TO DISCHARGE UNDER THE LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R.S. 30:2001, et seq.), rules and regulations effective or promulgated under the authority of said Acts, this Louisiana Pollutant Discharge Elimination System (LPDES) General Permit is reissued. Except as provided in Part I.D of this permit, those operators of storm water discharges from small municipal separate storm sewer systems in the State of Louisiana who submit a completed Notice of Intent and a Storm Water Management Plan in accordance with Part II of this permit, and are approved for coverage, are authorized under this general permit.

This permit shall become effective on September 1, 2018

This permit and the authorization to discharge shall expire five (5) years from the effective date.

Issued on August 17, 2018

Elliott Vega
Assistant Secretary

LPDES GENERAL PERMIT
DISCHARGES FROM
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

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PART I
COVERAGE UNDER THIS PERMIT

A. Permit Area

This permit covers all areas, except agricultural lands, of the State of Louisiana that are served by regulated small municipal separate storm sewer systems (small MS4s).

B. Eligibility

1. This permit authorizes discharges of storm water from a regulated small MS4 as defined in LAC 33:IX.2511.B.16 and LAC 33:IX.2519, as stated below.

   The MS4 systems which are required to obtain permit coverage include:

   a. In urbanized areas (UAs), all core cities, plus any other MS4 systems operating within the UA unless specifically waived by the state administrative authority;

   b. Outside UAs, MS4 systems serving populations of 10,000 to 50,000 and a population density of at least 1,000 persons per square mile which have been "designated" by the state administrative authority. Other MS4 systems may be designated by the Director in response to a petition or as needed to protect water quality.

From LAC 33:IX.2511.B.16: *Small Municipal Separate Storm Sewer System - a municipal separate storm sewer system that:*

a. is owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or in accordance with state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, 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 CWA that discharges to waters of the state;

b. is not defined as a large or medium municipal separate storm sewer system in accordance with Paragraph B.4 and 7 of this Section [2511]*, or designated under Subparagraph A.1.e of this Section* [2511]*; and*

c. includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

From LAC 33:IX.2519:

As an operator of a small MS4, am I regulated under the LPDES Storm Water Program?

A. *Unless you qualify for a waiver under Subsection C of this Section* [2519], *you are regulated if you operate a small MS4 including, but not limited to, systems operated by federal, state, tribal, and local governments, including state departments of transportation, and:*

   1. *your small MS4 is located in an urbanized area as determined by the latest Decennial Census by the Bureau of the Census. (If your small MS4 is not located entirely within an urbanized area, only the portion that is within the urbanized area is regulated); or*

   2. *you are designated by the state administrative authority, including where the designation is based upon a petition under LAC 33:IX.2511.F.4.*

B. *You may be the subject of a petition to the state administrative authority to require an LPDES permit for your discharge of storm water. If the state administrative authority determines that you need a permit, you are required to comply with LAC 33:IX.2521-2525.*

C. *The state administrative authority may waive the requirements otherwise applicable to you if you meet the criteria of Subsection D or E of this Section* [2519]. *If you receive this waiver, you may subsequently be required to seek coverage under an LPDES permit in accordance with LAC 33:IX.2521.A if circumstances change.*

D. *The state administrative authority may waive permit coverage if your MS4 serves a population of less than 1,000 within the urbanized area and you meet the following criteria:*

   1. *your system is not contributing substantially to the pollutant loadings of a physically interconnected MS4 that is regulated by the LPDES storm water program; and*

   2. *if you discharge any pollutant(s) that have been identified as a cause of impairment of any water body to which you discharge, storm water controls are not needed based on wasteload allocations that are part of a department-established total maximum daily load (TMDL) that addresses the pollutant(s) of concern.*

E. *The department may waive permit coverage if your MS4 serves a population under 10,000 and you meet the following criteria:*

1. *the department has evaluated all waters of the state, including small streams, tributaries, lakes, and ponds, that receive a discharge from your MS4;*

2. *for all such waters, the department has determined that storm water controls are not needed based on wasteload allocations that are part of a TMDL established by the department or by EPA and approved by EPA that addresses the pollutant(s) of concern or, if a TMDL has not been developed or approved, an equivalent analysis that determines sources and allocations for the pollutant(s) of concern;*

3. *for the purpose of this Subsection, the pollutant(s) of concern include biochemical oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids, turbidity, or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from your MS4; and*

4. *the department has determined that future discharges from your MS4 do not have the potential to result in noncompliance with water quality standards, including impairment of designated uses, or other significant water quality impacts, including habitat and biological impacts.*

C. Allowable Non-Storm Water Discharges

The following non-storm water sources may be discharged from the MS4 and are not required to be addressed in the MS4's Illicit Discharge Detection and Elimination plan or other minimum control measures, provided that they have been determined by permittees to not be substantial sources of pollutants to the MS4:

- Discharges or flows from firefighting activities (excludes predictable and controllable discharges from a firefighting training facility)
- Fire hydrant flushings
- Potable water including: water line flushings using potable water, drinking fountain overflows, lawn watering runoff, and similar sources of potable water
- Uncontaminated air conditioning or compressor condensate
- Residual street wash water and pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed)
- Routine external building wash down which does not use detergents
- Drainage from landscape watering
- Rising ground waters
- Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))
- Uncontaminated pumped ground water
- Foundation drains
- Irrigation water
- Uncontaminated spring water

- Water from crawl space pumps
- Footing drains
- Water from individual residential car washing
- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool discharges
- Other similar occasional incidental discharges (for example, non-commercial or charity car washes) where such discharges will not cause a problem either due to the nature of the discharge or controls the MS4 places on the discharge. Permittees must identify all types of discharges that will be allowed as occasional incidental discharges and must specify those discharges in the storm water management plan.

D. Limitations on Coverage

The following discharges, whether discharged separately or commingled with municipal storm water, are not authorized by this permit:

1. Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are:

   a. In compliance with a separate LPDES permit, or

   b. Identified by and in compliance with Part I.C of this permit.

2. Discharges of material resulting from a spill. Where discharge of material resulting from a spill is necessary to prevent loss of life, personal injury, or severe property damage, permittees shall take, or ensure the responsible party for the spill takes all reasonable steps to minimize or prevent any adverse effects on human health or the environment. This permit does not transfer liability for a spill itself from the party(ies) responsible for the spill to the permittees nor relieve the party(ies) responsible for a spill from the reporting requirements of LAC 33:I.Chapter 39 (40 CFR Part 117 and 40 CFR Part 302).

3. Storm water discharges whose direct, indirect, interrelated, interconnected, or interdependent impacts are likely to have adverse effects upon endangered or threatened species, or on the critical habitat for these species as determined in conjunction with the U.S. Fish and Wildlife Service (USFWS).

4. Storm water discharges or implementation of your storm water management plan, which adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless you are in compliance with requirements of the National Historic Preservation Act (NHPA) and any necessary activities to avoid or minimize impacts have been coordinated with the Louisiana State Historic Preservation Officer (SHPO). (For questions, the operator should contact the Section 106 Review Coordinator, Louisiana Office of Cultural Development, P.O.

Box 44247, Baton Rouge, LA 70804-4247, telephone (225) 342-8170, or email section106@crt.la.gov.)

5. Storm water discharges into any water body for which a TMDL has been approved if the storm water discharges do not comply with Part III.B of this permit.

6. Any new source or new discharge containing the pollutants of concern to a 303(d)- listed water body where a TMDL has not been approved unless allowed under LAC 33:IX.2317.A.9. You may be eligible under this section [2317] if you comply with Part IV.H of this permit.

E. Permittee Responsibilities

1. Permittees are responsible for:

   a. Compliance with permit conditions relating to discharges from portions of the MS4 where the permittee is the operator;

   b. Storm Water Management Program (SWMP) implementation in portions of the MS4 where the permittee is the operator (including developing and implementing clear, specific, and measurable goals and best management practices (BMPs) used to satisfy the control measures identified in Part IV.D.1-6); examples of clear, specific, and measurable goals and BMPs include BMP design requirements, performance requirements, adaptive management requirements, schedules for implementation and maintenance, and frequency of actions (for examples, see EPA guidance document *Measurable Goals Guidance for Phase II Small MS4s* found at https://www3.epa.gov/npdes/pubs/measurablegoals.pdf);

   c. Compliance with annual reporting requirements as specified in Part V.C;

   d. Collection of representative wet weather monitoring data required by Part V.A, according to such agreements as may be established between permittees; and

   e. A plan of action to assume responsibility for implementation of storm water management and monitoring programs in its portion of the MS4 should interjurisdictional agreements allocating responsibility between permittees be dissolved or in default. **This plan of action must be in place within 6 months of the permit issuance date and any new plans or changes to existing plans must be attached to the revised SWMP that is included along with the next annual report.**

2. Permittees are jointly responsible for permit compliance in portions of the MS4 where operational or SWMP implementation authority over portions of the MS4 is shared or has been transferred from one permittee to another in accordance with legally binding agreements. **Any co-permittee relying on another co-permittee or co-permittees to satisfy its permit obligations must have an interagency agreement in place within 6 months of the permit issuance date. A copy of the agreement must be attached to the revised SWMP and provided along with the next annual report submittal.**

3. Within 90 days of transfer of ownership, operational control, or responsibility for SWMP implementation, the MS4 must have developed a plan for implementing the SWMP. Implementation of the SWMP in new areas must be done as expeditiously as possible, but no later than 3 years from addition of the new area.

F. Obtaining Authorization

For general permits issued under LAC 33:IX.2515.B for small MS4s, the state administrative authority (LDEQ) will establish the terms and conditions necessary to meet the requirements of LAC 33:IX.2523 using the two-step permitting approach as described in LAC 33:IX:2515.B. After issuing the general permit, the state administrative authority may establish through a second permitting step additional permit terms and conditions for each MS4 seeking authorization to discharge under the general permit. These additional terms and conditions supplement the requirements of the general permit, resulting in a complete permit meeting the maximum extent practicable (MEP) permit standard for each individual MS4 permittee under the general permit. In the second permitting step, the state administrative authority satisfies its obligation to review the NOI for adequacy and determines what additional requirements are needed for the MS4 to meet the MEP permit standard. Once the NOI is determined to be administratively and technically complete, the state administrative authority will initiate the public noticing process. Public noticing provides an opportunity for the public to submit comments and to request a hearing. Upon completion of this process, LDEQ will notify the MS4 by means of an LPDES permit authorization letter of the authorization to discharge, subject to the terms of the general permit and the additional requirements that apply individually to that MS4. **Once accepted, the SWMP and any other additional conditions identified in the LPDES permit authorization letter become enforceable parts of the permit authorization.**

In accordance with LAC 33:IX.2515.B.2.h.ii, the state administrative authority includes required permit terms and conditions in the general permit applicable to all eligible small MS4s, and during the process of authorizing small MS4s to discharge, the state administrative authority may establish additional terms and conditions not included in the general permit to satisfy one or more of the permit requirements in LAC 33:IX.2523 for individual small MS4 operators. If the state administrative authority deems that additional terms and conditions are necessary for the small MS4 to meet MEP standards or address TMDL requirements, these enforceable terms and conditions will be included in the letter of authorization.

The state administrative authority shall review the Notice of Intent (NOI) submitted by the small MS4 operator to determine whether the information in the NOI is complete, whether the proposed SWMP meets the MEP standard, and to establish any additional terms and conditions necessary to meet the requirements of LAC 33:IX.2523. The state administrative authority may require the small MS4 operator to submit additional information.

Other applicable LPDES permit requirements, standards, and conditions may be established in the general permit, developed consistently with the provisions of LAC 33:IX.2701-2715.

All MS4 operators, including operators covered under a previous version of the LPDES General Permit LAR040000, must comply with the following application requirements.

Application and Public Notice Requirements
The following requirements apply in order for storm water discharges from regulated small MS4s to receive authorization under this general permit:

1. A correctly completed NOI (Form **MS4-G** found at: http://deq.louisiana.gov/page/lpdes-water-permits) must be submitted to the state administrative authority. **In accordance with the requirements of Part II of this permit, the applicant must submit a proposed storm water management plan,** using Sections IV-VI of the NOI form provided by the state administrative authority, or as an attachment. If an electronic NOI or SWMP form is developed during the term of this permit, the state administrative authority may suspend the use of paper NOIs or SWMPs. **Operators authorized under a previous version of LPDES General Permit LAR040000 shall submit the NOI along with the current storm water management plan, updated to meet new requirements contained in this permit (see Part IV.E).**

2. A new NOI must be submitted in accordance with Part II of this permit when the operator changes, or when a new operator is added after the submittal of an NOI.

3. Any NOI submitted for authorization under this general permit will be placed on public notice for a minimum of 30 days, after the state administrative authority determines the NOI to be administratively complete. In accordance with LAC 33:IX.6521, the costs of publication shall be borne by the applicant. The public notice, the process for submitting public comments and hearing requests, and the hearing process, if a request for a hearing is granted, shall follow the procedures applicable to draft permits set forth in LAC 33:IX.315. All interested parties will be given the opportunity to comment and to request a public hearing to raise issues of concern related to permitting discharges from a particular drainage system during this period.

4. LDEQ may include additional enforceable terms and conditions to be included in the SWMP, and the basis for these additional requirements, upon authorization to discharge under this general permit.

5. The state administrative authority will issue written notification to those small MS4s who are accepted for coverage under this general permit. Upon authorization for the MS4 to discharge under the general permit, the final additional enforceable terms and conditions applicable to the MS4 operator become effective. The state administrative authority shall inform the public of the decision to authorize the MS4 to discharge under the general permit and of the final additional enforceable terms and conditions specific to the MS4. If it is determined that an MS4 would be more correctly regulated under an individual permit, the permittee will be notified that it will not be permitted under the general permit and that an individual permit will be issued to the MS4 operator. The state administrative authority may later deny coverage under this permit and require submittal of an application for an individual LPDES permit based on a review of the NOI or other information (see Part VI.A.6 of this permit).

6. MS4 permittees granted authorization to discharge under this general permit will be listed in the Water Permits Division activity report on the state administrative authority website at: http://deq.louisiana.gov/page/lpdes. NOIs and associated documents will be available in the Electronic Document Management System (EDMS) for public review: http://deq.louisiana.gov/page/edms.

PART II
NOTICE OF INTENT REQUIREMENTS

A. Deadlines for Notification

1. If you are an operator of a newly regulated small MS4 designated under LAC 33:IX.2519.A.1 (located in urbanized areas as determined by the latest Decennial Census by the Bureau of the Census), you must apply for coverage under this permit within 120 days of being notified by the state administrative authority that you operate a regulated small MS4.

2. If you are an operator of a regulated small MS4 designated under LAC 33:IX.2519.A.2, you must apply for coverage under this permit, or apply for a modification of an existing LPDES permit within 120 days of notice from the state administrative authority that coverage is required.

3. If you are an operator of a regulated small MS4 that was authorized under a previous version of the LPDES General Permit LAR040000, you must reapply for coverage under this permit within 120 days of being notified by the state administrative authority.

4. Requests for waivers under LAC 33:IX.2519.C (see Part I.B) must be submitted in writing, with supporting documentation.

5. When the operator changes, or when a new operator is added after the submittal of an NOI under Part II, the new owner/operator must complete and file an NOI in accordance with Part I.F of the permit at least 30 days prior to taking over operational control of the facility. The prior operator must submit a Notice of Termination once authorization is provided to the new operator.

B. Contents of Notice of Intent

The NOI shall be signed in accordance with Part VI.D.10 of this permit and shall include the following information:

1. The MS4 name;

2. The street address, parish, and the latitude and longitude of the city hall or municipal business office of the MS4 operator for which the notification is being submitted;

3. The name, address, and telephone number of the operator(s) filing the NOI for permit coverage;

4. The names of all states where the applicant has federal or state environmental permits identical to or similar to the MS4 permit;

5. A statement that the applicant does not owe any outstanding fees or final penalties to the state administrative authority; if there are outstanding fees or penalties, you should explain why they have not been paid;

6. Whether or not the applicant is a corporation or limited liability company;

7. The name(s) of all receiving water(s);

8. A USGS 7.5 minute topographic map, or equivalent, of the MS4 service area that satisfies the requirement of LAC 33:IX.2523.B.3.b, showing the location of all outfalls and names and locations of all waters of the state that receive discharges from those outfalls, and any major structural controls (retention basins, detention basins, major infiltration devices, etc.) identified;

9. An estimate of the square miles of the MS4 service area;

10. Any existing quantitative data that characterizes the discharge, such as the monthly mean rainfall estimates, volume and quality of the discharges from the MS4, and the results of any visual field screening at identified outfalls; and

11. In the NOI or as an attachment to the NOI, the following information for each of the 6 minimum control measures defined in Part IV.D:

    a. Selected clear, specific, and measurable BMPs;

    b. The clear, specific, and measurable goals for each of the storm water minimum control measures, the month and year in which the MS4 operator began or will begin full implementation of each of the minimum control measures, interim milestones, frequency of the action; and

    c. Name(s) of the person(s) responsible for implementing or coordinating the SWMP.

C. Where to Submit

NOIs, signed in accordance with Part VI.D.10 of this permit, are to be submitted to the state administrative authority at this address:

Louisiana Department of Environmental Quality
Office of Environmental Services
P.O. Box 4313
Baton Rouge, LA 70821-4313
Attention: Water Permits Division

PART III
SPECIAL CONDITIONS

A. Discharge Compliance with Water Quality Standards

Your discharges must not be causing or have the reasonable potential to cause or contribute to a violation of a water quality standard. Where a discharge is already authorized under this permit and is later determined to cause or have the reasonable potential to cause or contribute to the violation of an applicable state or federal water quality standard, the state administrative authority will notify you of such violation(s), and permittees shall take all necessary actions to ensure that future discharges do not cause or contribute to the violation of a water quality standard and to document these actions in the SWMP. If violations remain or recur, then the state administrative authority may require specific changes to the SWMP, or coverage under this permit may be terminated by the state administrative authority, and an individual permit may be issued. Compliance with this requirement does not preclude any enforcement activity as provided by the Clean Water Act (CWA) and Louisiana Environmental Quality Act for the underlying violation.

The state administrative authority has established procedures for monitoring water quality throughout the state to determine if water quality standards are being met and to determine if TMDLs are required to prevent further degradation to water quality-impaired streams. The permit requires that permittees implement a storm water management plan that is designed to minimize the discharge of pollutants from the regulated area to waters of the state. Permittees are required to implement BMPs to fulfill the requirements outlined in Part IV.D. Implementing BMPs to minimize the discharge of pollutants to the storm sewer system should result in less polluted storm water runoff from the regulated areas to receiving water bodies.

Permittees must comply with the state's antidegradation policy and plan (LAC 33:IX.1109.A; LAC 33:IX.1119). Permittees must ensure that storm water discharges to water bodies designated as Outstanding Natural Resource Waters (ONRWs) will not degrade water quality to the maximum extent practicable (MEP). Additional BMPs and regulatory mechanisms (for example, ordinances or codes) may be required in order to prevent erosion, sedimentation, or illicit discharges to ONRWs. If it is demonstrated that a discharge from a particular MS4 regulated by this permit would result in the violation of instream water quality criteria or adversely impact the designated uses of a receiving stream, the state administrative authority will consider how the implementation of the minimum control measures outlined in Part IV.D will affect the quality of storm water discharges from the MS4. If it is determined that the minimum control measures outlined in Part IV.D are inadequate to control the discharge of pollutants from the MS4 effectively enough to meet the instream water quality criteria or protect the designated uses of the receiving stream, then the procedures outlined in LAC 33:IX.1119.C may be implemented to determine if the discharge from the MS4 can be permitted under this general permit, or whether the MS4 may be required to obtain coverage under an individual LPDES permit.

Discharges of pollutants from an MS4 that cannot be effectively controlled under the conditions of this permit will not be authorized to discharge under this general permit.

B. Total Maximum Daily Load (TMDL) Allocations

Permittees must document in the SWMP how the BMPs and other controls implemented in the SWMP will control the discharge of any pollutant(s) of concern (POCs) for discharges into a receiving water which has been listed on the Clean Water Act 303(d) list of impaired waters.

If storm water runoff from a regulated MS4 flows into a basin subsegment **that is listed on the most recent EPA-approved 303(d) list**, then the permittee's SWMP must address any impairments where the suspected source has been identified as *urban runoff/storm sewers, municipal (urbanized high density area), discharges from municipal separate storm sewer systems, SSOs, forced drainage pumping, residential districts, or unspecified urban stormwater.* If a TMDL has not yet been approved for a 303(d)-listed basin subsegment number that receives storm water runoff from the regulated MS4s, **and** the source of pollutants causing the impairment(s) have been attributed to MS4s, then permittees must describe how the BMPs and other control(s) selected for the SWMP will minimize, to the MEP, the discharge of those pollutants which have been identified as causing the impairment. Impaired water bodies (without a TMDL) are listed as Category 5 in Appendix A of LDEQ's most recent Integrated Report (IR), located at: http://deq.louisiana.gov/page/water-quality-integrated-report-305b303d.

If a TMDL has been approved for a water body, permittees will be required to include any TMDL requirements in the SWMP that are applicable to MS4 discharges into basin subsegments where TMDLs have been established.

If a TMDL allocation has been assigned for specific pollutants, which are identified as impairments attributed to discharges from regulated MS4s, then permittees must update the SWMP to implement the TMDL within 6 months of the TMDL's approval or as otherwise specified in the TMDL. This requirement includes TMDLs that are developed during the term of this general permit. In addition to any MS4-specific requirements of the TMDL, permittees must also: (1) implement clear, specific, and measurable BMPs that specifically target the pollutant(s) of concern; (2) identify clear, specific, and measurable goal(s) to minimize the discharge of the pollutant(s) of concern; and (3) implement a monitoring program to assess whether or not the storm water controls are adequate to meet the wasteload allocation (WLA). *See Part IV.H for a thorough discussion of permit requirements should a WLA be assigned for discharges of one or more pollutants from your MS4.* Impaired water bodies for which TMDLs have been developed are listed as Category 4a in Appendix A of LDEQ's most recent IR, located at: http://deq.louisiana.gov/page/water-quality-integrated-report-305b303d.

C. Releases in Excess of Reportable Quantities

The discharge of hazardous substances or oil in the storm water discharge(s) from a regulated small MS4 shall be prevented or minimized in accordance with the applicable storm water

management plan. This permit does not relieve permittees of the reporting requirements of LAC 33:I.3915 and LAC 33:I.3917.

The storm water management plan required under Part IV of this permit must be modified within 14 calendar days of knowledge of the release to: provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the plan must be reviewed to identify measures to prevent the recurrence of such releases and to respond to such releases, and the plan must be modified where necessary.

D. Spills

The permit does not authorize the discharge of hazardous substances or oil resulting from spills. Nor does the permit authorize the discharge of any other substance resulting from a spill event. All reasonable steps must be taken to minimize or prevent any adverse effects on human health or the environment resulting from such spills.

PART IV
STORM WATER MANAGEMENT PROGRAMS

A. Requirements

Within 5 years following **initial** authorization under the permit, you must develop, implement, and enforce a storm water management program (SWMP).

Operators Applying for Initial Permit Coverage:

Operators who apply for initial permit coverage under the reissued general permit must develop and implement a storm water management plan within 5 years following initial authorization under the general permit. While full program implementation may take up to 5 years, credible progress in implementing existing, partial or interim programs must be made during the term of the permit; for example, initial illicit discharge and public education programs shall be launched within the first year of permit coverage.

Currently Permitted Operators:

Operators who were permitted more than 5 years prior to the effective date of this reissued general permit are required to have fully developed and implemented a storm water management plan. Operators who received initial coverage under the previous general permit within the last 5 years are required to have fully developed and implemented a storm water management plan within 5 years from the date of their initial coverage. Deadlines for complete program development and implementation are not extended with each general permit reissuance.

The SWMP shall be described in detail in a written storm water management plan. The storm water management plan shall be designed to reduce the discharge of pollutants from your small MS4 to the MEP, to protect water quality, and to satisfy the water quality requirements of the Louisiana Environmental Quality Act and the Clean Water Act.

The SWMP shall cover the term of the permit and shall be updated by the permittee, and when required by the secretary or the secretary's designee, to ensure compliance with the statutory requirements of LAC 33:IX.2523 and Section 402(p)(3)(B) of the Clean Water Act. Modifications to the SWMP shall be made in accordance with Parts IV.E and VI.A.6. Compliance with the SWMP, additional enforceable conditions required by the state administrative authority, and any schedules required by the permit shall be deemed compliance with Parts IV.A and IV.D. The SWMP, and all updates made in accordance with Part IV.E, are hereby incorporated by reference.

Your SWMP must include the minimum control measures described below in Section D of this Part.

Program development resources are available through the EPA website at https://cfpub.epa.gov/npstbx/index.html. Guidance on Minimum Measures and Measurable

Goals and a menu of BMPs are available on the EPA's main storm water program page which is located at https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#edu. Other important MS4-related information is available on the EPA website at https://www.epa.gov/npdes/npdes-stormwater-program. Information related to BMPs that may be used to satisfy the requirements of the 6 minimum control measures required by Part IV.D of the permit are provided at: https://www3.epa.gov/npdes/pubs/measurablegoals.pdf.

B. Responsibilities of Co-permittees

Permittees must develop and implement a comprehensive SWMP for implementation within its jurisdiction and in accordance with interagency agreements (if applicable), including pollution prevention measures, treatment or removal techniques, storm water monitoring, enforcement of ordinances or other regulatory mechanisms identified in the SWMP, and other applicable means to control the quality of storm water discharged from the MS4. Permittees must continue to enforce the elements of the SWMP required by this permit and as described within the SWMP document(s). Existing permittees with fully developed SWMPs shall continue to implement the program and enforce the elements of the SWMP specifically required by this permit to control the discharge of pollutants to the MEP. Existing permittees with fully developed programs shall also continue to update the SWMP. Implementation of the SWMP may be achieved through participation with other permittees, public agencies, or private entities in cooperative efforts to satisfy the requirements of Part IV in lieu of creating duplicate program elements for each individual permittee. **You must describe in writing any participation in a cooperative effort and explain how that cooperative effort fulfills any of your Part IV permit requirements. Where a separate MS4 operator is contributing to implementation of the SWMP, the SWMP must clearly define the minimum measure and components(s) each entity agrees to implement and within which MS4 area(s).** The SWMP, taken as a whole, shall achieve the "effective prohibition on the discharge of non-storm water" and "MEP" standards from LAC 33:IX.2523 and Section 402(p)(3)(B) of the Clean Water Act.

The SWMP shall be implemented in accordance with Section 402(p)(3)(B) of the Clean Water Act, and the LPDES Storm Water Regulations (LAC 33:IX.2511).

Controls and activities in the SWMP shall identify areas of permittee responsibility on a jurisdictional, applicability, or specific area basis. The SWMP shall include controls necessary to effectively prohibit the discharge of non-storm water into municipal separate storm sewers and reduce the discharge of pollutants from the MS4 to the MEP.

C. Legal Authority

1. Traditional MS4s, such as cities, towns, and parishes:

   Within 1 year from the effective date of this permit, a discharger permitted under a previous version of the general permit shall review ordinance(s) or other regulatory mechanism(s) to determine if the permittee has adequate legal

authority to control pollutant discharges into and from its MS4 in order to meet the requirements of Part IV.D of this permit. If legal authority does not meet the requirements of Part IV.D, the permittee(s) shall:

a. Revise relevant ordinances; or

b. Adopt a new ordinance(s) or other regulatory mechanism(s) to meet the requirements of Part IV.D.

If necessary, relevant ordinance(s) shall be revised no later than 2 years from the effective date of this permit. New operators without an ordinance or other regulatory mechanism shall establish a plan to adopt an ordinance prior to submittal of a Notice of Intent. New operators must adopt such an ordinance within 2 years of receiving notification of coverage. The first year's annual report must contain a certification statement that ordinances were reviewed.

2. Non-traditional MS4s, such as transportation entities or universities:

Where the permittee lacks the authority to develop ordinances or to implement enforcement actions, the permittee shall exert enforcement authority as required by this general permit for its facilities, employees, contractors, and other entities over which it has operational control, within the portion of the UA under jurisdiction of the permittee. If the permittee does not have enforcement authority and is unable to meet the goals of this permit through its own powers, then the permittee shall:

a. Enter into interjurisdictional agreements with municipalities where the small MS4 is located. These interjurisdictional agreements must state the extent to which the municipality will be responsible for enforcement in order to meet the conditions of this general permit, must be in place within 6 months of the permit issuance date, must be attached to the revised SWMP, and must be included along with the next annual report submittal; or

b. If it is not feasible for the permittee to enter into interjurisdictional agreements, the permittee shall notify an adjacent MS4 operator with enforcement authority or the LDEQ's Regional Office to report discharges or incidents for which it cannot itself take enforcement action (see map and contact information for regional offices at http://deq.louisiana.gov/directory).

D. Minimum Control Measures

You must provide a rationale for how and why you selected each of the BMPs and measurable goals for your SWMP. The rationale should include:

- The BMPs that you or another entity are implementing, or propose to implement (for operators permitted less than 5 years ago), for each of the storm water minimum control measures;

- The proposed measurable goals for each of the BMPs including the months and years in which you propose to undertake required actions, including interim milestones and the frequency of the action;

- Name(s) of the person(s) responsible for implementing or coordinating the BMPs for your SWMP; and

- Any additional information required by the state administrative authority.

In addition to providing the rationale described above, your written storm water management plan must include the following information for each of the 6 minimum control measures described below (1–6).

1. Public Education and Outreach on Storm Water Impacts

a. You must:

i. Identify the minimum elements and require implementation of a public education program to distribute educational materials to the community, or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.

ii. Identify each clear, specific, and measurable BMP and corresponding goal that you use in your public education and outreach program that is designed to minimize the discharge of pollutants into your MS4.

iii. Describe how you inform individuals and households about the steps they can take to reduce storm water pollution.

iv. Describe how you inform individuals and groups about becoming involved in the storm water program (with activities such as local stream and beach restoration).

v. Identify the target audiences for your education program who are likely to have significant storm water impacts (including commercial, industrial and institutional entities) and why those target audiences were selected.

vi. Identify the target pollutant sources your public education program is designed to address.

vii. Identify your outreach strategy, including the mechanisms (printed brochures, newspapers, media, and workshops, for example) you use to reach your target audiences, and how many people you expect to reach by your outreach strategy over the permit term.

viii. Identify who is responsible for overall management and implementation of your storm water public education and outreach program and, if different, who is responsible for each of the BMPs identified for your storm water public education and outreach program.

ix. Describe how you evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

x. Tailor your program, using a mix of locally suitable strategies, such as brochures, fact sheets, public service announcements, and speaking engagements, to target specific audiences and communities. You should designate some of the materials or outreach programs to be directed toward targeted groups of commercial, industrial, and institutional entities likely to have significant storm water impacts. For example, information could be provided to restaurants on the impact of grease clogging storm drains and to garages on the impact of oil discharges in storm water.

b. Recommendations:

i. You may use storm water educational materials locally developed or provided by the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s;

ii. You should tailor your outreach program to address the viewpoints and concerns of all communities, particularly minority, non-English-speaking, and disadvantaged communities, as well as any special concerns relating to children.

2. Public Involvement/Participation

a. You must:

i. At a minimum, comply with state, tribal, and local public notice requirements when implementing a public involvement/participation program.

ii. Identify each clear, specific, and measurable BMP and corresponding goal used in your public involvement/participation program that is designed to minimize the discharge of pollutants into your MS4.

iii. Describe how you involve the public in the development and submittal of your NOI and SWMP. *(You are strongly encouraged to make the storm water management plan and annual report available for review/comment at the local level prior to submittal to LDEQ.)*

iv. Describe how you actively involve the public in the development of your storm water program. *(You are strongly encouraged to make updates to the storm water management plan and annual report available for review/comment at the local level prior to submittal to LDEQ.)*

v. Identify the target audiences for your public involvement program. You are encouraged to actively involve all potentially affected stakeholder groups, including commercial and industrial businesses, trade associations, environmental groups, homeowners associations, and educational organizations, among others.

vi. Identify and describe the types of public involvement activities included in your program. Consider including the following types of public involvement activities:

(a) Citizen representatives on a storm water management panel;
(b) Holding public hearings;
(c) Working with citizen volunteers willing to educate others about the program; and
(d) Volunteer monitoring or stream/beach clean-up activities.

vii. Identify who is responsible for the overall management and implementation of your storm water public

involvement/participation program and, if different, who is responsible for each of the BMPs identified for this program.

viii. Describe how you evaluate the success of this minimum control measure, including how you selected the measurable goals for each of the BMPs.

b. Recommendations:

i. Use storm water educational materials locally developed or provided by the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s;

ii. Include the public in developing, implementing, and reviewing your SWMP and make efforts to reach out and engage all economic and ethnic groups. Opportunities for members of the public to participate in program development and implementation include serving as citizen representatives on a local storm water management panel, attending public hearings, working as citizen volunteers to educate other individuals about the program, assisting in program coordination with other pre-existing programs, and participating in volunteer monitoring efforts. (Citizens should obtain approval where necessary for lawful access to monitoring sites.)

3. Illicit Discharge Detection and Elimination

a. You must:

i. Develop, implement, and enforce a program to detect and eliminate illicit discharges (as defined at LAC 33:IX.2511.B.2) into your small MS4;

ii. Develop, if not already completed, a USGS 7.5 minute topographic map, or equivalent, of the MS4 service area that satisfies the requirement of LAC 33:IX.2523.B.3.b, showing the location of all outfalls and names and locations of all waters of the state that receive discharges from those outfalls, and any major structural controls (retention basins, detention basins, major infiltration devices, etc.) identified;

iii. To the extent allowable under state, tribal, or local law, effectively prohibit, through ordinance or other regulatory mechanism, non-storm water discharges into your storm sewer system and implement enforcement procedures and actions; in addition, modify the SWMP within 14 calendar days of knowledge of a release in excess of reportable quantities (see Part III.C);

iv. Develop, if not already completed, and implement a plan to detect and address non-storm water discharges, including illegal dumping, to your system;

v. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste;

vi. **Address the following categories of non-storm water discharges or flows only if you identify them as significant contributors of pollutants to your small MS4**: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), uncontaminated pumped ground water, incidental discharges of potable water (for example, drinking fountain overflows), foundation drains, air conditioning condensate, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering runoff, water from individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, residual street wash water, and discharges or flows from firefighting activities (excludes predictable and controllable discharges from a firefighting training facility), where such discharges will not cause a problem either due to the nature of the discharge or controls placed by the MS4 on the discharge. Significant contributors of pollutants from the above sources may require additional controls, such as enhanced public education, ordinances, or other regulatory mechanisms (to be implemented by the MS4 operator); and

vii. **Develop a list of other similar occasional incidental non-storm water discharges (for example, non-commercial or charity car washes) that will not be addressed as illicit discharges.** These non-storm water discharges must not be reasonably expected (based on information available to the permittees) to be significant sources of pollutants to the MS4, because of either the nature of the discharges or conditions you have established for allowing these discharges to your MS4 (a charity car wash with controls on frequency, proximity to sensitive water bodies, and BMPs on the

wash water, for example). You must document in your SWMP any local controls or conditions placed on the discharges. You must include a provision prohibiting any individual non-storm water discharge that is determined to be contributing significant amounts of pollutants to your MS4.

viii. Provide a description of how you evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

ix. Conduct visual screening of the outfalls during dry weather and conduct field tests of selected pollutants as part of the procedures for locating priority areas. Permittees must justify the screening schedule with respect to available resources, for example, combining visual screening with plumbing inspections, complaint investigations, etc.

b. You must identify each clear, specific, and measurable BMP and corresponding goal used in your illicit discharge detection and elimination program that is designed to minimize the discharge of pollutants into your MS4. You must include, at a minimum, the following information:

i. A description of how you will develop or have developed a storm sewer map showing the location of all outfalls and the names and location of all receiving waters. Describe the sources of information you used for the maps and how you plan to verify the outfall locations with field surveys. Permittees that are required to have completed their storm sewer maps must describe how the map was developed and how the map will be regularly updated.

ii. A description of the mechanism (ordinance or other regulatory mechanism) you use to effectively prohibit illicit discharges into the MS4 and why you chose that mechanism. If you need to develop this mechanism, describe your plan and a schedule to do so in accordance with Part IV.C. Permittees that are required to have already developed an ordinance or other regulatory mechanism must include a copy of the relevant section(s) or a reference (such as a web URL) with their SWMP.

iii. A description of how you ensure that your illicit discharge ordinance (or other regulatory mechanism) is implemented through enforcement procedures and actions.

iv. A description of your plan to detect and address illicit discharges to your system, including discharges from illegal dumping and

spills. Your plan must include dry weather field screening for non-storm water flows and field tests of selected chemical parameters as indicators of discharge sources. Your plan must also address on-site sewage disposal systems that flow into your storm drainage system. Your description must address, at a minimum, the following:

(a) Procedures for locating priority areas, including areas with higher likelihood of illicit connections (for example, areas with older sanitary sewer lines), or ambient sampling to locate impacted reaches.
(b) Procedures for tracing the source of an illicit discharge, including the specific techniques you will use to detect the location of the source.
(c) Procedures for removing the source of the illicit discharge.
(d) Procedures for program evaluation and assessment.
(e) Procedures for storm water management plan modification within 14 calendar days of knowledge of a release (see III.C.4).

v. A description of how you inform public employees, businesses, and the public of hazards associated with illegal discharges and improper disposal of waste. Include in your description how this plan will coordinate with your public education minimum measure and your pollution prevention/good housekeeping minimum measure programs.

vi. Identification of who is responsible for overall management and implementation of your storm water illicit discharge detection and elimination program and, if different, who is responsible for each of the BMPs identified for this program.

c. Recommendations:

i. Use storm water educational materials locally developed or provided by the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s.

4. Construction Site Storm Water Runoff Control

a. You must:

i. Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to your small MS4 from construction activities that result in a land disturbance of greater than or equal to 1 acre. Reduction of storm water discharges from construction activity disturbing less than 1 acre must be included in your program if that construction activity is part of a larger common plan of development or sale that would disturb 1 acre or more. The extent to which the program will rely upon the recently amended NPDES Phase II Construction regulation (40 CFR Part 450) should be specified.

ii. In your written storm water management plan, include the development and implementation of, at a minimum:

(a) An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state, tribal, or local law;
(b) Requirements for construction site operators to implement erosion and sediment control BMPs;
(c) Requirements for construction site operators to control waste such as, but not limited to, discarded building materials, concrete truck washout (see EPA guidance at https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#constr), chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality;
(d) Procedures for site plan review which incorporate consideration of potential water quality impacts;
(e) Procedures for receipt and consideration of information submitted by the public;
(f) Procedures for site inspection and enforcement of control measures;
(g) Educational and training measures for construction site operators; and
(h) Storm water BMPs for construction sites within the MS4's jurisdiction that discharge into the system.

iii. Identify each clear, specific, and measurable BMP and corresponding goal that you use in your construction site storm water runoff control program designed to minimize the discharge of pollutants into your MS4. You must include, at a minimum, the following information:

(a) The mechanism (ordinance or other regulatory mechanism) you use to require erosion and sediment controls at construction sites and why you chose that mechanism. If you need to develop this mechanism, describe your plan and a schedule to do so in accordance with Part IV.C. Permittees that are required to have already developed an ordinance or other regulatory mechanism must include a copy of the relevant section(s) with their SWMP.

(b) Your mechanisms to ensure compliance with your erosion and sediment control mechanisms, including the sanctions and enforcement actions. Describe your procedures for determining which sanctions will apply to which infractions (such as your enforcement escalation process). Possible sanctions include nonmonetary penalties (such as stop work orders and/or permit denials for noncompliance), as well as monetary penalties such as fines and bonding requirements.

(c) A description of your procedures or methods to ensure that construction site operators implement erosion and sediment control BMPs and control waste at construction sites that causes adverse impacts to water quality. Examples of such waste might include discarded building materials, concrete truck washout, chemicals, litter and sanitary waste.

(d) Your procedures for site plan review, including the review of pre-construction site plans, which incorporate consideration of potential water quality impacts. Describe your procedures and the rationale for how you will identify certain sites for site plan review, if your site plan review does not include the review of all pre-construction site plans.

(e) Your procedures for receipt and consideration of information submitted by the public. Consider coordinating this requirement with your public education program.

(f) Your procedures for site inspection and enforcement of control measures, including how you will prioritize sites for inspection. Include procedures for site inspections and enforcement of control measures including steps to identify priority sites for inspection and enforcement based on the nature of the construction activity, topography, and the characteristics of soils and receiving water quality.

(g) Name(s) of the person(s) responsible for overall management and implementation of your construction site storm water control program and, if different, who is responsible for each of the BMPs identified for this program.

iv. Describe how you evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

b. Recommendations:

i. Use storm water educational materials locally developed or provided by: the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, and https://www.epa.gov/npdes/stormwater-discharges-construction-activities), the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s.

5. Post-construction Storm Water Management in New Development and Redevelopment

a. You must:

i. Develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to 1 acre, including projects less than 1 acre that are part of a larger common plan of development or sale, that discharge into your small MS4. Your program must ensure that controls are in place that would prevent or minimize water quality impacts.

ii. Develop and implement strategies which include a combination of structural and/or nonstructural BMPs tailored to your community;

iii. Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under state or local law;

iv. Ensure adequate long-term operation and maintenance (O&M) of BMPs;

v. Assess existing ordinances, policies, programs, and studies that address storm water runoff quality when developing your program. In addition to assessing these existing documents and programs, you should provide opportunities to the public to participate in the development of the program;

vi. Adopt a planning process that identifies the municipality's program goals (for example, minimizing water quality impacts resulting from post-construction runoff from new development and redevelopment), implementation strategies (for example, adopting a combination of structural and/or nonstructural BMPs), O&M policies and procedures, and enforcement procedures when developing a program that is consistent with this measure's intent;

vii. Describe how you evaluate the success of this minimum measure, including how you selected the measurable goals for each of the BMPs.

b. You must identify each clear, specific, and measurable BMP and corresponding goal used in your post-construction SWMP designed to minimize the discharge of pollutants into your MS4. You must include, at a minimum, the following information:

i. A description of your program to address storm water runoff from new development and redevelopment projects. Include in your description any specific priority areas for this program.

ii. A description of how your program is specifically tailored for your local community, how it will minimize water quality impacts, and how it is designed to attempt to maintain pre-development runoff conditions.

iii. Descriptions of any nonstructural BMPs in your program, which may include, but are not limited to:

(a) Policies and ordinances that provide requirements and standards to direct growth to identified areas, protect sensitive areas such as wetlands and riparian areas, maintain and/or increase open space (including a dedicated funding source for open space acquisition), provide buffers along sensitive water bodies, minimize impervious surfaces, and minimize disturbance of soils and vegetation;
(b) Policies or ordinances that encourage infill development in higher density urban areas and areas with existing storm sewer infrastructure;
(c) Education programs for developers and the public about project designs that minimize water quality impacts; and
(d) Other measures such as minimization of the percentage of impervious area after development, use of measures to minimize directly connected impervious areas, and source

control measures often thought of as good housekeeping, preventive maintenance, and spill prevention.

iv. Descriptions of any structural BMPs in your program, which may include, but are not limited to:

(a) Storage practices such as wet ponds and extended-detention outlet structures;
(b) Filtration practices such as grassed swales, bioretention cells, sand filters, and filter strips; and
(c) Infiltration practices such as infiltration basins and infiltration trenches.

v. A description of the mechanism (ordinance or other regulatory mechanism) you use to address post-construction runoff from new development and why you chose that mechanism. If you need to develop a mechanism, describe your plan and a schedule to do so in accordance with Part IV.C. If your ordinance or regulatory mechanism is already developed, include a copy of the relevant sections with your program.

vi. A description of how you ensure the long-term operation and maintenance of your selected BMPs. Options to help ensure that future O&M responsibilities are clearly identified include an agreement between you and another party, such as the post-development landowners or regional authorities. If such an agreement is developed, it must be added to your SWMP and included in the next annual report submittal.

vii. Name(s) of the person(s) responsible for overall management and implementation of your post-construction SWMP and, if different, responsible for each of the BMPs identified for that control measure.

c. Recommendations:

i. Use storm water educational materials locally developed or provided by: the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s;

ii. When choosing BMPs, participate in locally-based watershed planning efforts, which attempt to involve a diverse group of stakeholders including interested citizens.

iii. Ensure the implementation of the structural BMPs by considering some or all of the following: pre-construction review of BMP designs; inspections during construction to verify BMPs are built as designed; post-construction inspection and maintenance of BMPs; penalty provisions for noncompliance with preconstruction BMP design; failure to construct BMPs in accordance with the agreed upon pre-construction design; and ineffective post-construction O&M of BMPs; and

iv. Ensure that your requirements continue to respond to the constantly changing storm water technologies, developments and improvements in control technologies.

6. Pollution Prevention/Good Housekeeping for Municipal Operations

a. You must:

i. Identify each clear, specific, and measurable BMP and corresponding goal used in your Pollution Prevention/Good Housekeeping for Municipal Operations program designed to minimize the discharge of pollutants into your MS4.

ii. Develop and implement an O&M program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations; in addition, using training materials that are available from EPA, LDEQ, or other organizations, your program must include employee training to prevent and/or reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.

iii. Describe how your O&M program is designed to prevent or reduce pollutant runoff from your municipal operations. Your program must specifically list the municipal operations that are impacted by this O&M program.

iv. Include a list of industrial facilities you own or operate that are subject to the LPDES Multi-Sector General Permit (MSGP) or individual LPDES permits for discharges of storm water associated with industrial activity that ultimately discharge to your MS4.

Include the LPDES permit number or a copy of the industrial NOI for each facility.

v. Describe any government employee training program you will use to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.

(a) Describe any existing available materials you plan to use (see https://www.epa.gov/npdes/stormwater-maintenance).
(b) Describe how this training program will be coordinated with the outreach programs developed for the public information minimum measure and the illicit discharge minimum control measure.

vi. Specifically address the following areas in your program description:

(a) Maintenance activities, maintenance schedules, and long-term inspection procedures for structural and nonstructural storm water controls to reduce floatables and other pollutants discharged from the MS4.
(b) Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt/sand storage locations and snow disposal areas that you operate.
(c) Procedures for the proper disposal of waste removed from your MS4 and your municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris.
(d) Procedures to ensure that flood management projects are assessed for impacts on water quality, and existing projects are assessed for incorporation of additional water quality protection devices or practices.

vii. Identify who is responsible for overall management and implementation of your pollution prevention/good housekeeping program and, if different, who is responsible for each of the BMPs utilized in your pollution prevention/good housekeeping program.

viii. Describe how you evaluate the success of this minimum control measure, including how you selected the measurable goals for each of the BMPs.

b. Recommendations:

i. Use storm water educational materials locally developed or provided by the EPA (refer to https://www.epa.gov/npdes/npdes-stormwater-program, the LDEQ (http://deq.louisiana.gov/page/storm-water-protection), environmental, public interest or trade organizations, or other MS4s.

E. Reviewing and Updating Your Storm Water Management Program

1. You must do an annual review of your SWMP in conjunction with preparation of the annual report required under Part V.C. You shall change your SWMP during the term of the permit in accordance with the following procedures:

a. Changes adding (but not subtracting or replacing) components, monitoring, controls/infrastructure, or requirements or updates to a MS4 map or ordinance and to the SWMP may be made at any time. For example, including new public education components or increasing the frequency of outfall inspections would be considered an addition. You must update your storm water management plan to include the above changes, and **these changes shall be reported in the next annual report that is prepared and submitted to LDEQ**.

b. Changes replacing an ineffective or infeasible BMP identified in the SWMP with an alternative BMP may be made at any time. For example, revising an ordinance or changing the parameters and sampling frequencies in the monitoring program would be considered a replacement. **You must update your storm water management plan to incorporate the changes. All such changes shall be reported in the next annual report that is prepared and submitted to LDEQ**. Your SWMP update and annual report to LDEQ must include documentation of the following:

i. An analysis of why the BMP is ineffective or infeasible (including cost prohibitive);

ii. Expectations of the effectiveness of the replacement BMP; and

iii. An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.

2. The permitting authority may require changes to the SWMP.

a. Changes may be needed to address impacts on receiving water quality caused, or contributed to, by discharges from the MS4.

b. Changes may be needed to include more stringent requirements necessary in order to comply with new federal statutory or regulatory requirements.

c. Changes may be needed to include such other conditions deemed necessary by the state administrative authority in order to comply with the goals and requirements of the Clean Water Act.

d. Changes requested by the state administrative authority must be made in writing, set forth the time schedule for you to develop the changes, and offer you the opportunity to propose alternative program changes to meet the objective of the requested modification. All changes required by the state administrative authority will be made in accordance with LAC 33:IX.307, LAC 33:IX.2903, or as applicable, LAC 33:IX.2905.

3. You must implement the SWMP in all new areas added to your portion of the MS4 (or areas for which you become responsible for implementation of storm water quality controls) as expeditiously as practicable, but not later than 1 year from addition of the new areas. Implementation may be accomplished in a phased manner to allow additional time for controls that cannot be implemented immediately.

   a. Within 90 days of a change of ownership, operational authority, or responsibility for SWMP implementation, you must have a plan for implementing your SWMP in all affected areas. The plan may include schedules for implementation. Information on all new annexed areas and any resulting updates required to the SWMP must be included in the annual report.

   b. Only those portions of the SWMP specifically required as permit conditions shall be subject to the modification requirements of LAC 33.IX.307. *Addition of components, controls, or requirements by the permittee(s); changes to the SWMP to address storm water controls needed based on wasteload allocations that are part of TMDLs finalized during the permit's term that address pollutant(s) of concern attributed to your MS4 (see Part IV.H); and replacement of an ineffective or infeasible BMP implementing a required component of the SWMP with an alternative BMP expected to achieve the goals of the original BMP shall be considered minor changes to the SWMP and not modifications to the permit.*

4. Changes to the SWMP that constitute a general permit modification must be sent to LDEQ **separately from the annual report** for review and approval in order to obtain a letter of modification of coverage. A general permit modification shall

follow the procedures in LAC 33:IX.2903 and 2515 and the permittee shall submit an NOI (marked "modified coverage" at the top) to LDEQ, along with any applicable changes to the SWMP as stated above in 4.a. In accordance with LAC 33:IX.2515B.2.h.ii.(b), "The state administrative authority shall review the NOI submitted by the small MS4 operator to determine whether the information in the NOI is complete and to establish the additional terms and conditions necessary to meet the requirements of LAC 33:IX.2523. **The state administrative authority may require the small MS4 operator to submit additional information.**"

5. Minor modifications of permits.

   a. Upon the consent of the permittee, the state administrative authority may modify a permit to make corrections or allowances for changes in the permitted activity listed in i-vii (below) without following the procedures of LAC 33:IX.Chapters 31-35 (see LAC 33:IX.2905). Minor modifications may include the following:

      i. Correction of typographical errors;

      ii. Requirement for more frequent monitoring or reporting by the permittee;

      iii. Interim compliance date change in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement;

      iv. Changes to existing outfall descriptions;

      v. Addition of outfalls previously permitted under another LPDES permit; and

      vi. Any other changes determined to be minor by the administrative authority.

6. Modification of coverage requiring public notice.

   a. In accordance with LAC 33:IX.2903.A, "When the state administrative authority receives any information (for example, inspects the facility, receives information submitted by the permittee as required in the permit (see LAC 33:IX.2701)," the state administrative authority may modify the permit accordingly. If the modification does not meet the criteria for a minor modification, the permittee is subject to the public notice and public hearing procedures of LAC 33:IX.Chapters 31-35. Substantial modifications may include:

i. Changes to the implementation of an MCM, including: delaying and/or deleting an MCM and/or requiring implementation of an MCM based upon the determination that another entity was responsible for implementation of the requirement but failed to implement the measures that satisfy the requirement(s); and

ii. Adding a co-permittee and/or including a small MS4 as a limited co-permittee (see LAC 33:IX.2521.B.1).

F. Qualifying State or Local Programs (QLP)

Any municipality, including a small MS4, may have its construction storm water program recognized as a QLP by LDEQ. A QLP is an LDEQ-approved program that fulfills the State LPDES Program requirements for small construction activities stated in Parts IV.D.4 and D.5. A local program can be recognized as a QLP if it meets or exceeds the minimum requirements outlined in the regulations (LAC 33:IX.2707.R) and the program is reviewed by LDEQ and is officially authorized as a recognized QLP. The provisions stated in LAC 33:IX.2707.R offer an opportunity to streamline administrative requirements in the storm water program by formally recognizing local construction management programs that meet or exceed the provisions in LDEQ's construction general permits. Under such a scenario, a construction site operator, responsible for a project within the jurisdiction of a recognized municipality, would follow that municipality's requirements for storm water management.

LDEQ will consider whether an MS4's construction program meets or exceeds the requirements contained in LDEQ's construction general permits and whether the MS4 has the institutional capacity to take on the delegated regulatory responsibilities when considering a municipality's proposal to have its construction program recognized as an LDEQ-approved QLP. More information related to QLPs is available on the EPA's website at http://www.epa.gov/npdes/pubs/qlp_memo.pdf.

G. Sharing Responsibility

If you are relying on another governmental entity that is regulated under LAC 33:IX.2511 of the storm water regulations to satisfy one or more of your permit obligations, you must note that fact in your NOI. This other entity must, in fact, implement the control measure(s); the measure of component thereof must be at least as stringent as the corresponding LPDES permit requirement, and the other entity must agree to implement the control measure on your behalf.

If the other entity agrees to implement the control measure on your behalf, you must have a written acceptance of this obligation. **The written agreement must be maintained as part of the description of your SWMP, and the state administrative authority shall require the cooperative agreement to be included in the NOI/SWMP submittal.** Should the other entity

fail to implement the minimum control measure on your behalf, you remain liable for any discharges due to the other entity's failure to implement the minimum control measure.
If the other entity agrees to report on the minimum measure that it agrees to implement, then the permittee must supply the other entity with the reporting requirements contained in Part V.C of this permit. Should the other entity fail to report in accordance with Part V.C on your behalf, you remain liable for failure to report any of the information required by Part V.C.

H. Discharges to Water Quality-Impaired Water Bodies

Upon written authorization of permit coverage, LDEQ may require the SWMP to be modified to include additional elements as enforceable permit conditions to address current impairments (where the suspected source(s) of the impairment include discharges from MS4s) and or TMDLs with a wasteload allocation assigned to pollutants from regulated MS4s.

Impaired Water Bodies Without an Established TMDL

If your MS4 discharges into a receiving water which has been listed in the LDEQ Section 303(d) List of Impaired Waters, a TMDL has not yet been approved, and the suspected source(s) of the impairment include discharges from MS4s, you must determine, within 1 year of the effective date of the permit if the MS4 is a source of the pollutant(s).

If sources are identified through monitoring for pollutants of concern throughout the MS4 and/or specific identified areas of concern (geographic area or targeted by discharger classification, for example residential, commercial, or industrial areas), the permittee must develop storm water control measures or BMPs that will reduce the discharge of the pollutants of concern. You must describe in your SWMP how the BMPs and other controls selected will reduce the discharge of the pollutant(s) of concern and how you will assess the effectiveness of the selected controls over time. This discussion must specifically identify control measures and BMPs that will collectively control the discharge of the pollutants of concern to ensure that discharges will not cause or contribute to instream exceedances of water quality standards. Targeted BMPs shall be included in the SWMP no later than 2 years after the effective date of the permit. You must report the progress on the implementation of the selected BMPs in your annual report in subsequent years thereafter. The MS4 operator shall select one or more of the recommended control measures in the following section (H.4.a-f) or develop other controls.

Requirements for Impaired Water Bodies with an Approved TMDL

Upon written authorization of permit coverage, LDEQ may require the SWMP to be modified to include additional elements as enforceable permit conditions for TMDLs finalized prior to issuance of coverage under this general permit. If a wasteload allocation (WLA) has been assigned to discharges of a particular pollutant from your MS4 to a particular basin subsegment:

1. You must include clear, specific, and measurable goals and BMPs in your SWMP targeting the pollutant(s) of concern. Include details, such as identifying areas of focused effort or implementing additional control measures or BMPs

that will reduce the pollutant(s) of concern. A schedule for implementing each targeted control shall be included in the SWMP.

2. Permittees shall adopt any assigned wasteload allocations (WLAs) as benchmark goals in the SWMP. The benchmark goal is not a permit limit, but shall be used to measure the progress toward achieving pollutant reductions from the MS4. If the benchmark goal is met, the permittee shall maintain the control measures, BMPs, or other pollutant reduction programs necessary to ensure that the goal will continue to be met.

3. Permittees must comply with monitoring or compliance schedules established in the TMDL.

4. Permittees shall select one or more of the following recommended controls (a–f) or develop other controls that may best achieve the pollutant reduction goals. The following storm water control measures address nutrient, dissolved oxygen, sediment, and/or bacteria impairments:

   a. Prioritization of the detection and elimination of illicit discharges contributing the pollutant(s) of concern to the MS4.

   b. Implementation of public education measures to reduce the discharge of bacteria and nutrients contributed by pets, livestock, and zoos.

   c. Implementation of a public education program to reduce the discharge of nutrients from the overapplication of residential and commercial fertilizers.

   d. Implementation of programs to reduce the pollutant contributions to the MS4 from failing on-site sewage treatment systems, such as septic tanks and small package plants. Such a program could include requiring the replacement of old septic tanks, regionalization of heavily populated areas without a centralized waste treatment facility, and/or extension of existing sewage treatment lines.

   e. Implementation of programs to enhance the MS4's sanitary sewer systems. Such a program should address inadequate collection systems, malfunctioning lift stations, or violations of the sewage treatment plant's water discharge permit.

   f. Requirement of a minimum buffer zone adjacent to surface waters to reduce erosion and sediment runoff for construction activities.

5. You must implement a monitoring program to determine whether the storm water controls that you have selected are adequate to meet the WLA. Each permitted MS4 must develop a monitoring program specific to the selected

BMPs that will be an effective tool to determine if measurable goals are being met. Document in your SWMP the reason and justification for the parameters and frequencies selected and how the monitoring program will effectively evaluate storm water controls. Monitoring programs may include, but are not limited to, the following elements:

a. Regular visual inspections of outfalls during wet and dry weather;

b. Regular inspections of receiving water bodies with the purpose of noting erosion or sedimentation problems;

c. Regular inspections of storm drains, major canals, or junctions;

d. Visual inspections of effluent samples for color, clarity, and the presence of foam, oil, debris, or noxious odors;

e. Instantaneous (*in situ)* water quality measurements of the receiving water body, such as dissolved oxygen, temperature, pH, etc.; and

f. Sampling and analysis of storm water discharges for pollutants of concern.

The permittee must also conduct any monitoring, including specific frequencies, required by applicable TMDLs.

6. Permittees must evaluate the effectiveness of the SWMP and document progress toward the benchmark goal(s). The MS4 operator may utilize third party data, such as that collected by LDEQ, USGS, EPA, and volunteer organizations in the evaluation process. However, the evaluation shall not be limited to only third party data. If subsequent evaluations show that additional or modified controls are necessary to meet the WLA for a particular pollutant, then you must describe the additional or modified controls that will be implemented and include a schedule for implementation. You must continue to evaluate the adequacy of the BMPs that you have implemented to meet the WLA for a particular pollutant. Make modifications to the SWMP until monitoring for a full permit cycle shows that the WLAs are being met or that the MS4 is no longer contributing to the water quality impairment.

7. **Within 6 months of any <u>new</u> WLAs assigned for specific pollutants, which are identified as impairments attributed to discharges from regulated MS4s, the permittee shall:** initiate development of clear, specific, and measurable goals and BMPs in your SWMP targeting the pollutant(s) of concern. Include details, such as identifying areas of focused effort of implementing additional control measures or BMPs that will reduce the pollutant(s) of concern. A schedule for implementing each targeted control shall be included in the SWMP. **Upon renewal of this permit, the selected clear, specific, and measurable**

goals and BMPs will be reviewed and, if accepted, established as enforceable permit conditions by the state administrative authority.

[NOTE: You should consult the latest edition of the Louisiana Water Quality Management Plan, which is available on the LDEQ website at: http://deq.louisiana.gov/page/water-quality-management (Volume 8), to determine if a wasteload allocation for any pollutant has been assigned to your MS4.]

Compliance with federal, state and local storm water programs revolves around the use of BMPs to manage storm water. Given the water quality and quantity benefits of smart growth at the site, neighborhood, and watershed levels, many smart growth techniques and policies are emerging as BMPs to manage storm water. You are strongly encouraged to utilize principles and BMPs contained in the following publications to minimize the discharge of pollutants within watersheds: https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#edu, https://louisianastormwater.org/, and https://www.epa.gov/smartgrowth/. You must document in your SWMP which smart growth practices you utilize and describe how those practices minimize the discharge of pollutants of concern to any water body with an established TMDL. LDEQ-developed TMDL reports are maintained and regularly updated on the LDEQ website at http://deq.louisiana.gov/page/tmld-reports-and-models.

LDEQ collects ambient surface water data at approximately 125 sites across the state each month. This data is used for establishing water quality criteria or standards, assessment of conditions, development of TMDLs, and the Section 303(d) List of Impaired Waters. This data may be accessed on the LDEQ website at http://deq.louisiana.gov/page/ambient-water-quality-monitoring-data.

LDEQ's Interactive Mapping Application (LIMA) can be accessed at http://deq.louisiana.gov/resources/category/make-a-map.

LDEQ's Small Business Assistance (http://deq.louisiana.gov/page/small-business-parish-assignments-regional-contacts) provides environmental regulatory assistance and information to small businesses and communities, including identification of subsegments, urbanized area boundaries, and the use of the LDEQ's Interactive Mapping Application.

PART V
MONITORING, RECORDKEEPING, AND REPORTING

A. Monitoring

On an ongoing basis during the permit term, you must:

- evaluate program compliance,
- evaluate the functionality of your identified BMPs,
- evaluate progress made toward the status of achieving your identified clear, specific, and measurable goals and BMPs, and
- make any necessary changes/updates to your plan.

If you discharge to a water for which a wasteload allocation (WLA) for a particular pollutant has been assigned to one or more of your MS4 outfalls, you are also required to develop and implement a monitoring program as described in Part IV.H. If the permittee discharges to two or more water bodies, the monitoring requirements apply only to those outfalls located within the subsegment for which the TMDL has been developed.

When conducting effluent (for example, wet weather discharge) sampling and analysis, permitted small MS4s must comply with the following:

1. All sampling and testing shall be conducted in accordance with the test procedures approved under 40 CFR Part 136, Tables A, B, C, D, E, F, G.

2. Proper sampling techniques shall be used to ensure that analytical results are representative of pollutants in the discharge. Monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C (LAC 33:IX.4901).

3. The flow measurement sample type for the effluent sampling shall be "estimate." Flow measurements shall not be subject to the accuracy provisions established in this permit. When collecting samples, the flow value may be estimated using best engineering judgment (LAC 33:IX.2701).

4. The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of known precision and accuracy. All quality control measures must be assessed and evaluated on an ongoing basis and quality control acceptance criteria must be used to determine the validity of the data. All method-specific quality control as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) *Standard Methods for the Examination of Water and Wastewater*, Sections 1020A and 1020B. General sampling protocol must follow guidelines established in the

Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982, U.S. Environmental Protection Agency. This publication is available as a downloadable PDF; search by publication #600482029 from https://www.epa.gov/nscep or by hardcopy order from the U.S. EPA/NSCEP, P.O. Box 42419, Cincinnati, OH 45242-0419, telephone number (800) 490-9198. Order by NSCEP publication number 600482029.

In accordance with 40 CFR 122.44(i)(1)(iv)(2), the permittee is required to use the most sufficiently sensitive method to quantify the presence of a pollutant. Therefore, the permittee must select a method with an MDL that is at or below the water quality criterion (if applicable) or the MQL, whichever is less. Please be advised that should a sufficiently sensitive method not be available, the permittee must submit supporting documentation stating this. For reporting purposes, if the most sensitive method is greater than the more stringent of the MQL or the water quality criteria, and the analytical result is less than the MDL, "non-detect" shall be reported.

5. Records of all monitoring information shall be retained in accordance with Part V.B of this permit.

B. Recordkeeping

You must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, a copy of the LPDES permit, and records of all data used to complete the application (NOI) for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. This period may be extended by request of the state administrative authority at any time.

You should not submit copies of records to the state administrative authority unless you are specifically asked to do so. You must retain a description of the SWMP required by this permit (including a copy of the permit language) at a location accessible to the state administrative authority. You must make your records, including the Notice of Intent (NOI) and a written description of the SWMP, available to the public if you receive a written request to do so.

C. Annual Report Requirements

Unless a co-permittee is exempted from providing updates to the annual report via an interagency agreement, each co-permittee must contribute to the preparation of a system-wide annual report. Each co-permittee must sign and certify the annual report in accordance with Part VI.D.10. You must submit the annual report to LDEQ by March 10 for the preceding calendar year. The annual report must be postmarked no later than March 10. If your MS4 has a public website, you must publish the SWMP and annual report on the website. If an electronic reporting format is developed during the permit

term, LDEQ may require the use of the electronic format in order to comply with EPA's eReporting rule. MS4s will be notified in writing if and when this occurs.

Your annual report must include:

1. The status of compliance with permit terms and conditions;

2. Results of information collected and analyzed, if any, during the reporting period, including any monitoring data used to assess the success of the program at reducing the discharge of pollutants to the MEP;

3. A summary of the storm water activities you plan to undertake to comply with the permit during the next reporting cycle (including an implementation schedule);

4. Any changes made during the reporting period to your SWMP, including control measures initiated in response to a new wasteload allocation;

5. Notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable) consistent with LAC 33:IX.2525; and

6. Any other information requested by the state administrative authority.

D. Reporting: Where and When to Submit

1. Two copies of the annual report required by Part V.C and any other reports required herein shall be mailed to:

   Louisiana Department of Environmental Quality
   Office of Environmental Services
   P.O. Box 4313
   Baton Rouge, LA 70821-4313
   Attention: Water Permits Division

   You must submit these reports to LDEQ by March 10 for the preceding calendar year. By 2020, you may be required to submit MS4 program reports electronically (40 CFR 127.16, Table 1).

2. In addition, requests concerning updates to the SWMP, changes in monitoring locations, or application for an individual permit shall be submitted to:

   Water Permits Division
   Office of Environmental Services
   Department of Environmental Quality
   P.O. Box 4313
   Baton Rouge, LA 70821-4313

PART VI
STANDARD PERMIT CONDITIONS

SECTION A. GENERAL CONDITIONS

1. Introduction
   In accordance with the provisions of LAC 33:IX.2701, et seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to the Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA), as amended, as well as ALL applicable regulations.

2. Duty to Comply
   The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions

   a. La. R.S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. La. R.S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details.)

   b. Any person may be assessed an administrative penalty by the state administrative authority under La. R.S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants

   a. Other effluent limitations and standards under Sections 301, 302, 303, 307, 318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

   b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or

standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply

   a. Individual Permits. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The new application shall be submitted at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the state administrative authority. (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit.) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.

   b. General Permits. General permits expire 5 years after the effective date. The 180-day reapplication period as defined above is not applicable to general permit authorizations. Reissued general permits may provide automatic coverage for permittees authorized under the previous version of the permit, and no new application is required. Requirements for obtaining authorization under the reissued general permit will be outlined in Part I of the new permit. Permittees authorized to discharge under an expiring general permit should follow the requirements for obtaining coverage under the new general permit to maintain discharge authorization.

6. Permit Action

   This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2905, 2907, 3105 and 6509. The causes may include, but are not limited to, the following:

   a. Noncompliance by the permittee with any condition of the permit;

   b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

   c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;

   d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge;

   e. Failure to pay applicable fees under the provisions of LAC 33:IX.Chapter 13;

   f. Change of ownership or operational control.

   The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property Rights
   This permit does not convey any property rights of any sort, or any exclusive privilege, nor does it authorize any injury to private or public property, nor any infringement of federal, state, or local laws or regulations.

8. Duty to Provide Information
   The permittee shall furnish to the state administrative authority, within a reasonable time, any information which the state administrative authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the state administrative authority, upon request, copies of records required to be kept by this permit.

9. Criminal and Civil Liability
   Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to La. R.S. 30:2025.

10. Oil and Hazardous Substance Liability
    Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

11. State Laws
    Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

12. Severability
    If any provision of these rules and regulations, or the application thereof, is held to be invalid, the remaining provisions of these rules and regulations shall not be affected, so long as they can be given effect without the invalid provision. To this end, the provisions of these rules and regulations are declared to be severable.

13. Dilution
    A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

14. Facilities Requiring Approval from Other State Agencies

In accordance with La. R.S. 40.4(A)(6) the plans and specifications of all sanitary sewerage treatment systems, both public and private, must be approved by the Department of Health and Hospitals state health officer or his designee. It is unlawful for any person, firm, or corporation, both municipal and private to operate a sanitary sewage treatment facility without proper authorization from the state health officer.

In accordance with La. R.S. 40.1149, it is unlawful for any person, firm or corporation, both municipal and private, operating a sewerage system to operate that system unless the competency of the operator is duly certified by the Department of Health and Hospitals state health officer. Furthermore, it is unlawful for any person to perform the duties of an operator without being duly certified.

In accordance with La. R.S. 48.385, it is unlawful for any industrial wastes, sewage, septic tanks effluent, or any noxious or harmful matter, solid, liquid or gaseous to be discharged into the side or cross ditches or placed upon the rights-of-ways of state highways without the prior written consent of the Department of Transportation and Development chief engineer or his duly authorized representative and of the secretary of the Department of Health and Hospitals.

15. The standards provided in Chapter 11 – Surface Water Quality Standards are official regulations of the state, and any person who discharges pollutants to the waters of the state in such quantities as to cause these standards to be violated shall be subject to the enforcement procedures of the state as specified in R.S. 30:2025.

SECTION B. PROPER OPERATION AND MAINTENANCE

1. Need to Halt or Reduce not a Defense
   It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. Duty to Mitigate
   The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

3. Proper Operation and Maintenance

   a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and

maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

4. Bypass of Treatment Facilities

a. ***Bypass***. The intentional diversion of waste streams from any portion of a treatment facility.

b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B.4.c. and 4.d of these standard conditions.

c. Notice

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Water Permits Division, if possible at least 10 days before the date of the bypass.

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6 (24-hour notice) and Section D.6.e of these standard conditions.

d. Prohibition of bypass

(1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(c) The permittee submitted notices as required by Section B.4.c of these standard conditions.

(2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Section B.4.d(1) of these standard conditions.

5. Upset Conditions

a. Upset. An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section B.5.c. are met. No determination made during administrative review of claims that noncompliance was caused by an upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated; and

(3) The permittee submitted notice of the upset as required by LAC 33:IX.2701.L.6.b.ii and Section D.6.e.(2) of these standard conditions; and

(4) The permittee complied with any remedial measures required by Section B.2 of these standard conditions.

d. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances

Solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state and in accordance with environmental regulations.

7. Percent Removal

For publicly owned treatment works, the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.5905.A.3 and B.3. Publicly owned treatment works utilizing waste stabilization ponds/oxidation ponds are not subject to the 85 percent removal rate for Total Suspended Solids.

SECTION C. MONITORING AND RECORDS

1. Inspection and Entry

The permittee shall allow the state administrative authority or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the law to:

a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of this permit. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action; and

b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

e. Sample Collection

(1) When the inspector announces that samples will be collected, the permittee may be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.

(2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a. above) and the inspector shall supply the permittee with a duplicate sample.

f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C.1.b. of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.

g. Upon written request copies of field notes, drawings, etc., taken by department personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

2. Representative Sampling
Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) may be subject to modification, revocation and reissuance in accordance with LAC 33:IX.2903.

3. Retention of Records
Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least 5 years (or longer as required by 40 CFR 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the state administrative authority at any time.

4. Record Contents
Records of monitoring information shall include:
a. The date, exact place, and time of sampling or measurements;

b. The individual(s) who performed the sampling or measurements;

c. The date(s) analyses were performed;

d. The time(s) analyses were begun;

e. The individual(s) who performed the analyses;

f. The analytical techniques or methods used;

g. The results of such analyses; and

h. The results of all quality control procedures.

5. Monitoring Procedures

a. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, unless other test procedures have been specified in this permit.

b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to ensure accuracy of measurements and shall maintain appropriate records of such activities.

c. The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of known precision and accuracy. All quality control measures shall be assessed and evaluated on an on-going basis and quality control acceptance criteria shall be used to determine the validity of the data. All method specific quality control as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) Standard Methods for the Examination of Water and Wastewater, Sections 1020A and 1020B. General sampling protocol shall follow guidelines established in the *Handbook for Sampling and Sample Preservation of Water and Wastewater*, 1982, U.S. Environmental Protection Agency. This publication is available as a downloadable PDF (search by publication #600482029 from https://www.epa.gov/nscep) or by hardcopy order from the U.S. EPA/National Service Center for Environmental Publications, P.O. Box 42419, Cincinnati, OH 45242-0419, telephone (800) 429-9198.

6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

a. *A Guide to Methods and Standards for the Measurement of Water Flow*, 1975, U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, telephone number (800) 553-6847. Order by NTIS publication number COM-75-10683.

b. *Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2*, U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, telephone number (800) 553-6847. Order by NTIS publication number PB-273 535.

c. *NPDES Compliance Flow Measurement Manual*, U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, telephone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

7. Prohibition for Tampering: Penalties

a. La. R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.

b. La. R.S. 30:2076.2 provides for penalties for any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance.

8. Additional Monitoring by the Permittee
If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use and disposal, approved under 40 CFR Part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

9. Averaging of Measurements
Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

10. Laboratory Accreditation

a. LAC 33:I.Subpart 3, Chapters 45-59 provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:

(1) Submitted on behalf of any facility, as defined in La. R.S. 30:2004;
(2) Required as part of any permit application;
(3) Required by order of the department;
(4) Required to be included on any monitoring reports submitted to the department;
(5) Required to be submitted by contractor
(6) Otherwise required by department regulations.

b. The department laboratory accreditation program, Louisiana Environmental Laboratory Accreditation Program (LELAP) is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in generation of that data. Laboratory data generated by commercial environmental laboratories that are not LELAP accredited will not be accepted by the department. Retesting of analysis will be required by an accredited commercial laboratory.

Where retesting of effluent is not possible (i.e., data reported on DMRs for prior month's sampling), the data generated will be considered invalid and in violation of the LPDES permit.

c. Regulations on the Louisiana Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation are available on the department website located under LDEQ → About LDEQ→ LA Lab Accreditation at the following link:

http://deq.louisiana.gov/page/la-lab-accreditation

Questions concerning the program may be directed to (225) 219-3247.

SECTION D. REPORTING REQUIREMENTS

1. Facility Changes
The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under LAC 33:IX.2703.A.1.

c. For Municipal Permits. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301, or 306 of the CWA if it were directly discharging those pollutants; and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit. In no case are any

new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance
The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers
This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the Louisiana Environmental Quality Act. (See LAC 33:IX.2901; in some cases, modification or revocation and reissuance is mandatory.)

A permit may be transferred by the permittee to a new owner or operator only if: (1)the permit has been modified or revoked and reissued (under LAC 33:IX.2903.A.2.b) by the permittee and new owner submitting a Name/Ownership/Operator Change Form (NOC-1 Form) and approved by LDEQ (LAC 33:I.Chapter 19); or (2) a minor modification made (under LAC 33:IX.2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.

The NOC-1 form can be found using the pathway LDEQ → Water→ LPDES Application Forms→ Other Forms at the following link: http://deq.louisiana.gov/page/lpdes-water-permits

4. Monitoring Reports
Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be submitted through a department-approved electronic document receiving system (NetDMR) in accordance with LAC 33:I.Chapter 21 unless the state administrative authority gives written authorization to the permittee to submit monitoring results in an alternative format such as paper DMRs.

Information about NetDMR and gaining access can be viewed using the pathway LDEQ → Water→ NETDMR on the department's website at: http://deq.louisiana.gov/page/netdmr.

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) using the format specified in the permit.

If authorized to report using an alternative format such as paper DMRs, then preprinted DMRs will be provided to Majors/92-500s and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self-generated DMRs must be pre-approved by the Permit Compliance Unit prior to

submittal. Self-generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to:

Supervisor, Permit Compliance Unit
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, LA 70821-4312

5. Compliance Schedules
Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

6. Requirements for Notification

a. Emergency Notification
As required by LAC 33.I.3915, in the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline (DPS 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (877) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Prompt Notification Procedures are listed in Section D.6.c. of these standard conditions.

A written report shall be provided within 7 calendar days after the notification. The report shall contain the information listed in Section D.6.d. of these standard conditions and any additional information in LAC 33:I.3925.B.

b. Prompt Notification
As required by LAC 33:I.3917, in the event of an unauthorized discharge that exceeds a reportable quantity specified in LAC 33:I.Subchapter E, but does not cause an emergency condition, the discharger shall promptly notify DPS by telephone at (877) 925-6595 (collect calls accepted 24 hours a day) within 24 hours after learning of the discharge.

In the event of an unauthorized discharge that requires notification, the DPS 24-hour Louisiana Emergency Hazardous Materials Hotline will notify the Department of Environmental Quality.

In accordance with LAC 33:I.3923, notifications not required by LAC 33:I.3915 or 3917 shall be provided to the department within a time frame not to exceed 24 hours, or as specified by the specific regulation or permit provision requiring the notification, and shall be given to SPOC, as follows:

(1) by the Online Incident Reporting screens found at http://deq.louisiana.gov/form/online-incident-reporting-spill-incident-release

(2) by e-mail utilizing the Incident Report Form and instructions found at http://deq.louisiana.gov/page/single-point-of-contact; or

(3) by telephone at (225) 219-3640 during office hours, or (225) 342-1234 after hours and on weekends and holidays.

c. Content of Prompt Notifications. The following guidelines will be utilized as appropriate, based on the conditions and circumstances surrounding any unauthorized discharge, to provide relevant information regarding the nature of the discharge:

(1) The name of the person making the notification and the telephone number where any return calls from response agencies can be placed;

(2) The name and location of the facility or site where the unauthorized discharge is imminent or has occurred, using common landmarks. In the event of an incident involving transport, include the name and address of the transporter and generator;

(3) The date and time the incident began and ended, or the estimated time of continuation if the discharge is continuing;

(4) The extent of any injuries and identification of any known personnel hazards that response agencies may face;

(5) The common or scientific chemical name, the U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all discharged pollutants;

(6) A brief description of the incident sufficient to allow response agencies to formulate their level and extent of response activity.

d. Written Notification Procedures. Written reports for any unauthorized discharge that requires notification under Section D.6.a. or 6.b., or shall be submitted by the discharger to the Office of Environmental Compliance, Assessment Division SPOC in accordance with LAC 33:I.3925 within 7 calendar days after the notification required by D.6.a. or 6.b., unless otherwise provided for in a valid permit or other department regulation. Written Notification Reports shall include, but not be limited to, the following information:

(1) The name, address, telephone number, Agency Interest (AI) number (number assigned by the department) if applicable, and any other applicable identification numbers of the person, company, or other party who is filing the written report, and

specific identification that the report is the written follow-up report required by this section;

(2) The time and date of prompt notification, the state official contacted when reporting, the name of person making that notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred;

(3) Date(s), time(s), and duration of the unauthorized discharge and, if not corrected, the anticipated time it is expected to continue;

(4) Details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge, including incidents of loss of sources of radiation, and if the release point is subject to a permit:

(a) The current permitted limit for the pollutant(s) released; and

(b) The permitted release point/outfall ID.

(5) The common or scientific chemical name of each specific pollutant that was released as the result of an unauthorized discharge, including the CAS number and U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all released pollutants (total amount of each compound expressed in pounds, including calculations);

(6) A statement of the actual or probable fate or disposition of the pollutant or source of radiation and resulting off-site impact;

(7) Remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.

(8) Written Notification Reports shall be submitted to the Office of Environmental Compliance, Assessment Division SPOC by mail or fax. The transmittal envelope and report or fax cover page and report should be clearly marked "**UNAUTHORIZED DISCHARGE NOTIFICATION REPORT.**"
Written reports (LAC 33:I.3925) should be mailed to:

Louisiana Department of Environmental Quality
P.O. Box 4312
Baton Rouge, LA 70821-4312
ATTENTION: OFFICE OF ENVIRONMENTAL COMPLIANCE – SPOC
"UNAUTHORIZED DISCHARGE NOTIFICATION REPORT"

The Written Notification Report may also be faxed to the Louisiana Department of Environmental Quality, Office of Environmental Compliance at: (225)-219-4404.

Please see LAC 33:I.3925.B for additional written notification procedures.

e. Twenty-four Hour Reporting. The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b);

(2) Any upset which exceeds any effluent limitation in the permit;

(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Part II of the permit to be reported within 24 hours (LAC 33:IX.2707.G).

7. Other Noncompliance
The permittee shall report all instances of noncompliance not reported under Section D.4, 5, and 6, at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.e.

8. Other Information
Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

9. Discharges of Toxic Substances
In addition to the reporting requirements under Section D.1-8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Office of Environmental Services, Water Permits Division as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:

i. Listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

(1) One hundred micrograms per liter (100 µg/L);

(2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micro-grams per liter (500 µg/L) for 2,4 -dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC33:IX.2501.G.7; or
(4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or

ii. Which exceeds the reportable quantity levels for pollutants at LAC 33:I.Subchapter E.

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant:

i. Listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(1) Five hundred micrograms per liter (500 µg/L);
(2) One milligram per liter (1 mg/L) for antimony;
(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or
(4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or

ii. Which exceeds the reportable quantity levels for pollutants at LAC 33:I.Subchapter E.

10. Signatory Requirements
All applications, reports, or information submitted to the state administrative authority shall be signed and certified.

a. All permit applications shall be signed as follows:

(1) For a corporation - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,

(b) The manager of one or more manufacturing, production, or operating facilities, provided: the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that

the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: DEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in Section D.10.a(1)(a). The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Section D.10.a(1)(b) rather than to specific individuals.

(2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or

(3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:

(a) The chief executive officer of the agency, or

(b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D.10.a, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in Section D.10.a of these standard conditions;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position); and,

(3) The written authorization is submitted to the state administrative authority.

c. Changes to authorization. If an authorization under Section D.10.b is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section D.10.b must be

submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Certification. Any person signing a document under Section D.10.a or b above, shall make the following certification:

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

11. Availability of Reports

All recorded information (completed permit application forms, fact sheets, draft permits, or any public document) not classified as confidential information under La. R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, La. R.S. 44:1 et seq.

Claims of confidentiality for the following will be denied:

a. The name and address of any permit applicant or permittee;
b. Permit applications, permits, and effluent data.

c. Information required by LPDES application forms provided by the state administrative authority under LAC 33:IX.2501 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITION

1. Criminal

a. Negligent Violations

The Louisiana Revised Statutes La. R.S. 30:2076.2 provides that any person who negligently violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or both. If a conviction of a person is for a violation committed after a first

conviction of such person, he shall be subject to a fine of not more than $50,000 per day of violation, or imprisonment of not more than 2 years, or both.

b. Knowing Violations
The Louisiana Revised Statutes La. R.S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both.

c. Knowing Endangerment
The Louisiana Revised Statutes La. R.S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any of such provisions in a permit issued under the LPDES by the secretary, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this Paragraph, be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

d. False Statements
The Louisiana Revised Statutes La. R.S. 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the LPDES, shall, upon conviction, be subject to a fine of not more than $10,000, or imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than $20,000 per day of violation, or imprisonment of not more than 4 years, or both.

2. Civil Penalties
The Louisiana Revised Statutes La. R.S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than $32,500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance

discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

(**PLEASE NOTE**: These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)

SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. Clean Water Act (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500, as amended by Pub.L. 95-217, Pub.L. 95-576, Pub.L. 96-483 and Pub.L. 97-117, 33 U.S.C. 1251 et seq.).

2. Accreditation means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.

3. Administrator means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.

4. Applicable standards and limitations means all state, interstate and federal standards and limitations to which a discharge is subject under the Clean Water Act, including, effluent limitations, water quality standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 302, 303, 304, 306, 307, 308 and 403.

5. Applicable water quality standards means all water quality standards to which a discharge is subject under the Clean Water Act.

6. Commercial laboratory means any laboratory, wherever located, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department. The term commercial laboratory does not include laboratories accredited by the Louisiana Department of Health and Hospitals in accordance with La. R.S. 49:1001 et seq.

7. Daily discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination

of concentration made using a composite sample shall be the concentration of the composite sample.

8. Daily maximum discharge limitation means the highest allowable "daily discharge."

9. Director means the U.S. Environmental Protection Agency Regional Administrator, or the state administrative authority, or an authorized representative.

10. Domestic septage means either liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from grease trap at a restaurant.

11. Domestic sewage means waste and wastewater from humans, or household operations that is discharged to or otherwise enters a treatment works.

12. Environmental Protection Agency or EPA means the U.S. Environmental Protection Agency.

13. Grab sample means an individual sample collected over a period of time not exceeding 15 minutes, unless more time is needed to collect an adequate sample, and is representative of the discharge.

14. Industrial user means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.

15. LEQA means the Louisiana Environmental Quality Act.

16. Loading is presented in the permit and reported in the DMR as the total amount of a pollutant entering the facility or discharged in the effluent. It is calculated by knowing the amount of flow, the concentration, and the density of water. Results should be rounded off and expressed with the same number of significant figures as the permit limit. If the permit does not explicitly state how many significant figures are associated with the permit limit, the permittee shall use two.

    For Industrial Facilities: Loading (lbs/day) = Flow (in MGD) x Concentration (mg/L) x 8.34*

    For POTWs: Loading (lbs/day) = Design Capacity Flow (in MGD) x Concentration (mg/L) x 8.34*

    *8.34 is the unit conversion for the weight of water

    Please note that the equations above may not be appropriate for production based effluent guideline limitations.

17. Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.

18. Monthly average: other than for fecal coliform bacteria, discharge limitations are calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

When the permit establishes monthly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the monthly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar month.

The monthly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.

19. National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.

20. POTW means Publicly Owned Treatment Works.

21. Sanitary wastewater term(s):

    a. 3-hour composite sample consists of 3 effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 3-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 3-hour period.

    b. 6-hour composite sample consists of 6 effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 6-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 6-hour period.

    c. 12-hour composite sample consists of 12 effluent portions collected no closer together than one hour over the 12-hour period and composited according to flow, or a sample

continuously collected in proportion to flow over the 12-hour period. The daily sampling intervals shall include the highest flow periods.

d. 24-hour composite sample consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample continuously collected in proportion to flow over the 24-hour period.

22. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

23. Sewage sludge means any solid, semi-solid, or liquid residue removed during the treatment of municipal wastewater or domestic sewage. *Sewage sludge* includes, but is not limited to, solids removed during primary, secondary, or advanced wastewater treatment, scum, domestic septage, portable toilet pumpings, Type III marine sanitation device pumpings (33 CFR Part 159), and sewage sludge products. *Sewage sludge* does not include grit or screenings, or ash generated during the incineration of sewage sludge.

24. Stormwater runoff: aqueous surface runoff including any soluble or suspended material mobilized by naturally occurring precipitation events.

25. Surface water: all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.

26. Treatment works means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof. (See Part 212 of the Clean Water Act)

27. For fecal coliform bacteria, a **sample** consists of one effluent grab portion collected during a 24-hour period at peak loads.

28. The term MGD shall mean million gallons per day.

29. The term GPD shall mean gallons per day.

30. The term mg/L shall mean milligrams per liter or parts per million (ppm).

31. The term SPC shall mean Spill Prevention and Control. Plan covering the release of pollutants as defined by the Louisiana Administrative Code (LAC 33:IX.Chapter 9).

32. The term SPCC shall mean Spill Prevention Control and Countermeasures Plan. Plan covering the release of pollutants as defined in 40 CFR Part 112.

33. The term µg/L shall mean micrograms per liter or parts per billion (ppb).

34. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).

35. Visible Sheen: a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.

36. Wastewater: liquid waste resulting from commercial, municipal, private, or industrial processes. Wastewater includes, but is not limited to, cooling and condensing waters, sanitary sewage, industrial waste, and contaminated rainwater runoff.

37. Waters of the State: for the purposes of the Louisiana Pollutant Discharge Elimination system, all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from 3 miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which are subject to the ebb and flow of the tide, lakes, rivers, streams, (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as "waters of the United States" in 40 CFR 122.2, and tributaries of all such waters. "Waters of the state" does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.

38. Weekly average, other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all "daily discharge(s)" measured during a calendar week divided by the number of "daily discharge(s)" measured during that week. When the permit establishes weekly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the weekly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar week where C = daily discharge concentration, F = daily flow and n = number of daily samples; weekly average discharge

$$= \frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

When the permit establishes weekly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the weekly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar week.

The weekly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

PART VII
ADDITIONAL DEFINITIONS

Allowable non-storm water means a non-storm water discharge that does not need to be effectively prohibited but must be controlled to the Maximum Extent Practicable (MEP) to protect water quality under CWA 402(p)(3)(B)(iii) in order to be allowed as part of the MS4 discharge.

Best management practices (BMPs) also known as storm water control measures (SCMs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Clean Water Act (Water Quality Act) – formerly the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972. Public Law 92-500; 33 U.S.C. § 1251 et seq.; legislation which provides statutory authority for the NPDES program. Also known as the Federal Water Pollution Control Act.

Conduit means any channel or pipe used to transport flowing water.

Construction activity – Soil disturbance, including clearing, grading, and excavating; and not including routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

Small construction activity is construction activity that results in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land.

Large construction activity is construction activity that results in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land.

Control measure as used in this permit, refers to any BMP or other method used to prevent or reduce the discharge of pollutants to waters of the United States.

Conveyance as used in this permit means the process of moving water from one place to another.

Co-permittee as used in this permit means a permittee to a LPDES permit that is only responsible for permit conditions relating to the discharge for which it is the operator.

CWA means the Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C §1251 et seq.

Detention means a storm water system that delays the downstream progress of storm water runoff in a controlled manner. This is typically accomplished using temporary storage areas and a metered outlet device.

Discharge when used without a qualifier, means the discharge of a pollutant.

Discharge of storm water associated with construction activity as used in this permit, refers to a discharge of pollutants in storm water runoff from areas where soil-disturbing activities (clearing, grading, demolition, or excavation, for example), construction materials or equipment storage or maintenance (fill stockpiles, borrow areas, concrete truck washout, and fueling, for example), or other industrial storm water directly related to the construction process (cement/concrete or asphalt batch plants, for example) are located. (See LAC 33:IX.2511.B.14.j and LAC 33:IX.2511.B.15 for the two regulatory definitions of regulated storm water associated with construction sites).

Erosion occurs when land is diminished or worn away due to wind, water, or glacial ice. Often the eroded debris (silt or sediment) becomes a pollutant via storm water runoff. Erosion occurs naturally but can be intensified by land clearing activities such as farming, development, road-building, and timber harvesting.

Excavation is the process of removing earth, stone, or other materials from land.

Flood control is defined as the specific regulations and practices that reduce or prevent the damage caused by storm water runoff.

Grading is defined as the cutting and/or filling of the land surface to a desired slope or elevation.

Illicit connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer system.

Illicit discharge is defined as any discharge to a municipal separate storm sewer that is not composed entirely of storm water, except discharges authorized under an LPDES permit (other than the LPDES permit for discharges from the MS4) and discharges resulting from firefighting activities.

Incorporated place as used in this permit means a city, town, township, or village that is incorporated under the laws of the state in which it is located.

Industrial activity is defined as any activity which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant.
Infeasible is defined as not technologically possible or not economically practicable and achievable in light of best industry practices.

Large and Medium Municipal Separate Storm Sewer Systems means all municipal separate storm sewers that are either:

(i) Located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities are listed in Appendices F and G of LAC 33:IX.Chapter 71); or
(ii) Located in the counties (parishes) with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these parishes are listed in Appendices H and I of LAC 33:IX.Chapter 71); or
(iii) Owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the state administrative authority as part of the large or medium MS4.

Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.

Maximum extent practicable (MEP) is defined as the technology-based discharge standard for Municipal Separate Storm Sewer Systems to reduce pollutants in storm water discharges that was established by CWA 402(p). Section 402(p)(3)(B)(iii) of the Federal Clean Water Act requires "controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the state determines appropriate for the control of such pollutants." A discussion of MEP as it applies to small MS4s is found at 40 CFR 122.34.

MS4 is the abbreviation for municipal separate storm sewer system and is used to refer to either a Large, Medium or Small Municipal Separate Storm Sewer System. The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities.

Municipal Separate Storm Sewer System (MS4) is a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(a) Owned or operated by the United States or by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewerage, industrial wastes, storm water, or other wastes, 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 CWA that discharges to waters of the state;

(b) Designed or used for collecting or conveying storm water;
(c) Which is not a combined sewer; and
(d) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at LAC 33:IX.2313.

National Pollutant Discharge Elimination System (NPDES) is the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.

Non-traditional MS4 is an MS4 that may lack legal authority, often cannot pass ordinances, and may employ a different type of enforcement mechanism (such as withholding contract payment) to enforce the storm water management program. Other examples of non-traditional small MS4s include drainage districts, airports, military bases, prisons, hospitals, and universities.

Notice of Intent (NOI) is an application to notify the state administrative authority of a facility's intention to be covered by a general permit and is the mechanism used to "register" for coverage under a general permit.

Open space means an undeveloped piece of land adding ecological, scenic or recreational value to an urban area. Open spaces are generally large pervious areas that are free from paving, buildings, structures, etc., except for basic improvements that are complementary, necessary or appropriate to the use and enjoyment of the open area. Open space can be public or private. Open space includes any area that is characterized by natural scenic beauty or whose condition or quality is such that it will enhance the present or potential value of surrounding developed lands, or enhance the conservation of natural or scenic resources. Examples include forests, marshes, wildlife sanctuaries, stream corridors, wetlands, agricultural lands, pasture land, pathways, walking and riding trails, groves, wooded areas, fields, parkland, watersheds, and retention/detention areas and floodways and floodplains. Preserving open space is one of the principles of Smart Growth. Visit the EPA website to learn more about open space and principles of Smart Growth.

Outfall is the point where a municipal separate storm sewer discharges to waters of the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the state and are used to convey waters of the state.

Permitting authority is the NPDES-authorized state agency which in the State of Louisiana is the Louisiana Department of Environmental Quality (LDEQ).

Person is any individual, municipality, public or private corporation, partnership, firm, the United States Government and any agent or subdivision thereof, or any other juridical person

which shall include, but is not limited to, trusts, joint stock companies, associations, the State of Louisiana, political subdivisions of the state, commissions, and interstate bodies.

Physically interconnected means that one MS4 is connected to a second MS4 in such a way that it allows for direct discharges into the second system.

Point source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutants of concern (POCs) include biological oxygen demand (BOD), sediment or a parameter that addresses sediment (such as total suspended solids, turbidity or siltation), pathogens, oil and grease, and any pollutant that has been identified as a cause of impairment in any water body to which the MS4 discharges.

Retrofit means the modification of storm water management systems through the construction and/or enhancement of wet ponds, wetland plantings, or other BMPs designed to improve water quality.

Runoff means drainage or flood discharge that leaves an area as surface flow or as pipeline flow, or drainage or flood discharge that has reached a channel or pipeline by either surface or sub-surface routes.

Sanitary sewer is a system of underground pipes that carries sanitary waste or process wastewater to a treatment plant.

Sediment is defined as soil, sand, and minerals washed from land into water, usually after rain. Sediment can destroy fish-nesting areas, clog animal habitats, and cloud waters so that sunlight does not reach aquatic plants.

Site plan means a graphical representation of a layout of buildings and facilities on a parcel of land.

Site runoff means any drainage or flood discharge that is released from a specified area.

Small Municipal Separate Storm Sewer System (Small MS4) is defined at 40 CFR 122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, 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 CWA that discharges to waters of the United States, but is not defined as a "large" or "medium" municipal separate storm sewer system. This term includes systems similar

to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. This term does not include separate storm sewers in very discrete areas, such as individual buildings.

Smart Growth Principles: (1) Create a range of housing opportunities and choices; (2) Create walkable neighborhoods; (3) Encourage community and stakeholder collaboration; (4) Foster distinctive, attractive places with a strong sense of place; (5) Make development decisions predictable, fair and cost effective; (6) Mix land uses; (7) Preserve open space, farmland, natural beauty, and critical environmental areas; (8) Provide a variety of transportation choices of smart growth; (9) Strengthen and direct development toward existing communities; and (10) Take advantage of compact building design.

Stakeholder means an entity that holds a special interest in an issue or program—such as the storm water program—since it is or may be affected by it.

State administrative authority means the Secretary of the Department of Environmental Quality or his designee or the applicable assistant secretary or his designee.

Storm water associated with industrial activity is defined at LAC 33:IX.2511.B.14 and incorporated here by reference.

Storm water discharge associated with small construction activity is defined at LAC 33:IX.2511.B.15. This includes discharges of storm water from construction activities including clearing, grading, excavating, and support activities related to a construction site that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb equal to or greater than one or less than five acres. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

Storm water discharge associated with large construction activity includes discharges of storm water from construction activities including clearing, grading excavating, and support activities related to a construction site that results in land disturbance greater than five acres. Also included is construction activity that disturbs less than one acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb greater than five acres.

Storm water management is defined as functions associated with planning, designing, constructing, maintaining, financing, and regulating the facilities (both constructed and natural) that collect, store, control, and/or convey storm water.

Storm water management program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the MS4. The SWMP required by this permit must include the minimum control measures described in LAC 33:IX.2523.B and satisfy all of the requirements set forth in LAC 33:IX.2523.

Storm water pollution prevention plan (SWPPP) is a plan that describes a process whereby a facility thoroughly evaluates potential pollutant sources at a site and selects and implements measures designed to prevent or control the discharge of pollutants in storm water runoff.
Structural control is a pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in storm water runoff. Structural controls may include but are not limited to: wet ponds, infiltration basins, and storm water wetlands.

Subsegments are watersheds or portions of watersheds delineated as management units for water quality monitoring, assessment, permitting, inspection, and enforcement purposes.

Surface water is defined as all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.

Total maximum daily loads (TMDLs) are water quality assessments that determine the source or sources of pollutants of concern for a particular water body, consider the maximum amounts of pollutants the water body can assimilate, and then allocate to each source a set level of pollutants that it is allowed to discharge (i.e., a "wasteload allocation").

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

Urban runoff is storm water from urban areas, which tends to contain heavy concentrations of pollutants from urban activities.

Urbanized area (UA) is a Bureau of the Census determination of a central place (or places) and the adjacent densely settled surrounding area -- urban fringe -- that together have a minimum residential population of 50,000 people and an overall population density of 1,000 people/square mile. It is a calculation used by the Bureau of the Census to determine the geographic boundaries of the most heavily developed and dense urban areas.

Wasteload allocation (WLA) means that portion of the assimilative capacity of the receiving water apportioned to a specific discharger in such a way that water quality standards are maintained under design conditions.

Waters of the State for the purposes of the Louisiana Pollutant Discharge Elimination System, means all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from 3 miles into the Gulf of Mexico. For purposes of the LPDES, this includes all surface waters that are subject to the ebb and flow of the tide, lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as Waters of the United States in 40 CFR 122.2,

and tributaries of all such waters. *Waters of the state* does not include wastewater treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.
Watershed is that geographical area which drains to a specified point on a water course, usually a confluence of streams or rivers (also known as drainage area, catchment, or river basin).

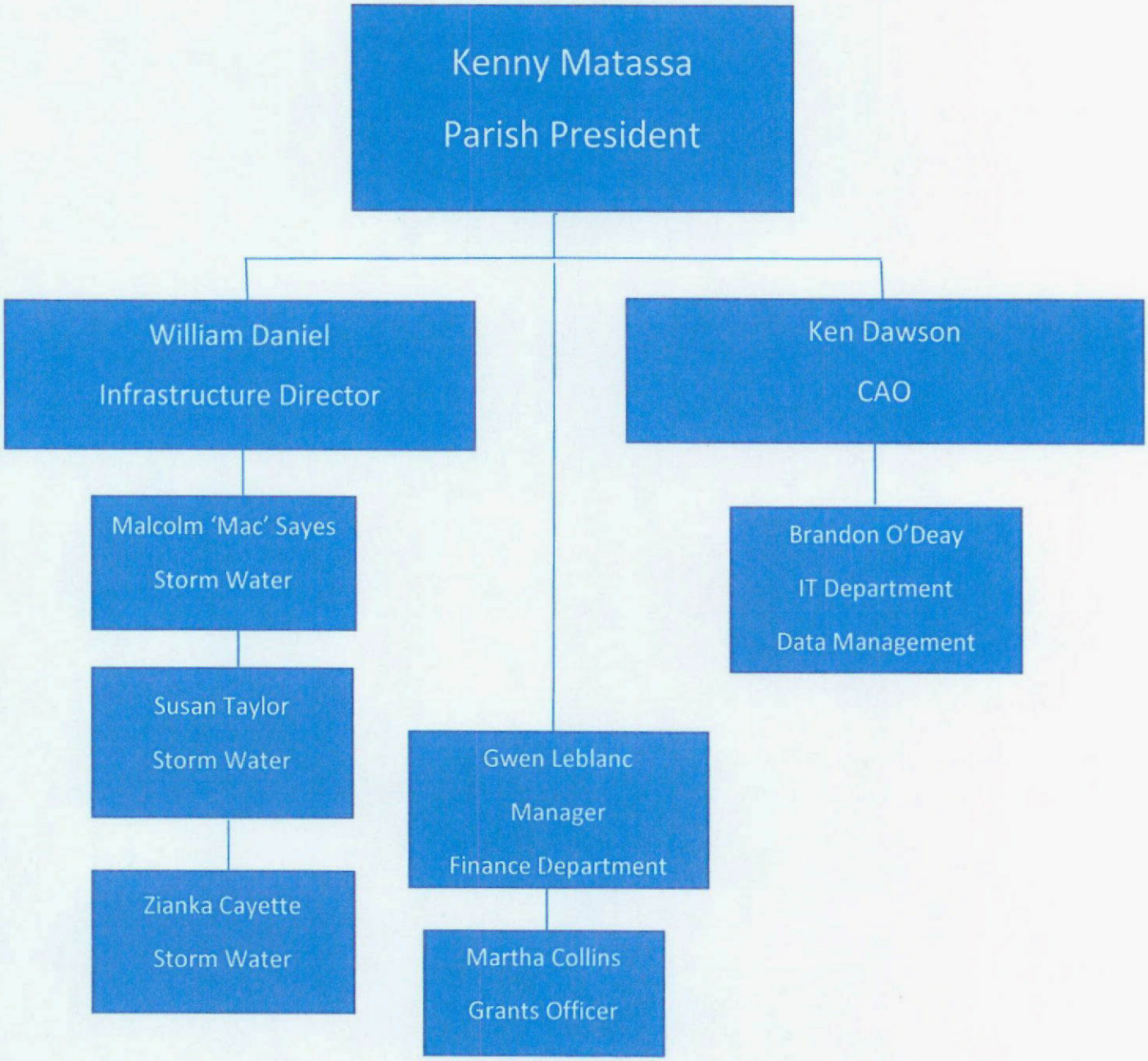
Wet Weather Discharge or **Storm Water Discharge**, for monitoring purposes, is a discharge of storm water resulting from a storm event that is greater than 0.1 inch and at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where feasible, the variance in the duration of the event and the total rainfall of the event should not exceed 50 percent from the average or median rainfall event in that area.

You and **Your** as used in this permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (the city, the county, the flood control district, and the U.S. Air Force, for example).

APPENDIX D
MS4 Organizational Chart

STORM WATER MANAGEMENT

ORGANIZATIONAL CHART



APPENDIX E
Pertinent Ascension Parish Ordinances to MS4 Program

Applicable Ordinances

PARISH OF ASCENSION

OFFICE OF PLANNING AND DEVELOPMENT
PLANNING DEPARTMENT

APPENDIX V
DRAINAGE

Contents:

ORDINANCE HISTORY

Ord. #DR07-01 adopted 9/6/07
Ord. #DR09-01, adopted 7/16/09
Ord. #DR09-09, adopted 12/17/09
Ord. #DR11-01, adopted 6/16/11
Ord. #DR11-02, adopted 7/21/11
Ord. #DR11-05, adopted 7/21/11
Ord. #DR11-04, adopted 8/4/11
Ord. #DR13-08, adopted 8/1/13
Ord. #DR13-11, adopted 12/5/13
Ord. #SR13-14, adopted 1/9/14
Ord. #DR14-01, adopted 4/23/14
Ord. #DR14-06, adopted 10/02/14
Ord. #DR15-01, adopted 9/3/15
Ord. #DR15-09, adopted 12/3/15
Ord. GR for S & R, adopted 10/06/16
Ord. SR 17-01, adopted 6/15/17

615 E. Worthey Street
Gonzales, Louisiana 70737
Phone: (225) 450-1002 / Fax: (225)450-1352
Web: www.ascensionparish.net

17-501. Purpose and Intent

A. The purpose of this Ordinance is to codify the requirements of new development and redevelopment in Ascension Parish. The requirements of this Ordinance are directed at reducing the potential for flood related damages caused by new development and redevelopment of property in Ascension Parish.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

17-502. Plan Approval

A. All applicable development and associated elements thereof, as defined herein, and not specifically exempted by this ordinance, must be approved by the Ascension Parish Office of Planning & Development, the Ascension Parish Department of Public Works, and/or the appropriate Drainage District, as applicable.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

17-503. Applicability

A. This ordinance shall apply to any proposed development within the Parish. Development shall be defined as the division of a parcel of land into two or more parcels with associated earthwork, the construction of a new major or minor subdivision, multi-residential or commercial building or structure, the relocation or enlargement of any commercial building or structure, the construction of parking surfaces for commercial developments or the clearing, grading, filling, or movement of land. The following shall be exempt from the requirements of this ordinance as described below:

1. Drainage, soil movement, leveling or cultivation activities performed in conjunction with an agricultural operation. Agricultural operations include land use for the production of crops, livestock, forestry, fisheries, horticulture, or any such plant or animal production for sale or resale, or for private use, as long as the soil movement does not significantly alter the existing drainage conditions from or adjacent to the site and does not violate the fill mitigation requirements described in **Section 17-507**.

2. This ordinance shall not apply to construction or uses of buildings, structures or land in industrial facilities provided the industrial facility is located in Land Use Designation "I" of the Ascension Parish Planning and Zoning Map. Industrial facilities will be required to comply with drainage covenants established during the creation of an industrial subdivision as conditioned by the Planning & Zoning Commission.

3. Soil movement and grading, when confined to post-construction residential application of a single family dwelling for minor grading of yards, driveways, patios, swimming pools or similar homeowner type site improvements as long as the soil movement does not significantly alter the existing drainage conditions from or adjacent to the site and does not violate the fill mitigation requirements described in **Section 17-507**.

4. The construction, improvement or relocation of accessory buildings such as carports, sheds, barns, pool houses, recreational vehicle storage sheds, or other outbuildings constructed by a homeowner for his or her personal use, and not for commercial or business purposes, as long as the activity does not significantly alter the existing drainage conditions from or adjacent to the site and does not violate the fill mitigation requirements described in **Section 17-507**.

5. The placement of spoil material on public lands when such spoil is excavated for public projects by any Federal, State, or local governmental entity. All State and Parish Erosion and Sedimentation requirements shall still apply.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR11-02, 7/21/11)

17-504. Compliance with Federal and State Regulations

A. In addition to the requirements of this ordinance, the owner/developer of any property in Ascension Parish shall be responsible for adhering to all State and Federal laws regulating grading, drainage, and flood control according to established policy. Checklists of Federal and State permits required, and the appropriate time required for submittal to the Parish are available from the Office of Planning & Development.

B. Permits shall be obtained from all appropriate Federal and State agencies having regulations and laws relative to grading, drainage and flood control, including but not limited to the following:

1. U.S. Army Corps of Engineers and Coast Guard (USACE)
   (a) Jurisdictional Wetlands
   (b) Navigable Streams

2. Federal Emergency Management Agency (FEMA) – Permits obtained from Parish
   (a) Construction of structures within flood zones
   (b) Encroachment on floodways

3. Louisiana Department of Environmental Quality (LDEQ)
   (a) Storm water runoff – Louisiana Pollutant Discharge Elimination System (LPDES)

4. Louisiana Department of Transportation and Development (LaDOTD)
   (a) Project and driveway Permits

5. Pontchartrain Levee District
   (a) Construction on or adjacent to the Mississippi River levees

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

17-505. Grade requirements for Structures and Roadways

A. All proposed structures and roadways shall be constructed to the following criteria:

1. All elevation information submitted to the Parish shall be referenced to the official list of benchmarks as published by the Department of Public Works or the appropriate Gravity Drainage District. This datum must be consistent with the benchmark datum referenced in the Flood Insurance Rate Maps.

2. All references to flood zones and elevations shall be as determined by the FEMA Flood Insurance Rate Maps (FIRM) for Ascension Parish, latest revision. If the FIRM map does not provide a flood elevation for a particular area, the U.S. Army Corps of Engineers should be consulted for an opinion regarding the most currently established flood elevation.

3. Record inundation shall be considered as the highest water surface elevation recorded at or adjacent to the proposed development as defined by the Department of Public Works or appropriate Drainage District on a project-by-project basis.

4. The lowest gutter elevation of all proposed public and private roadways shall not be lower than any of the following criteria:

   (a) One foot below the FEMA Base Flood Elevation (latest edition)

   (b) Two (2) inches below the design water surface elevation for the interior subsurface storm water conveyance system draining the proposed roadway

   (c) The ten year design event peak water surface elevation of any storm water detention system receiving runoff from the proposed roadway

5. All structures shall be constructed a minimum of one foot above each of the following criteria:

   (a) FEMA Base Flood Elevation, or nearest adjacent FEMA Base Flood Elevation (latest edition);
   (b) Top elevation of nearest adjacent sanitary sewer manhole on the sewer collection system servicing the proposed structure.
   (c) Accessory buildings are not subject to items a-b in **Section 17-505A.5.** However, accessory buildings are subject to FEMA regulations per **Section 17-505A.6.** Deviations to this policy must be based on sound engineering judgment submitted by the applicant and approved in writing by the Floodplain Administrator.

6. All structures proposed within a recognized FEMA flood zone shall be constructed in accordance with Title 44 of the Federal Register, Part 60.

(Ord.# DR07-01, 9/6/07; DR09-01, 7/16/09; DC09-09, 12/17/09; SR13-08, 8/1/13, Ord. GR for S & R, 10/06/16)

17-506. Protection of Existing Watersheds and Conveyance Systems

A. Drainage for proposed developments and redevelopments shall be designed to maintain the existing flow patterns established prior to proposed improvements at the site. Impacts to existing water surface profiles shall be mitigated for all new development or redevelopment of existing sites not specifically excluded as follows:

1. Redevelopment – Any proposed improvements to a commercial facility that result in a net increase in changed surface of less than 17,500 square feet, or the replacement of less than 35,000 square feet of existing impervious surface area. Any combination of new and replaced surface area totaling more than 35,000 square feet does not qualify for this exemption.

2. Residential developments having lot sizes equal to or greater than one (1.0) acre and creating eight (8) lots or less.

3. Sites participating in the "pay in lieu of detention" program as detailed in the Ascension Parish Drainage Impact Fee Policy. This option is only available in watersheds that have had a comprehensive drainage plan engineered and constructed by the Parish.

(Ord.# DR07-01, 9/6/07; SR13-14, 1/09/14)

B. Storm water detention systems that limit the post developed peak flow rate to the existing condition peak flow rate shall be required for all residential and commercial developments required to mitigate impacts to existing water surface profiles.

(Ord.# DR07-01, 9/6/07; SR13-14, 1/09/14)

C. The natural ridgelines and drainage boundaries for a site shall be established prior to any development and the developed condition shall maintain the drainage areas draining to each natural outfall as closely as possible. Exceptions will be considered in instances where modifications are necessary to consolidate engineered storm system elements.

D. Where an existing storm water conveyance system traverses through a proposed development and accommodates off-site drainage areas, any alterations to the existing system shall be made such that no increase in the existing water surface profile will be caused by the development.

(a) An existing condition water surface profile shall be modeled based upon the natural channel, culverts, bridges, and other

natural features through the property to be developed. Approved methods of analysis and required supporting documentation for existing condition modeling are outlined in the Ascension Parish Drainage Impact Study Policy document.

(b) A developed condition water surface profile shall be modeled based upon the proposed condition and shall account for all existing features to remain, the new channel geometry, proposed culverts or storm drain systems, and any fill placed within the over bank flow section in the existing channel sections. Approved methods of analysis and required supporting documentation for proposed condition modeling are outlined in the Ascension Parish Drainage Impact Study Policy document.

(c) The water surface profile elevation at the upstream and downstream property lines of the development during the peak runoff period for the sub-basin shall not be greater than the existing condition water surface profile elevation at those points. The Planning Director may allow for minimal increases in profile in cases where the development may be restricted from making improvements to lower the water surface profile.

(d) For major streams as defined by the Department of Public Works or the appropriate Drainage District, the Office of Planning & Development may require the analysis to be based upon a higher storm frequency than the 10-year event, particularly when the difference between the 10-year and 100-year design water surface is potentially greater than 18".

E. No individual, partnership, or corporation shall deepen, widen, fill, reroute, or change the location of any existing ditch, stream, drain, or drainage canal used for public drainage of off-site upstream or downstream areas without first obtaining a permit from the Ascension Parish Office of Planning & Development. The Office of Planning & Development will only issue said permit after written authorization from the Department of Public Works or the appropriate Drainage District. This provision does not apply to routine maintenance of existing drainage systems.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

17-507. Placement of fill

A. A proposed Certificate of Elevation shall be submitted for any structure to be built or placed on any lot, prior to any permit being issued, which shall include, but not be limited to the following information:

1. Address
2. Contractor
3. Proposed Elevation
4. Firm Panel Number
5. FIRM Zone base flood elevation or adjacent base flood elevation
6. Lowest natural ground for the property

7. Explanation for how the elevation of the proposed structure is going to be achieved (fill, piers, chain-wall, etc.)

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR13-11, 12/05/13)

B. For Individual Lots

1. On lots smaller than ½ acre (21,780 square feet)
   - (a) No more than 36" of fill shall be placed in order to elevate any structure.
   - (b) Fill shall be limited to the foundation of the structure(s) and shall not extend more than 24" horizontally beyond the limits of the foundation before it begins to slope.
   - (c) Side slope of fill under the structure(s) shall not be steeper than a 3' horizontal to a 1' vertical slope
   - (d) Fill shall not be placed closer than ten (10') feet to any property line in order to facilitate the collection and transportation of any increased runoff via side-yard or rear-yard swales if necessary
   - (e) Compaction tests shall be required when the footer of the proposed structure does not extend at least 12" into undisturbed soil.
     - (i) Compaction test requirements
       - (I) There shall be 1 compaction test per 12" lift per 1,000 square feet of fill
       - (II) The fill shall meet one of the following standards:
         1. 90% modified proctor
         2. 95% standard proctor
   - (f) If the structure(s) must be elevated over 36", then piers or a chain-wall shall be utilized to make up the difference in elevation.
     - (i) The homeowner may choose to combine fill and piers or a chain-wall to achieve the desired elevation, however, in no instance shall the fill height be greater than 36"

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR13-11, 12/05/13)

2. On lots larger than ½ acre (21,780 square feet)
   - (a) No more than 36" of fill shall be placed in order to elevate any structure without additional consideration.
   - (b) Fill shall be limited to the foundation of the structure(s) and shall not extend more than 24" horizontally beyond the limits of the foundation before it begins to slope.
     - (i) If more than 24" around the perimeter is desired, then the applicant shall submit a set of drawings stamped and sealed by a licensed engineer that depicts how the additional fill, greater than 24", around the structure(s) is mitigated through the use of storm water ponds and /or swales.
   - (c) Side slope of fill under the structure(s) shall not be steeper than a 3' horizontal to a 1' vertical slope
   - (d) Fill shall not be placed closer than ten (10') feet to any property line in order to facilitate the collection and transportation of any increased runoff via side-yard or rear-yard swales if necessary

(e) Compaction tests shall be required when the footer of the proposed structure does not extend at least 12" into undisturbed soil.

(i) Compaction test requirements

(I) There shall be 1 compaction test per 12" lift per 1,000 square feet of fill

(II) The fill shall meet one of the following standards:

1. 90% modified proctor
2. 95% standard proctor

(f) If the structure(s) must be elevated over 36", then the applicant shall submit a set of drawings stamped and sealed by a licensed engineer that depicts how the fill, greater than 36", under the structure(s) is mitigated through the use of storm water ponds and /or swales.

(i) The applicant may choose to combine fill and piers or a chain-wall to achieve the desired elevation.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR13-11, 12/05/13)

3. For residential lots where greater than 36" of fill is required, for a major or minor subdivision or for Commercial Development.

(a) Any volume of fill placed below the Base Flood Elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the Base Flood Elevation:

(i) The determining criteria for land subject to this requirement shall be all land below the Base Flood elevation as determined by actual on-the-ground contours referenced to the official Parish benchmark system, regardless of whether the FEMA Flood Insurance Rate Maps (FIRM) depict the property in question to be in a recognized flood zone.

(ii) Where lakes are excavated, the volume of dirt removed below the normal water surface (pool elevation) of the lake cannot be credited as compensating storage.

(iii) Compensating storage excavations must be constructed to drain freely towards the established drainage for the area. Dead storage volume will not be credited towards fill mitigation.

(iv) If the compensating storage is derived from an off-site source that is not a part of the proposed development it must be located in the same watershed as the proposed development and the base flood elevation at the off-site source shall not be greater than one (1) foot higher than or one (1) foot lower than the base flood elevation of the developed site.

(v) Excess storage credits may be created by a development and utilized by another development if it meets the criteria of **Section 17-507.B.3.a.iv** If excess credits are created by a development, the Office of Planning & Development shall issue a credit letter that may be utilized by another project in the same watershed within five (5) years of the issuance of the letter.

(vi) Waivers to this Section due to a property owner's inability to generate fill credits may be made on a case-by-case basis by the Director of the Department of Planning & Development and/or the appropriate Gravity Drainage District.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR13-11, 12/05/13)

4. If after construction, it is determined through an on-site investigation by a Parish Drainage Engineer that an adjacent property owner is experiencing an increase in off-site runoff due to the construction, then the property owner will be required by the Ascension Parish Engineering Department to construct a swale sufficient enough in size as stated by the Parish Drainage Engineer to collect and convey the runoff away from the impacted property.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR13-11, 12/05/13)

C. For a Minor or Major Subdivision

1. On tracts of land being utilized for a minor or major subdivision, where a master storm water plan is to be designed and constructed, no more than 36" of fill may be placed in the areas where residential lots are to be placed.
   (a) This restriction does not apply to the roadway being built to serve those lots.
   (b) Compaction tests shall be required in the areas where structures are to be placed.
      (i) Compaction test requirements
         (I) There shall be 1 compaction test per 12" lift per 10% of the total number of lots in the proposed subdivision
            I. Refer to section 17-409.E.4

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR13-11, 12/05/13)

17-508. Storm Water Detention Design Requirements

A. Commercial developments may be subject to a drainage impact fee in-lieu of, or in addition to, detention as detailed in the Ascension Parish Drainage Impact Fee Policy as set by the Ascension Parish Planning Commission.

B. The engineering design of detention facilities shall properly account for the backwater condition of the receiving stream at the same time increment that the detention system is discharging into the receiving stream. Detailed time of concentration calculations, illustrated flow path, type of flow, and all pertinent

parameters (Length, Slope, Manning's n, etc.) as well as hydrographs (graphical and tabular) shall be included in the Drainage Impact Study to demonstrate proper control of the peak discharge from the subject site.

C. The outfall for storm water detention facilities shall be gravity driven. Mechanical systems, such as pumps, shall not be used for discharging flow from detention ponds.

D. In-Fill Development may request a special dispensation from the requirements of the detention requirements of this ordinance when the following conditions apply:

1. The proposed development property encompasses less than 5 acres.

2. Drainage from the development does not enter a different zoning classification within ¼ mile of the discharge point from the site.

3. 75% of the surrounding land, within a 500 foot offset of all property lines of the subject property, is fully developed (>85% impervious).

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR11-04, 8/4/11)

17-509. Erosion/Sediment Control and Bank Stability

A. An Erosion/Sedimentation Control (ESC) Plan shall be developed by the Engineer and submitted for approval to address potential sediment migration from the project site during construction activities. It will be the responsibility of the Contractor to maintain drainage ditches and detention ponds and to provide adequate bank stability and erosion protection until the site is fully stabilized.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR11-05, 7/21/11)

B. As per LPDES requirements, a Storm Water Pollution Prevention Plan (SWPPP) shall be developed for all sites that disturb greater than 1 acre. This plan will be submitted to the Engineering Department of Ascension Parish prior the beginning of construction at the site. All of these sites will be covered under general permit LAR100000 or LAR200000, please contact LDEQ for specific requirements for each permit. It will be the responsibility of the Contractor to fulfill and maintain the requirements of the permit.

C. The LPDES permit for small construction activities (LAR200000) requires a Small Construction Activity Completion Report (SCACR) be submitted within sixty (60) days after completion of covered activities, a copy of this report shall be submitted to the Parish at the same time. The LPDES permit for construction activities larger than 5 acres (LAR100000) requires a Notice of Termination (NOT) be submitted after the site has been finally stabilized, a copy of this NOT shall be submitted to the Parish at the same time.

D. The LPDES permits (LAR 100000 & LAR 200000) require inspection reports be done on all construction projects that disturb greater than 1 acre at a frequency noted in the project SWPPP. These inspection reports shall be submitted to the Ascension Parish Storm Water Department at the frequency noted in the project

SWPPP from the start of construction activities regulated under the LPDEA permits until final stabilization.

E. The following shall be considered as maximum slopes that provide adequate bank stability and erosion protection:

1. Major streams: Maximum slope shall be 3:1 (horizontal to vertical). If the slopes are concrete lined, a slope of 1.5:1 may be utilized.

2. Storm Water detention ponds: Maximum side slope shall be 3:1 (horizontal to vertical) to a minimum of two feet below the normal pool stage. Sides slopes more than two feet below the normal pool stage may be established at slopes greater than 3:1 (up to a maximum 1.5:1) with written certification by a licensed Geotechnical Engineer stating that the side slopes will be permanently stable at the design slope.

3. Open Ditches: Maximum slope shall be 3:1 (horizontal to vertical).

F. Where a ditch discharges into an outfall channel, the proposed ditch shall be enclosed in a properly sized pipe approved by the Department of Public Works under the maintenance access strip of the outfall channel.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR11-05, 7/21/11; DR14-01, 4/23/14)

17-5010. Construction Standards

A. All drainage and earthwork construction shall be constructed in accordance with the Ascension Parish Subdivision Regulations. All temporary culverts require a permit and written approval by the Department of Public Works and/or appropriate Drainage District.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09, SR 17-01, 6/15/17)

17-5011. Servitude and Right of Way Requirements

Reserved for future expansion

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; SR12-17, 2/7/13)

17-5012. Storm Water Conveyance Systems

A. The following criteria and requirements shall apply to all proposed storm water conveyance systems:

1. Open ditches: Existing open ditches may be utilized to convey offsite water through a proposed development or to convey water from a subsurface collection system to its ultimate outfall or detention area. No new open ditches shall be allowed within a proposed development.

2. Subsurface storm water systems shall be utilized to collect runoff from proposed roadways and the front/rear of lots for conveyance to an outfall

ditch or detention pond. Swales used to direct stormwater to drainage inlets shall have side slopes not exceeding 5:1.

3. Subsurface systems installed to convey off-site water require proper analysis be performed in accordance with **Section 17-506** to ensure that no negative impact is caused to adjoining property owners.

4. For all new developments effluent from individual sanitary sewer treatment systems must ultimately outfall into an enclosed storm drainage system if such storm drainage system abuts the subject site.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

17-5013. Design Criteria

A. Storm drainage design, unless otherwise noted, shall utilize at a minimum a ten year 24-hour storm duration as determined by Technical Paper 40 published by the National Weather Service (Currently 8.5 inches over a 24-hour period).

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

B. Drainage Impact Studies shall:

1. Be prepared in accordance with the latest revision of the Drainage Impact Study Policy, as established by the Ascension Parish Planning Commission.
2. If no construction has begun within twenty-four (24) months following the acceptance of the drainage impact study by the Ascension Parish Office of Planning and Development, the owner, subdivider and/or developer shall resubmit a new Drainage Impact Study for review.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR15-01, 9/3/15)

C. All drainage impact studies, construction plans, and final drainage calculations for residential subdivisions and commercial developments submitted to the Office of Planning & Development shall be performed under the direction of and sealed by a Professional Engineer licensed to practice Civil Engineering in the State of Louisiana. Exceptions will be considered by the Planning Director for cases showing a clear reduction in total impervious area and no modifications to existing drainage elements.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

D. Upon completion of the project, the design engineer for the project is required to submit a signed and sealed Letter of Certification that states that the project was completed in accordance with the construction plans that were submitted, reviewed and approved by the Parish of Ascension. Final approval will not be granted until this letter has been received.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09; DR15-09, 12/3/15)

E. The Parish Floodplain Administrator may require a flood elevation certificate from a Professional Land Surveyor or Professional Engineer for residential and commercial structures at his/her discretion.

F. Interior subsurface stormwater system conveyance may be designed based upon the five year storm event provided peak flows for the ten year event do not cause a design failure.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

17-5014. Drainage Servitudes

A. Drainage servitudes are dedicated to the Parish for the exclusive purpose of maintaining adequate storm water drainage. Any encroachment within such servitudes that may inhibit this purpose presently, or in the future, as determined by the Department of Public Works and/or the appropriate Drainage District is prohibited.

B. The removal of such encroachments shall be the responsibility of the landowner, and shall be accomplished no later than ten (10) days from the date of notice by the Department of Public Works and/or the appropriate Drainage District.

C. The landowner shall be assessed a penalty of $100.00 per day thereafter until the encroachment is removed and verified by the Department of Public Works and/or the appropriate Drainage District.

D. When imminent flooding or damage from storm events are possible, as determined by the Department of Public Works and/or the appropriate Drainage District, Parish forces shall have the right to enter the property and remove the encroachment. The property owner shall be assessed all costs incurred in the removal of the encroachment.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

17-5090. Administration and Enforcement

17-5091. Variances

A. Any request for deviation from the requirements and policies outlined within the Ascension Parish Drainage Ordinance must be made in writing by the applicant. Written request shall include supporting documentation necessary to prove basis warranting a variance. The request for a variance must be specific, and addressed to the attention of the Planning & Development Director. A variance will be granted only upon the written approval of the appropriate Drainage District Director, the Director of Public Works, and the Office of Planning & Development.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

17-5092. Fines and Enforcements

A. Any person who violates any element of a Parish required permit or Parish regulations, or any supporting part thereof (e.g. Construction Plans, Drainage Impact Study, Erosion/Sedimentation Control Plan) or federal and state regulations (see section 17-504) including violations to the SWPPP will be issued a written warning. If the violation is not corrected in the time allotted by the written warning the project will be issued a stop work order by the Engineering department or the Department of Public Works.

B. If the above violations are not corrected within the time allotted by the stop work order (two working days minimum), all permits shall be rescinded by written notice from the Parish. A stop work order does not alleviate responsibility for any violations and shall not indemnify the permit holder against additional enforcement actions as allowed by local, state and federal laws.

C. If the above violations are not corrected within five working days of the permits being rescinded, the responsible party will be subject to fines, in addition to any fines leveled by Federal and State regulators. The fine shall be $500.00 for each violation. Each specific infraction shall constituted a separate violation. Each day the violation continues shall constitute a separate violation. Fines may be enforced from the date of initial warning of violation(s).

D. All fines and penalties shall be paid to the governing body of Ascension Parish, Louisiana.

(Ord.# DR11-01, 6/16/11)

17-50100. Definitions

A. Note: Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance the most reasonable application.

Backwater: Surface waters in a flooding condition where the source of the flooding is a downstream channel or stream

Base Flood Elevation (BFE): The flood elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year

Channel: means any stream, swale, ditch, diversion, or watercourse that conveys stormwater runoff, whether natural or manmade

Conveyance: Natural or man-made system accommodating flow of storm water

Detention System: All facilities, channels, basins, and areas, natural or artificial, which serve to store storm water and release it at a controlled rate

Developed Condition: Means the fully developed or built out condition with respect to stormwater runoff from a proposed development or residential site plan

Drainage Impact Study: A report prepared for a designated area supporting the design decisions made to meet all requirements on drainage provisions, flood mitigation measures and performance monitoring tasks which may be placed on, or located throughout such area. The Parish "*Drainage Impact Study Policy*" establishes the minimum submittal requirements for a Drainage Impact Study to initiate review by the Office of Planning & Development as part of the permitting process.

Earthwork: The excavation and/or embankment of soil

Existing Condition: The pre-developed condition of the site with respect to hydrology and hydraulics. Credit will not be given for impervious surface area constructed in the previous 5-year period for a site being redeveloped.

Flood Insurance Rate Map (FIRM): Official map for a community in which FEMA has delineated both the special hazard areas and the risk premium zones applicable to that community

Flood Zone: A geographical area where flooding reaches a certain height as shown on a Flood Hazard Boundary Map or a Flood Insurance Rate Map that reflects a severity or type of flooding in an area

Heavy Industrial: Intended to accommodate high-impact manufacturing, compounding, processing, packaging, treatment and other industrial uses, including extractive and waste-related uses, that by their nature create a nuisance, and which are not properly associated with or are compatible with nearby residential or commercial neighborhoods.

Impervious Surface: Any surface where the infiltration of storm water into the earth has been reduced by the works of man.

Industrial Facility: Any development within an Industrially zoned (I) piece of property that is classified as a Heavy Industrial Use.

Light Industrial: Intended to accommodate light manufacturing, research and development, warehousing, wholesale and processing uses. Light industrial is intended to encourage originality and flexibility in design to ensure that the development is properly related to its site and buffered to surrounding land uses. Development should be operated in a relatively clean and quiet manner in accordance with applicable noise ordinance regulations (Chapter 14, Article III of the Code of Ordinances) and should not be obnoxious to nearby residential or commercial uses. Uses shall create little or no environmental or safety problems.

Lowest Floor: The lowest floor of the lowest enclosed area (including a basement). An unfinished or flood-resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other requirements.

Lowest Gutter Elevation: The lowest elevation of the road at the gutter.

Peak Flow: The maximum volumetric rate of flow of water at any given point in a channel or conduit resulting from a predetermined storm.

Storm Frequency: The average period of time during which a storm of a given duration and intensity can be expected to be equaled or exceeded.

Base Flood Elevation: The anticipated height, in relation to the North American Vertical Datum (NAVD) of 1988, or other datum where specified, of floodwaters of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Peak Water Surface Elevation: The highest design water surface elevation for the design storm in a detention pond or storm drainage system.

Watershed: The total land area above a given point on a waterway that contributes runoff water to the flow at that point.

(Ord.# DR07-01, 9/6/07; DR09-01, 716/09; DC09-09, 12/17/09)

Ascension Parish Ordinance

Chapter 7 - DRAINAGE[1]

Footnotes:

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Cross reference— Drainage districts, § 18-30 et seq.

Sec. 7-1. - Obstruction or diversion of or interference with waters, etc.—Prohibition.

It shall be unlawful for any person to wilfully obstruct, divert or interfere with any waters, creeks, bayous, small rivers, drains, drainage canals, or drainage ditches, natural or artificial, public or private.

(Ord. of 5-5-55, § 1)

State Law reference— Similar provision, R.S. 38:215.

Sec. 7-2. - Same—Removal of materials after notice.

Should any person dump, discharge, place, construct, or cause to be dumped, discharged, constructed or placed any objects into the waters, drains, drainage canals or drainage ditches of the parish, and fail to remove the same at such person's own expense within a period of ten (10) days from receipt of notice of such obstruction, such failure on such person's part shall constitute prima facie evidence of wilful intent to unlawfully obstruct such water, drainage canal, drain, or drainage ditch.

(Ord. of 5-5-55, § 2)

Sec. 7-3. - Same—By washing out, etc., of concrete trucks.

All concrete companies operating in the parish found in violation of Louisiana Revised Statutes, section 38:215, which prohibits interference and obstruction of a drainage facility, such as concrete trucks washing out in parish ditches, will be reported to the proper authority for corrective action.

(Mo. of 10-17-85)

Sec. 7-4. - Same—Punishment of violators.

Every violation of sections 7-1 through 7-3 shall constitute a separate offense and shall be punishable as provided in section 1-8, and the parish shall be entitled to injunctive relief to abate unlawful conditions.

(Ord. of 5-5-55, § 3)

Sec. 7-5. - Minimum size culvert.

The minimum size culvert to be installed for drainage purposes is fifteen (15) inches.

(Mo. of 1-19-84)

Chapter 9.5 - FLOOD DAMAGE PREVENTION[1]

Footnotes:

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Editor's note— A resolution adopted Mar. 21, 2002, provided that amelioration of certain flood damage effects can be achieved through a comprehensive basin wide floodplain management approach, and the Amite River Basin Commission, in cooperation with Ascension Parish, prepared a Flood Hazard Mitigation Plan of the Amite River Basin; hence, the parish council resolved to support such plan. It is presumed that in the event of conflict between the plan and this Ch. 9.5, the more recent provisions will prevail.

Cross reference— Buildings, Ch. 6; drainage, Ch. 7; emergency management, Ch. 8; mobile home parks, Ch. 11; roads and bridges, Ch. 19; subdivisions, Ch. 21.

ARTICLE I. - IN GENERAL

Sec. 9.5-1. - Statutory authorization.

The Legislature of the State of Louisiana has, in R.S. sections 29:608 and 29:709, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the parish council does ordain as set out in this chapter.

(Ord. of 11-19-92, Art. 1, § A)

Sec. 9.5-2. - Findings of fact.

(a) The flood hazard areas of unincorporated areas of the parish are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(b) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

(Ord. of 11-19-92, Art. 1, § B)

Sec. 9.5-3. - Statement of purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(1) Protect human life and health;

(2) Minimize expenditure of public money for costly flood control projects;

(3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) Minimize prolonged business interruptions;

(5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

(6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and

(7) Ensure that potential buyers are notified that property is in a flood area.

(Ord. of 11-19-92, Art. 1, § C)

Sec. 9.5-4. - Methods of reducing flood losses.

In order to accomplish its purposes, this chapter uses the following methods:

(1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;

(4) Control filling, grading, dredging and other development which may increase flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

(Ord. of 11-19-92, Art. 1, § D)

Sec. 9.5-5. - Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted to give them the meaning they have in common usage and to give this chapter its most reasonable application.

Alluvial fan flooding means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Area of shallow flooding means a designated AO, AH, or VO zone on a community's flood insurance rate map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard is the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Base flood means the flood having a one-percent chance of being equal led or exceeded in any given year.

Basement means any area of the building having its floor subgrade (below ground level) on all sides.

Critical feature means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development means any man-made change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevated building means a nonbasement building (i) built, in the case of a building in zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in zones VI—30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of zones A1—30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of zones VI—30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of section 60.3(e)(5) of the National Flood Insurance Program regulations.

Existing construction means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of inland or tidal waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood insurance study is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the flood boundary-floodway map.

Floodplain or *flood-prone area* means any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood protection system means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodproofing means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway (regulatory floodway) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

(4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:

a. By an approved state program as determined by the Secretary of the Interior or;

b. Directly by the Secretary of the Interior in states without approved programs.

Levee means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee system means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

Manufactured home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

New construction means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain

management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Recreational vehicle means a vehicle which is (i) built on a single chassis; (ii) four hundred (400) square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions or (2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance is a grant of relief to a person from the requirement of this chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this chapter. (For full requirements see section 60.6 of the National Flood Insurance Program regulations.)

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program regulations, is presumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ord. of 11-19-92, Art. 2)

Sec. 9.5-6. - Lands to which this ordinance applies.

This chapter shall apply to all areas of special flood hazard with the jurisdiction of Ascension Parish Council.

(Ord. of 11-19-92, Art. 3, § A)

Sec. 9.5-7. - Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Ascension Parish and Incorporated Areas," dated August 16, 2007, with accompanying flood insurance rate maps for Ascension Parish and incorporated areas dated August 16, 2007 and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter.

(Ord. of 11-19-92, Art. 3, § B; Ord. of 6-21-07(1))

Sec. 9.5-8. - Establishment of development permit.

A development permit shall be required to ensure conformance with the provisions of this chapter.

(Ord. of 11-19-92, Art. 3, § C)

Sec. 9.5-9. - Compliance.

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this chapter and other applicable regulations.

(Ord. of 11-19-92, Art. 3, § D)

Sec. 9.5-10. - Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Ord. of 11-19-92, Art. 3, § E)

Sec. 9.5-11. - Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

(1) Considered as minimum requirements;

(2) Liberally construed in favor of the governing body; and

(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

(Ord. of 11-19-92; Art. 3, § F)

Sec. 9.5-12. - Warning and disclaimer or liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

(Ord. of 11-19-92; Art. 3, § G)

Secs. 9.5-13—9.5-20. - Reserved.

ARTICLE II. - ADMINISTRATION

Sec. 9.5-21. - Floodplain administrator—Designated.

The parish engineer is hereby appointed the floodplain administrator to administer and implement the provisions of this chapter and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.

(Ord. of 11-19-92; Art. 4, § A)

Sec. 9.5-22. - Same—Duties and responsibilities.

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

(1) Maintain and hold open for public inspection all records pertaining to the provisions of this chapter.

(2) Review permit application to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.

(3) Review, approve or deny all applications for development permits required by adoption of this chapter.

(4) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is Louisiana Department of Transportation and Development prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Ensure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with section 9.5-7, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of Article III.

(9) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1—30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(10) Under the provisions of 44 CFR Chapter 1, section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in zones A1—30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision through FEMA.

(Ord. of 11-19-92; Art. 4, § B)

Sec. 9.5-23. - Permit procedures.

(a) Application for a development permit shall be presented to the floodplain administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

(1) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

(2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

(3) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 9.5-32(2);

(4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.

(5) Maintain a record of all such information in accordance with section 9.5-22(1).

(b) Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this chapter and the following relevant factors:

(1) The danger to life and property due to flooding or erosion damage;

(2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(3) The danger that materials may be swept onto other lands to the injury of others;

(4) The compatibility of the proposed use with existing and anticipated development;

(5) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(6) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

(7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

(8) The necessity to the facility of a waterfront location, where applicable;

(9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

(10) The relationship of the proposed use to the comprehensive plan for that area.

(Ord. of 11-19-92; Art. 4, § C)

Sec. 9.5-24. - Variance procedures.

(a) The appeal board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this chapter.

(b) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter.

(c) Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.

(d) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(e) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of Historic Places, without regard to the procedures set forth in the remainder of this chapter.

(f) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 9.5-23(b) of this article have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(g) Upon consideration of the factors noted above and the intent of this chapter, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter (section 9.5-3).

(h) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(i) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(j) Prerequisites for granting variances:

(1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(2) Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(3) Any application to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(k) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in section 9.5-24(a) through (i) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(Ord. of 11-19-92; Art. 4, § D)

Secs. 9.5-25—9.5-30. - Reserved.

ARTICLE III. - PROVISIONS FOR FLOOD HAZARD REDUCTION

Sec. 9.5-31. - General standards.

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements.

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters; and

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(Ord. of 11-19-92; Art. 5, § A)

Sec. 9.5-32. - Specific standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in section 9.5-7, 9.5-22(8) or 9.5-33(c), the following provisions are required:

(1) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as proposed in section 99.5-23(1)a. is satisfied.

(2) *Nonresidential construction.* New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.

(3) *Enclosures.* New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

a. A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) *Manufactured homes.*

a. Require that all manufactured homes to be placed within zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

b. Require that manufactured homes that are placed or substantially improved within zones A1—30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with zones A1—30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:

1. The lowest floor of the manufactured home is at or above the base flood elevation, or

2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(5) *Recreational vehicles.* Require that recreational vehicles placed on sites within zones A1—30, AH, and AE on the community's FIRM either (i) be on the site for fewer than one hundred eighty

(180) consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of section 9.5-23(1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(Ord. of 11-19-92; Art. 5, § B)

Sec. 9.5-33. - Standards for subdivision proposals.

(a) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with sections 9.5-2, 9.5-3 and 9.5-4 of this chapter.

(b) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet development permit requirements of section 9.5-8; section 9.5-23; and the provisions of Article III of this chapter.

(c) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than fifty (50) lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to section 9.5-7 or 9.5-22(8) of this chapter.

(d) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(e) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(f) Minimum elevation for development. All primary buildings located on land which is designated as FEMA Flood Zone A, A1-A99 shall be constructed with a minimum elevation of one (1) foot above the base flood elevation.

(Ord. of 11-19-92; Art. 5, § C; Ord. of 2-20-97; Ord. of 4-17-97)

Sec. 9.5-34. - Standards for areas of shallow flooding (AO/AH zones).

Located within the areas of special flood hazard established in section 9.5-7 are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(1) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified).

(2) All new construction and substantial improvements of nonresidential structures:

a. Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two (2) feet if no depth number is specified), or;

b. Together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in section 9.5-23(1)a, are satisfied.

(4) Require within zones AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

(Ord. of 11-19-92; Art. 5, § D)

Sec. 9.5-35. - Penalties for noncompliance.

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this court order and other applicable regulations. Violation of the provisions of this court order by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction thereof be fined not more than five hundred dollars ($500.00) or imprisoned for not more than six (6) months, or both, for each violation and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the parish from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. of 6-21-07(1))

Sec. 9.5-36. - Severability

If any section, clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

(Ord. of 6-21-07(1))

Chapter 11 - HEALTH AND SANITATION[1]

Footnotes:

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Cross reference— Smoking in parish-owned buildings, etc., § 2-31 et seq.; refuse disposal at mobile home parks, § 12-58; insect and rodent control at mobile home parks, § 12-59; mental health board, § 18-3; refuse disposal generally, Ch. 20.

ARTICLE I. - IN GENERAL

Secs. 11-1—11-3. - Reserved.

Editor's note— Provisions pertaining to weeds and grass previously codified as §§ 11-1—11-3 have been deleted as having been superseded by an ordinance adopted Sept. 15, 1994, codified herein as Art. V, §§ 11-100—11-106. Former §§ 11-1—11-3 derived from an ordinance adopted Sept. 1, 1977, §§ 1—4. See also the editor's footnote to Art. V of this chapter.

Sec. 11-4. - Pollution of waters of Bayou Lafourche Fresh Water District—Activities prohibited.

It shall be unlawful for any municipality, unincorporated town, corporation, partnership or individual to cast, dump, throw or otherwise dispose, of into the Bayou Lafourche any debris, trash, refuse, sewage, or foreign matter which shall threaten to pollute or pollute the water therein, or to deposit said debris, trash, sewage, or any such objectionable matter on or in the vicinity of the banks of the bayou from which location such deposits may be moved, by any supplemental force whatsoever, into the bayou water. It shall also be unlawful for any person, corporation, firm or partnership to construct any structure or building, including privies, toilets, and cattle, livestock, or hog pens, in such a manner that any such objectionable foreign matter shall be allowed to fall, or may fall of its own accord, or move or be moved into the Bayou Lafourche; or to construct any sewer or sewage discharge lines in such a manner that any refuse or sewage therefrom shall be allowed to flow or move into the waters of Bayou Lafourche.

(Ord. of 11-3-55, § 1)

Sec. 11-5. - Same—Enforcement by officers.

All law enforcement officers of the parishes and municipalities in which are located the territory comprised in the Bayou Lafourche Fresh Water District, and all enforcement officers empowered by the state board of health under the law of the state to enforce the sanitary code of the state, are hereby authorized and empowered to make the investigation and file the charges, and make the arrests necessary for the enforcement of section 11-4.

(Ord. of 11-3-55, § 11)

Secs. 11-6—11-19. - Reserved.

ARTICLE II. - PEDDLERS OR HAWKERS OF MEAT, POULTRY AND SEAFOOD

Sec. 11-20. - Definitions.

As used in this article, the following terms shall have the respective meanings ascribed to them:

Fixed place of business means any building having a street address within the parish.

Parish: means the geographical limits of this parish outside of the corporate limits of the cities of Donaldsonville, Gonzales and Sorrento.

Peddler or *hawker* means any sales person of meat, poultry and/or seafood for human consumption as provided in section 11-21. (Ord. of 11-21-85, § 1(b), (c), (d); Ord. of 8-19-2004)

Sec. 11-21. - Scope of article.

Peddlers or hawkers of meat, poultry and/or seafood for human consumption shall include:

(1) Any person who sells and delivers to the general public any meats, poultry or seafood from any motor vehicle, trailer or other mode of transportation or by any other means than sale at a fixed place of business which has been inspected and certified by the parish health officer as being in compliance with all of the sanitation and other laws, rules and regulations of the state applicable to the sale at retail of meats, poultry or seafood for human consumption; or

(2) Any person who sells for future delivery to the public, by means of house to house solicitation, any meat, poultry or seafood who does not have a fixed place of business in the parish which has been certified by the parish health officer as being in compliance with all of the sanitation laws, rules and regulations of the state applicable to the sale at retail of meats, poultry or seafood for human consumption.

(Ord. of 11-21-85, § 1(a); Ord. of 8-19-2004)

Sec. 11-22. - Parish licenses required; exception.

(a) Any person defined as a peddler or hawker under this article shall, prior to making any sale or any delivery of any meat, poultry or seafood within the parish, obtain a license from the parish for each motor vehicle or for each trailer or for each facility used in the conduct of such business by the licensee.

(b) In the event any applicant for a license under this article shall be deemed to be covered under a specific designation under the occupational licensing law in the Louisiana Revises Statutes, then and in such event, no additional license shall be required of such applicant and the license fee shall be to such applicant in the amount set forth in the occupational license law.

(Ord. of 11-21-85, § 2(a), (f); Ord. of 8-19-2004)

Sec. 11-23. - License application.

All applicants for the license herein provided shall furnish to the parish the following information, in writing, in the application form provided by the police jury:

(1) Complete legal name of applicant;

(2) Resident street address of applicant;

(3) Age of applicant;

(4) License number of all motor vehicles to be uses by the applicant within the parish for the business applied for;

(5) Type of product to be sold by applicant;

(6) Parish sales tax identification number of applicant.

(Ord. of 11-21-85, § 2(b); Ord. of 8-19-2004)

Sec. 11-24. - Bond.

Before any license provided for by this article shall be issued for engaging in the businesses set forth in this article, the applicant therefore shall file with the parish a bond in favor of the parish in the sum of two thousand dollars ($2,000.00) and executed by the applicant as principal and a surety upon which service of process may be made in the state. Such bond shall provide that the applicant shall comply fully with all of the provisions of this Code and other ordinances of the parish and the statutes of the state regulating and concerning the business engaged in and will pay all judgments rendered against the applicant for any violations thereof, together with all judgments and costs that may be recovered against him by any person for damages, growing out of any misrepresentations or deception practiced upon any person transacting such business with such applicant whether such misrepresentations or deceptions are made or practiced by the owners or their servants, agents or employees at the time of making the sale. Action on such bond may be brought in the name of the parish or to the use of the aggrieved person. Such bond must be approved by the parish both as to form and as to the responsibility of the surety thereon.

(Ord. of 11-21-85, § 2(c); Ord. of 8-19-2004)

Sec. 11-25. - Parish building officer to be nominated agent for service of process.

In addition to the other requirements of this article, the applicant for a license provided for by this article shall file with the parish an instrument nominating and appointing the parish building officer or the person performing the duties of such position as his true and lawful agent with full power and authority to acknowledge services of notice of process for and on behalf of the applicant in respect to any matters connected with or arising out of the business transacted under the license and the bond given as required in this article or for the performance of the conditions of the bond or for any breach thereof. Such instrument shall also contain recitals to the effect that the applicant for the license consents and agrees that service of any notice of process may be made upon such agent and, when so made, shall be taken and held to be a valid as if personally served on the person applying for the license according to the law of this or any other state and waived all claim or right of error by reason of such acknowledgment of service or manner of service.

(Ord. of 11-21-85, § 2(d); Ord. of 8-19-2004)

Sec. 11-26. - Parish building officer to give notice of service of process to licensees.

Immediately upon service of process upon the parish building officer as provided in this article, the officer shall send to the licensee at his last known address by certified mail, a copy of the process.

(Ord. of 11-21-85, § 2(e); Ord. of 8-19-2004)

Sec. 11-27. - Issuance of license; fee.

Every applicant for a peddler's or hawker's license who complies with the above and foregoing requirements shall be issued licenses as applicable to conduct business as a peddler or hawker of meat, poultry and/or seafood in the parish upon payment to the parish of a license fee on one hundred dollars ($100.00), for each license required hereunder, except as hereinafter provided.

(Ord. of 11-21-85, § 2(g); Ord. of 8-19-2004)

Sec. 11-28. - Additional duties of licensees.

In addition to the other requirements of this article, all vendors licensed under this article, including their agents and employees, shall:

(1) Display the license issued to such vendor in a conspicuous place to aid in consumer identification of the vendor;

(2) Give the consumer a sales slip showing the date of purchase and amount of purchase and on which the name and address of the vendor is shown;

(3) Not do business within one-half (½) mile from a fixed place or establishment selling identical or similar products;

(4) Provide evidence to the parish from the owner or person authorized to give permission for the use of the particular location from which the vendor proposes to sell his products;

(5) Provide a certificate from the parish health unit when the products to be sold are under the jurisdiction of the parish health unit.

(Ord. of 11-21-85, § 3; Ord. of 8-19-2004)

Sec. 11-29. - License exemption.

Every applicant for a peddler's or hawkers license under this article who shall satisfactorily prove to the parish manager that all meat, poultry and seafood to be sold by applicant under this article represents produce produced by such vendor in the course of such vendor's occupation as a farmer in the case of meat and poultry or represents seafood caught by the applicant in the course of such vendor's occupation as a fisherman, shall be exempt from the payment of the license fee provided for in section 11-25.

(Ord. of 8-19-2004)

Sec. 11-30. - License period; expiration.

Licenses for peddlers or hawkers issued under this article shall be on an annual basis, irrespective of when such license is applied for or issued. All such licenses so issued shall expire at midnight, December 31 of the year of issuance.

(Ord. of 8-19-2004)

Sec. 11-31. - Violations.

(a) Any person who conducts any business in the parish as a peddler or hawker of meat, poultry or seafood without possessing valid licenses required by this article shall be guilty of a misdemeanor and shall be subject to punishment as provided in section 1-8 for each offense.

(b) Each day in which any person shall do business in the parish as a peddler or hawker of meat, poultry and/or seafood, in violation of this article shall be deemed a separate offense.

(c) Any person who shall have violated any of the provisions of this article and have been convicted of such violation for any two (2) separate offenses shall thereafter be barred from obtaining a peddler's or hawker's license under this article for a period of three (3) years after date of conviction of the second offense.

(d) Any person who is licensed as a peddler or hawker under this article and who shall have failed to pay the sales tax due the parish for such business after due demand for any such tax delinquency made by the parish sales tax collector or sales tax auditors shall forfeit any license issued for the then current year and no further license shall be issued to such business thereafter until all such taxes, penalties and interest have been paid to the parish.

(Ord. of 8-19-2004)

Secs. 11-32—11-39. - Reserved.

ARTICLE III. - SEWAGE DISPOSAL[2]

Footnotes:

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Cross reference— Plumbing code, § 6-115 et seq.; sewage disposal facilities at mobile home parks, § 12-61; sewerage districts, § 18-70 et seq.

Sec. 11-40. - Definition.

As used in this article, the term "sewage" shall be defined as a combination of the liquid or water carried waste from residences, business buildings and institutions.

(Ord. of 8-16-84, § A)

Sec. 11-41. - Approved facilities required.

Every new premises, public or private, where people live, work or congregate, shall be provided with approved toilet facilities, including handwashing facilities. Said facilities shall be properly connected to a public sewage system where available or to a private sewage disposal system specifically approved for the premises by the state health officer or duly authorized representative (parish health unit) after determining that the installation and operation of an individual system will not create a nuisance or public health hazard. It shall be the duty of the owner, manager or agent of any occupied premises, public or private, where people live or work, to provide an approved method of sewage disposal.

(Ord. of 8-16-84, § B)

Sec. 11-42. - Unsanitary disposal prohibited; proximity of tanks and fields to water supply.

The contents of effluent from any water closet, lavatory, sink, bath tub, shower drain, kitchen fixture, laundry fixture, vault, privy, leaching pit, chemical toilet or septic tank shall not be discharged directly or indirectly or indirectly into any street, gutter, ditch, body of water or onto the surface of the ground except as may be approved by the state health officer or such officer's authorized representative (parish health unit). In no case shall a sewage disposal tank be located less than fifty (50) feet and the disposal field and lines located less than one hundred (100) feet from any water well, spring or other water supply structure.

(Ord. of 8-16-84, § C)

Sec. 11-43. - Work authorization to install individual system; approval.

No person shall install or cause to be installed an individual sewage disposal system of any kind without first having obtained a work authorization for such installation from the state health officer or such officer's duly authorized representative (parish health unit). No individual sewage disposal system shall be used or placed in operation without final approval in the form of a permit issued by the state health officer or such officer's duly authorized representative (parish health unit).

(Ord. of 8-16-84, § D)

Sec. 11-44. - Plans and specifications for individual system.

(a) Plans and specifications must be submitted for each installation or alteration at the time of application for work authorization from the parish health unit. As a part of the plans and specifications there shall be a plot plan showing proposed and existing habitations to be included in the disposal system proposed.

(b) Individual sewage disposal systems, concrete vaults, chemical toilets, oxidation ponds, mechanical treatment or any other facilities for sewage treatment shall not be installed or materially altered except in accordance with plans and specifications and specifically approved for each installation or alteration by the state health officer or such officer's duly authorized representative (parish health unit).

(Ord. of 8-16-84, § E)

Sec. 11-45. - Requirements for mobile and modular homes.

The mobile or modular home installation shall comply with all requirements for location of a normal dwelling unit and all requirements for individual sewage systems shall apply.

(Ord. of 8-16-84, § F)

Sec. 11-46. - Business permit for installing, emptying or cleaning of facilities; compliance with sanitary code; approval of disposal area.

(a) No person shall engage in the business or practice of installing, emptying or cleaning septic tanks, cesspools, vaults, or similar facilities without first obtaining a written permit to operate from the state health officer or such officers duly authorized representative (parish health unit). Said permit shall be for a period of one (1) year.

(b) All such work done by such persons shall comply with chapter 13 of the sanitary code of the state or the permit shall be revoked.

(c) Persons engaged in emptying or cleaning sewage facilities must have a disposal area approved by the state health officer of such officer's authorized representative (parish health unit).

(Ord. of 8-16-84, § G)

Sec. 11-47. - Inspection before covering.

Before final approval is issued, the state health officer or such officer's authorized agent (parish health unit) shall inspect the installed disposal facility prior to the covering of any portion of the facility.

(Ord. of 8-16-84, § H)

Sec. 11-48. - Responsibility of electrical utility company.

No electrical utility company licensed to do or doing business in the parish shall install or connect service to any mobile home until a final permit is issued. No electrical utility company licensed to do or doing business in the parish shall install or connect temporary service to any other structure unless work

authorization has been issued, nor shall such company install or connect permanent service until final permit has been issued.

(Ord. of 8-16-84, § I)

Sec. 11-49. - Violations.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor, and shall be punishable as provided in section 1-8. Each day that a violation is permitted to exist shall constitute a separate offense.

(Ord. of 8-16-84, § J)

Secs. 11-50—11-80. - Reserved.

ARTICLE IV. - LITTER[3]

Footnotes:

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Editor's note— An ordinance adopted Apr. 19, 2001, repealed former Art. IV, Litter, §§ 11-81—11-84, and enacted in lieu thereof a new Art. IV, §§ 11-81—11-87, to read as herein set out. Prior to repeal, former Art. IV was derived from an ordinance adopted Dec. 3, 1992.

Cross reference— Roads and bridges, Ch. 19; solid waste management, Ch. 20.

Sec. 11-81. - Definitions.

As used in this article, the following words have the meanings ascribed to them unless the context requires otherwise:

Dispose means to throw, discard, place, deposit, discharge, burn, dump, drop, eject or allow the escape of a substance defined as litter.

Judge shall mean a district court judge, parish court judge, or a justice of the peace, all whom have express authority to adjudicate alleged violations of this article.

Litter means all waste material, including but not limited to disposable packages, containers, sand, gravel, rubbish, paper, cans, bottles, refuse, garbage, trash, debris, dead animals, furniture or appliances, automotive parts, tires, engines, trailer boats, boating accessories, tools, equipment, building materials or other discarded materials of any kind and description.

Litter shall include all signs, including but not limited to for sale, for rent, realtor signs, garage sale signs, political signs, or business signs placed in any public right-of-way. Litter shall not include agricultural products that are being transported from the harvest or collection site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicle. Litter shall also not include recyclable cardboard being transported in compressed bundles to processing facilities. "Agricultural product" as used in this definition means all crops, livestock, poultry, and forestry; and all aquacultural, floricultural, horticultural, silvicultural and viticultural products.

Litter detail shall mean a penalty which may be imposed by a judge for violation of this article. It means the collection of litter, as defined herein, from public property. The litter shall be collected within a

reasonable area as designated by a judge. The judge shall require verification of compliance of litter detail penalty by affidavit of the violator.

Local governing authority means the governing authority of the Parish of Ascension.

Public property means any property, the right-of-way of any road or highway, levee, any body of water or watercourse or the shores or beaches thereof, any park, playground, building, refuge, or conservation or recreation area; and residential or farm properties, timberlands, or forests.

(Ord. of 4-19-2001; Ord. of 8-18-05)

Sec. 11-82. - Littering prohibited.

(a) No person shall intentionally dispose or permit the disposal of litter upon any public property, private property not owned by him, or in or on the waters of this parish.

(b) No person shall dispose or permit the disposal of litter resulting from industrial, commercial, mining, or agricultural operations upon any public property, private property not owned by him, or in or on the waters of this state.

(c) No person shall operate any truck or other vehicle on any highway in such a manner or condition that litter can blow or fall out of such vehicle.

(d) No person shall dispose of litter in such a manner that the litter may be carried away or deposited by the elements upon public or private property or waters.

(e) (1) If the litter is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in R.S. 32:1, there shall be a rebuttable inference that the driver of the vehicle disposed of the litter. If a specific person possessed such litter immediately before the act of disposing, there shall be a rebuttable inference that the possessor committed or permitted the act of disposing.

(2) When litter is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a rebuttable inference that such person has violated this article.

(f) A person accused of violation of this article shall be cited for the offense by means of a citation, summons, or other means provided by law.

(g) A violation of this article may be cited and prosecuted as a criminal violation (section 11-85) or civil violation (sections 11-83 through 11-84).

(h) *Justice of the peace.* In accordance with R.S. 13:2586 and other applicable law, a violation of this article may be tried in a justice of the peace court. The Louisiana Code of Civil Procedure and R.S. 13:2586 shall govern trials and appeals from trials by justice of the peace court.

(Ord. of 4-19-2001)

Sec. 11-83. - Procedures for civil enforcement.

(a) *Citations.*

(1) Citation forms. All citations shall be issued on forms ordinarily used for the issuance of a summons. They shall, at a minimum, contain information concerning the nature, date, time and location of the infraction, the license number of the vehicle involved, the manner by which the penalty may be paid or the citation contested, and notice to appear at the adjudicatory hearing in the event of nonpayment.

(2) Service of citation. A citation shall be served personally upon the violator.

(3) Disposition of citations. The original citation shall be signed by the issuing official, and shall be processed in accordance with such procedures as may be established by the court exercising jurisdiction.

(4) Citation as legal demand and prima facie evidence. The original citation or any true copy thereof shall be considered a demand for enforcement of a legal right and shall further be considered an ordinary business record of the Parish of Ascension and prima facie evidence of the facts contained therein.

(b) *Answering the citation.*

(1) A person to whom a citation has been issued shall answer to the same in the manner and within the delays indicated on the citation. The answer may take the form of:

a. Admission of the violation with payment of the civil penalty set forth in section 11-84(a)(1); or

b. Denial of liability by appearance on the scheduled adjudicatory hearing date.

(2) *Default.* If a person to whom a citation has been issued fails to answer or fails to appear at a hearing when required to do so or having admitted or been finally judged liable for the violation, fails to timely pay the prescribed penalty, or perform the prescribed number of hours of litter detail, the court shall, without further notice, enter a default judgment sustaining the charges and fixing the appropriate penalty, which shall have the same effect as a civil money judgment.

(c) *Adjudicatory hearings.*

(1) Hearings for the adjudication of citations shall be conducted contradictorily between the respondent and the local governing authority. The local governing authority shall be represented by the district attorney's office in parish court or district court and the constable in a justice of the peace court.

(2) At the conclusion of the contradictory hearing, the court shall render a civil judgment, either finding the respondent liable and assessing the penalty or denying liability and dismissing the citation.

(d) *Execution of judgments.* Execution may be levied and such other measures may be taken for collection of final judgments upon unpaid citations as are authorized for the collection of unpaid civil judgments entered against defendants in actions upon debt. The court may assess costs and legal interest against the judgment debtor to be paid upon satisfaction of the judgment.

Civil contempt citation. If a respondent defaults in the payment of a penalty, the court may require the respondent to appear and show cause why the default should not be treated as a civil contempt; and the court may issue a summons, order to show cause, or, upon failure to appear pursuant to personal notice, a bench warrant for the respondent's arrest.

(e) *Method of notice.* Any notice permitted or required to be given under this article shall be considered given when personally served upon the violator, however, the laws relating to citation and service of process shall be observed prior to enforcement of any civil judgment.

(Ord. of 4-19-2001)

Sec. 11-84. - Civil fines and penalties.

(a) (1) For the first violation of this article, the violator shall be fined one hundred fifty dollars ($150.00), or given the option to perform four (4) hours of litter detail in lieu of the assessed fine.

(2) For each subsequent violation, the violator may be fined not more than five hundred dollars ($500.00), or be given the option to perform eight (8) hours of litter detail in lieu of the assessed fine.

(b) For the purposes of this article, each occurrence shall constitute a separate violation.

(c) Persons found liable under the provisions of this section shall pay court costs in the amount of fifty dollars ($50.00) per violation and investigative fees in the amount of fifty dollars ($50.00) per violation.

(Ord. of 4-19-2001)

Sec. 11-85. - Procedures for criminal enforcement and criminal penalties.

(a) *Procedure* : Any violation of this article punished as a criminal matter shall be prosecuted under the procedure and laws provided by the Louisiana Code of Criminal Procedure.

(b) *Penalties* : The penalties for violation of any provisions of this article as a criminal matter shall be treated as a misdemeanor. The penalties, court costs, fees, and litter detail provided in section 11-84 shall be imposed for any violation of this article prosecuted as a criminal violation. In addition, the judge may, upon conviction of any person for a criminal violation of this article, sentence the person to a maximum term of imprisonment of twenty (20) days.

(Ord. of 4-19-2001)

Sec. 11-86. - Collection and distribution of fines.

(a) All court costs, fees, and civil fines assessed and collected pursuant to this article shall be payable to the parish. All monies collected pursuant to this article shall be forwarded to the director of finance who, after deducting or collecting any credits due or monies owed as hereinafter set forth shall deposit the remainder in the general fund of the parish. The sum of five dollars ($5.00) per violation shall be tendered by the parish to the State of Louisiana—Department of Wildlife and Fisheries.

(b) All court costs collected under the provisions of this article shall be payable as follows:

(1) Sixty (60) percent shall be paid to the judge's office.

(2) Forty (40) percent shall be paid to the office of the prosecutor or constable.

(c) The reasonable investigation expenses and costs assessed by the judge shall be paid to the investigative agency or constable issuing the citation or summons.

(Ord. of 4-19-2001)

Sec. 11-87. - Application of other laws.

(a) Nothing in this article shall limit the authority of any other state or local agency or political subdivision to enforce any other laws, rules, or regulations pertaining to litter, waste, or abatement or management of litter or waste.

(b) Nothing in this article shall be deemed to supercede, cancel, or delete any provision of any other ordinance or state law.

(c) Any occurrence that is a violation of this article may be prosecuted under any other state law.

(Ord. of 4-19-2001)

Secs. 11-88—11-99. - Reserved.

ARTICLE V. - GRASS AND WEEDS[4]

Footnotes:

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Editor's note— For purposes of classification, provisions relative to weeds and grass originally designated as §§ 23-50—23-56 by an ordinance adopted Sept. 15, 1994, have been redesignated as Art. V, §§ 11-100—11-106, at the discretion of the editor. See also the editor's note at §§ 11-1—11-3.

Cross reference— Height of vegetation in mobile home parks, § 12-40(c); removal of weeds in mobile home parks, § 12-59.

Sec. 11-100. - Definitions; duty to cut and remove.

(a) The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

(1) *Agent* or *person in control* shall mean any authorized agent or other person in control of property situated in the parish who is either managing, occupying, overseeing or in custody of such property by reason of power of attorney, contract or agreement, whether written or verbal, or other permission of the record owner of the property.

(2) *Lot* shall mean any portion, piece or division of land set apart for individual and private use and occupancy according to a plat or survey, whether vacant or improved by any occupied or unoccupied building or structure.

(3) *Owner* shall mean any person owning any lot, place or area within an established subdivision of the parish.

(4) *Established subdivision* shall mean any major subdivision of land approved by the Ascension Parish Planning and Zoning Commission and recorded in the official records of the parish.

(b) It shall be the responsibility of all owners, or their agents, or other person in control of any lot in an established subdivision outside the municipalities of the parish to cut and remove all grass in excess of twenty-four (24) inches and all obnoxious weeds from said lots upon request to do so by the parish council.

(Ord. of 9-15-94)

Sec. 11-101. - Notice to remove.

(a) The parish president, shall cause a registered or certified letter to be sent to the owner, or their agent, or other person in control of said lot, requesting such person to cut the grass and obnoxious weeds existing on said lots in violation of section 11-100. For the purpose of this article, the owner or owners of the property shall be determined from the latest available parish assessment rolls. If the owner, agent or other person does not accept the certified letter, the president shall order that a notice be served upon the owner, their agent or other person in control of said lot.

(b) If the owner or owners of a lot or lots, as defined herein, located within established subdivisions, fail to cut and remove such weeds, grass, or deleterious or unhealthy growth or other obnoxious matter as defined herein when requested to do so within fifteen (15) days after receipt of said notice, the parish president shall have the authority to have such weeds, grass or deleterious or unhealthy growth or other obnoxious matter cut at the expense of the property owner or owners.

(Ord. of 9-15-94; Ord. of 8-17-95)

Sec. 11-102. - Failure to remove.

(a) If there has been no compliance with the written notice provided for in section 11-101, or if the owner is an absentee or has no known mailing address, the parish president shall then cause the necessary work to be done to effect compliance with the provisions of section 11-100 at the owner's expense, and may have such work done either with the personnel and equipment of the council, or by means of a contract with a third person, except that if the work is done by a private contract, the work shall only be done after advertising for bids. Such advertisements for bids will specify, among other things, that the period of time allowed the successful bidders to perform their services shall be restricted to ten (10) working days.

(b) Upon completion of such work, the parish president and the council's treasurer shall cause to be prepared and filed with the recorder of mortgages of this parish, a certified copy of said charges, showing the costs of such work, a penalty of ten (10) percent thereof or two dollars ($2.00), whichever is greater, the cost of recording the certificate, the name of the owner/owners and a description of the property involved. This certified copy of the charges shall be recorded by the recorder of mortgages and shall operate from the date of filing as a lien and privilege in favor of the parish against the property on which said weeds and grass were cut and removed. In addition, the parish shall be entitled to interest on costs incurred by the parish, court costs, attorney's fees, and all costs incurred in the locating of the owner, notification of the owner, enforcement and collection of the amount secured by the lien.

(c) After the parish has incurred such costs as constitute the lien and privilege on the property, the treasurer of the parish shall cause said amounts to be added to the next ad valorem tax bill of the owner, and said amount shall be subject to the same interest and penalties as delinquent ad valorem taxes. In the event the sheriff is successful in collecting the amount of the lien and privilege which was added to the ad valorem tax bill of the property owner, then he shall also be entitled to collect the sum of fifteen (15) percent of the amount collected as administrative charges thereon.

(d) If within six (6) months after the filing of the lien provided for in paragraph (a), the property owner fails to pay such lien and any interest thereon, the treasurer of the parish shall offer for sale and subsequently sell or convey said property. The procedure for notice, advertisement, and sale of the property shall be governed by the law applicable to the sale of real property for delinquent parish taxes, except the property owner's right of redemption shall be limited to six (6) months from the time the property is sold.

(e) The cost, when collected, shall be credited to the general fund of the parish.

(Ord. of 9-15-94; Ord. of 8-17-95; Ord. of 6-17-99; Ord. of 9-19-2002)

Sec. 11-103. - Misdemeanor; penalty.

The failure or refusal of the owner, or his agent or other person in control, to comply with the provisions of this article shall constitute a misdemeanor, which offense shall be tried before the parish court for Ascension Parish, and the owner or his agent or other person in control shall be subject to a fine of twenty-five dollars ($25.00) per day beginning on the sixteenth day after receipt of written notice as provided herein but in no event shall the maximum fine exceed five hundred dollars ($500.00).

(Ord. of 9-15-94)

Sec. 11-104. - Assessments for costs in cutting weeds.

The office of the parish president is authorized and directed to assess the owners of the property on which weeds and grass are cut for the costs involved in cutting the weeds.

(Ord. of 9-15-94)

Sec. 11-105. - Contracts to cut weeds; liability insurance.

After bids have been taken as provided in section 11-102, the office of the president of the parish council is authorized to execute contracts with acceptable contractors who have bid according to specifications, under which contract or contracts and after due notice, individual lots and tracts will be cut with all costs to be assessed to the property owner. The office of the president shall establish in such contracts reasonable charges for the cutting of individual lots and in addition to such charges may levy as an assessment against the property owner the amounts provided in section 11-102. All contractors shall carry liability insurance in amounts provided by the parish president or his designee, shall own such equipment as may be required or necessary to properly carry out the contract and shall agree to hold the parish free and harmless from any claims arising out of the work performed. The contracts to be so executed shall be approved by the office of the parish attorney as to form.

(Ord. of 9-15-94)

Sec. 11-106. - Assignments to contractors.

If contracts are executed with more than one (1) contractor, the parish president or his designee shall make assignments on an approved rotating basis so that all contractors will be given an equal number of assignments to the extent feasible and practical.

(Ord. of 9-15-94)

Secs. 11-107—11-109. - Reserved.

ARTICLE VI. - JUNK OR ABANDONED VEHICLES AND WHITE GOODS

Sec. 11-110. - Findings and declarations.

In addition to and in accordance with the determination made and the authority granted to remove abandoned, inoperative, dismantled, junked or wrecked vehicles as public nuisances from public property, the Ascension Parish Council makes the following findings and declarations:

The unregulated accumulation and storage of abandoned, inoperative, dismantled, junked or wrecked vehicles and white goods on private property may create a condition tending to reduce the value of surrounding property; promote blight and deterioration; invite plundering; create fire hazards; constitute an attractive nuisance creating a hazard to the health, safety and general welfare. Therefore, the presence of abandoned or inoperative vehicles and white goods on private property, except as expressly hereinafter permitted, is declared to constitute a public nuisance which may be abated as such in accordance with provisions of this article.

(Ord. of 9-3-09)

Sec. 11-111. - Definitions.

As used in this article:

Abandoned, inoperative vehicle means any vehicle which is incapable of being lawfully moved upon the highways and streets under its own power, and included, but is not limited to, junked, wrecked or dismantled vehicles. Lack of current and/or valid registration, inspection sticker, or license plate alone does not constitute abandoned, inoperative condition. Vehicles which are otherwise in compliance with

La. R.S. 32:1301—32:1310 are not considered to be abandoned, inoperative vehicles for purposes of this chapter.

Antique or special interest vehicle means any operable motor vehicle twenty-five (25) years or older.

Enforcing agency means the Ascension Parish Sheriff or the parish code enforcement Office as well as their duly authorized agents.

Junked or *wrecked vehicle* means any vehicle which is totally inoperable and is so damaged or dismantled as to be a total loss. The term total loss shall mean that the cost to repair a damaged or dismantled vehicle exceeds the value of such vehicle, as determined by any recognized national appraisal book.

Owner of the premises means the owner of the land on which the vehicle or white good is located, as shown on the last equalized assessment roll.

Owner of the vehicle means the last registered owner.

Vehicle shall mean every device by which persons or things may be transported upon a public highway or bridge, except devices moved by human power or used exclusively upon stationary rails or tracks, and included a motor vehicle which is commonly referred to as a car, any passenger vehicle, truck, tractor, tractor trailer, truck-trailer, motor home, motorcycle, trailer or semi-trailer propelled or drawn by mechanical power. A trailer or semi-trailer shall be a separate vehicle.

White goods shall mean a large machine which accomplishes some routine housekeeping task, which includes purposes such as cooking, food preservation, or cleaning, whether in a household, institutional, commercial or industrial setting. White goods shall include but not be limited to the following appliances: refrigerator, stove, washer, dryer, dishwasher, and water heater.

(Ord. of 9-3-09)

Sec. 11-112. - Exceptions.

This part shall not apply to:

(1) A vehicle or white good which is completely enclosed within a building, garage, or under a carport, or is otherwise covered and placed at the rear of a residence or other primary structure that is located on the property in such a manner that the vehicle or white good is not otherwise visible from the street or other public or private property;

(2) Any motor vehicle or white good in an appropriate storage place or depository maintained at a location where such business is authorized under the comprehensive zoning ordinance and other regulatory ordinances of the parish;

(3) Any antique or special interest vehicle retained by the owner for collection purposes, as defined herein, rather than for salvage or for transportation;

(Ord. of 9-3-09)

Sec. 11-113. - Right to enter upon private property.

The enforcing agency or its duly authorized agents shall be authorized to enter upon private property or public property to investigate a vehicle or white good, or parts thereof, alleged to be a nuisance pursuant to this chapter.

(Ord. of 9-3-09)

Sec. 11-114. - Notice to owner and occupant to abate public nuisance on occupied or unoccupied premises.

(a) Whenever any public nuisance, as provided for herein, exists on occupied or unoccupied premises within the parish in violation of section 11-110, the enforcing agency shall order the owner of the vehicle, or the owner and the occupant of the premises whereon such public nuisance exists, to abate or remove the same. Such order shall:

(1) Be in writing;

(2) Specify the public nuisance and its location;

(3) Specify the corrective measures required and the enforcement measures that may be taken;

(4) Provide for compliance within fifteen (15) days from the service thereof; and

(5) Provide for an opportunity for a pre-enforcement hearing before the parish director of planning by written request received by the enforcing agency within ten (10) days of receipt of notice.

(b) The order shall be served upon the owner or occupant of the premises by serving him personally or by sending the order by certified mail, return receipt requested, to the address of the premises or of the owner if different from the premises of the vehicle or white good.

(c) Within the fifteen-day period after service of notice, the owner or occupant of the premises or the owner of the vehicle or white good shall abate the nuisance by (1) removing the nuisance from the premises, or (2) enclosing the vehicle or white good as provided in subsection 11-112(1).

(d) It shall be the responsibility of the owner or occupant of the property or owner of the vehicle or white goods to notify the enforcing agency as soon as the vehicle or white good has been removed or enclosed. Upon notification, the enforcing agency will set up an appointment in order to verify that compliance has taken place.

(e) If owner or occupant of the premises or the owner of the vehicle or white good fails to abate the nuisance within the fifteen-day period of notification and fails to timely request a hearing, the enforcing agency may issue a misdemeanor summons to the owner or occupant of the premises or may seek to have the vehicle removed from the premises by means of injunctive relief and imposition of civil penalties.

(Ord. of 9-3-09; Ord. of 11-4-10(5))

Sec. 11-115. - Notice presumed from refused certified mail.

For purposes of this chapter, when the owner of the premises or owner of the vehicle has been served notice by certified mail as set forth in Section 11-114, and such certified mail is refused, the owner is deemed to have received notice in accordance with the provisions of this chapter, and the fifteen-day period commences to run on the date of refusal.

(Ord. of 9-3-09)

Sec. 11-116. - Failure or refusal to comply.

The failure or refusal to comply with the provisions of this article shall constitute a violation of the Ascension Parish Code of Ordinances. The penalty shall be a fine up to five hundred dollars ($500.00).

(Ord. of 9-3-09; Ord. of 11-4-10(6))

Sec. 11-117. - Removal from occupied premises when owner's whereabouts are unknown or notice is returned unclaimed.

When there is an abandoned, inoperative, junked or wrecked vehicle or white good on premises that ore unoccupied and the identity or whereabouts of the owner of the premises is unknown or unascertainable after a diligent search has been made, or is notice sent to the last record owner of the property by certified mail has been returned as unclaimed, then the enforcing agency shall place an advertisement in the official journal of Ascension Parish for the whereabouts of the owner on two (2) occasions with in a period of thirty (30) days. If no response is forthcoming after the thirty-day period, then the enforcing agency may take possession of the vehicle or and remove it from the premises in accordance with the provisions of the LSA R.S. 32:471 et seq. The enforcing agency may thereafter dispose of the vehicle in the same manner as provided in LSA R.S. 32:471 et seq.

(Ord. of 9-3-09)

Sec. 11-118. - Removal of vehicles, white goods from private property.

Private property owners, whether commercial or residential, have the power, as authorized by general law, to cause vehicles or white goods to be removed from their property illegally situated thereon. In any case where an owner requests any law enforcement agency having jurisdiction, to cause to be removed from his property a vehicle or white good said by the property owner to be illegally situated on his property and has filed with such law enforcement agency an acceptable indemnification agreement, such law enforcement agency shall be authorized and empowered to cause the vehicle or white good to be removed by wrecker or other disposal service in accordance with established policies and procedures for obtaining of wrecker or other disposal services by law enforcement agencies in the parish.

(Ord. of 9-3-09)

Secs. 11-119—11-199. - Reserved.

ARTICLE VII. - OBSTRUCTION OF FIRE HYDRANTS[5]

Footnotes:

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Editor's note— Formerly numbered as Art. VI.

Cross reference— Installation of fire hydrants, § 6-371 et. seq.; obstruction of fire hydrants, § 6-375.

Sec. 11-200. - Obstruction of fire hydrants.

No person shall block, obstruct, cover, limit access to, or place any permanent fixture or structure within four feet of any fire hydrant within the parish. This prohibition includes but is not limited to parking or placing vehicles between a public right-of-way and a fire hydrant, construction of any works around a fire hydrant, including fences, landscape works, plantings, or any type of construction that impedes the access of firefighters to the hydrant or does not allow the fire hydrant to be visible from the roadway.

(Ord. of 5-3-07; Ord. of 10-21-10)

Sec. 11-201. - Penalties.

(a) Any person who shall violate any provision of this article shall, upon conviction thereof, be fined not more than two hundred dollars ($200.00) per each offense, or imprisoned not more than thirty (30) days, or both.

(b) In addition, the department of public works is authorized to send the violator or offender notice to remove such obstructions, and if not done so in fifteen (15) days, the department of public works is authorized to remove the obstruction.

(Ord. of 5-3-07)

ATTACHMENT C –
Water Quality Environmental Report

OFFICE OF THE PARISH PRESIDENT

KENNY MATASSA
PARISH PRESIDENT

WATER QUALITY ENVIRONMENTAL REPORT EXECUTIVE SUMMARY

EPA Lake Pontchartrain Basin Program

EPA # BR-00F677001/UN058556C
Parish Project # 2016.0005

Prepared For
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1.0 EXECUTIVE SUMMARY

This report was prepared for Ascension Parish to update and document surface water quality in Ascension ("Parish") over the past three years. This report provides an update to the final Water Quality Environmental Report prepared for the Parish in 2015. The methodology used in this update attempts to follow the same procedures utilized in the original report; however not all pollutants were analyzed during the evaluation period and samples were not collected as systematically.

Ascension Parish continues to be the fastest growing Parish in Louisiana. In the past three years since the previous report was written, the population has grown by approximately 15,000 citizens or approximately 12.5%. Although the Parish experienced a significant flooding event in 2016, new construction, rebuilding, renovating, refurbishing, and expansions continue. The population growth is expected to continue, and at a rate of approximately 4-5% per year, it is unlikely that public infrastructure will be able to keep pace with development.

Update

This water quality report aims to provide an updated assessment of the waterbodies in Ascension Parish, taking into account many factors with the ability to impact water quality. Most of the waterbodies within the Parish continue to be designated as impaired under Louisiana's Water Quality Integrated Report. The science behind watershed restoration within the Parish draws upon the historic data contributing to the impairments, while updating and expanding that knowledge with the recently collected ambient and watershed data documenting water quality, waterbody characteristics, development impacts, and the variety of impairments.

The overall goal of this analysis project is to 1) compare recently collected data to the previous evaluation in order to determine if improvements are being realized, 2) identify where water quality in the Parish's waterbodies does and does not meet established Louisiana Department of Environmental Quality (LDEQ or Department) ambient standards, 3) identify sources that may be contributing to those waterbodies where standards are not being achieved and 4) to pursue the necessary follow up actions (enforcement, regulatory changes, *etc.*) that will lead to improved water quality. This report aims to set forth a blueprint for the sustainable environmental health of waterbodies within

Ascension Parish and the Lake Pontchartrain Basin.

As demonstrated by the data historically collected by LDEQ and as presented in this report and the 2015 report, Parish waterbodies continue to suffer poor health due to lower than average DO (DO) levels resulting from a lack of elevation and stagnating waters, exacerbated by the large number of point source discharges. Wind and tidal backflows cause further stagnation in low volume waters by preventing downstream flows. To tackle these conditions, the Parish recognizes that ratcheting down on all point source dischargers may not necessarily affect or restore water quality in certain watersheds. The data and recommendations presented in this report continue to demonstrate that a holistic approach will be necessary to identify and resolve water quality issues in Ascension Parish.

This holistic approach provides the most technically sound and economically efficient means of addressing water quality problems and is strengthened through the involvement of stakeholders that may have broader concerns than simply attainment of water quality standards. Proceeding down this path allows the Parish to address all the uses of a waterbody, the criteria needed to protect the use, and the strategies and projects necessary to restore water quality and/or prevent further degradation. Understanding that regulatory changes, ordinance changes, flood and drainage modifications, re-establishment of historical flow paths, stakeholder involvement, Parish permitting, potential planning and zoning modifications, continued sampling, and infrastructure projects which demonstrate actual measurable improvements in water quality, is the first step in moving toward watershed restoration.

The ambient water quality data collected by the Parish for the past year remains consistent with LDEQ data, in that it continues to demonstrate depressed DO levels (specifically during those months where the standard was not lowered), and high dissolved solids (additional standards which the state is revisiting) in many waterbodies. The Parish should continue to work with LDEQ and EPA to develop more focused modeling efforts based on the new standards to make the most informed water quality decisions to prioritize infrastructure projects and grant monies in those areas where projects will have the biggest pollution reduction impact.

5.0 IDENTIFIED PROBLEM AREAS

Fecal Coliform levels at all stations were elevated as compared to the previous sampling effort, even during the winter months when lower levels would be expected. Although the levels were elevated, the data sets for each station are so limited that water quality decisions based on one or two samples cannot be made. The Parish should consider more frequent data collection (monthly is recommended) and should review collection methods to ensure samples are not be affected during collection and/or transport.

WQ-3, Roddy Bayou at Wirth Place Road was in violation of just about all parameters sampled at this station. BOD, Chlorophyll, and BGA levels were all elevated and the TN was high in several of the samples resulting in an inconsistent ratio of TN to TP. These parameters being elevated resulted in very suppressed DO levels at this sit, well below the 5.0 mg/L standard. Roddy Bayou receives runoff from mainly residential areas with a few commercial facilities also contributing treated sanitary wastewater. The water quality sonde was deployed for a two-week period in February 2018. There was very little rain during this period and temperatures were above average (68 – 72 degrees F) which results in the stream becoming effluent dominated and stagnant even during the winter season. Similarly, WQ-3 experienced elevated levels of chlorides, sulfates and TDS as well as fecal coliform and turbidity, all indicative of point source contributions. The Parish should consider evaluation of point source discharges in the area to determine if the water quality problems are cumulative of numerous point sources, or if a particular source(s) are chronically non-compliant. Updated ordinances as described below would authorize the Parish to take enforcement action against any identified contributors rather than the Parish relying on LDEQ. The Parish should also conduct an assessment of Roddy Bayou to determine if there are snags or other obstructions that hinder flow and exacerbate stagnating conditions. Of all the stations sampled, WQ-3 experienced the most violations of state water quality standards.

WQ-17, Saveiro Canal at New River also experienced suppressed DO levels and elevated BOD levels; however, nutrients and dissolved minerals levels were relatively low, which is more indicative of the potential for watershed conditions, specifically controlled flows from the pump station, causing and contributing to low DO levels than point source discharges. This is substantiated by the elevated water column temperatures, which reached upwards of 88 degrees F during the period that the sonde was deployed, suggesting that Saveiro Canal becomes more of a holding pond during dry periods when the pump station is not operating for an extended period of time. While the Parish wants to ensure point source

discharges draining to Saveiro Canal are compliant, extensive sewer rehab and projects in this area would not necessarily resolve the suppressed DO levels at this station.

WQ-6, Muddy Creek at Muddy Creek Road experienced suppressed DO levels and elevated BOD levels; along with elevated TN, TP and dissolved minerals. This sampling station is located just downstream of a relatively large sanitary wastewater treatment plant discharge and a few small agricultural fields which could potentially be affecting the data collected at this station. Given the proximity to the discharge point from the wastewater treatment facility, the Parish may want to consider moving this station on Muddy Creek to ensure sampling is outside of the discharge mixing zone. This would allow time for the effluent to become fully mixed prior to ambient sampling.

Because all potable water in Ascension Parish is supplied by groundwater sources, there is a raised potential for elevated levels of dissolved minerals that utilize potable water as source water. Data provided by LDEQ for this report identified approximately 565 permitted point source discharges of treated sanitary wastewater in Ascension Parish. This number does not include those individual homes that utilize on-site septic systems or individual home treatment units. There are additionally almost 200 wash water, utility waters, process water and comingled water point source discharges, all of which can be assumed to utilize potable ground water for make-up. Utility discharges, specifically discharges from cooling towers and water filtration systems will typically have higher than average dissolved minerals levels in the resulting discharge.

LDEQ does not require most point source discharges of sanitary wastewater or wash waters in Ascension Parish to monitor for dissolved minerals prior to discharge. Discharges from other wastewater streams may be required to monitor for chlorides based on a reasonable potential analysis conducted by the Department during the permitting process.

Based on the data, average dissolved minerals levels in the Parish are well below water quality standards except in the Bayou Manchac and Amite River where the standard is low, 25 mg/L.

Because the water quality standard for dissolved minerals in the Bayou Manchac and Amite River watershed are lower than the remainder of the Parish, the data continues to indicate that these watersheds

are impaired, as greater than 30% of the samples for stations in these watersheds exceed the respective standards.

LDEQ has recognized that statewide minerals standards for chloride, sulfate and TDS were set at inappropriate levels in many waterbodies. Because chloride and sulfate exhibit toxicity only in certain forms, and toxicity is dependent on concentrations of other ions in the water column, the Department has recognized that the numerical water quality standards for these parameters state wide require review and revision. The Department is currently collecting the necessary data to determine more appropriate minerals criteria and will revise the standards accordingly.

Fecal coliform levels were above the water quality standard daily maximum at each station sampled during the summer and/or winter season. However, as relatively few samples collected per station, there is no ability to determine if these were isolated occurrences or typical values for these watersheds. While there were a few elevated fecal levels in the previous report, most all summer averages were below the water quality standard. The Parish should consider collecting samples more frequently (once/month) and seasonally to more fully assess nutrient levels in the streams.

Many of the sub-watersheds in the Parish are located in waterbodies where fecal coliform TMDLS have been completed (WQ-3, WQ-5, WQ-21, WQ-20, WQ-6, WQ-7, WQ-11, WQ-12, WQ-13, WQ-23 and WQ-22). In these watersheds point source discharges of treated sanitary wastewater are limited to the summer standard year-round. Although LDEQ data indicates that Bayou Manchac is no longer impaired for Fecal Coliform, the limited amount of Parish data collected over the past two years indicates there remains a potential fecal coliform problem in the tributaries.

6.0 RECOMMENDATIONS

The values and benefits of protecting water quality are many. Healthy waterbodies provide fish and wildlife habitat, aesthetic resources, recreational opportunities, and safe drinking water supplies. Water quality is an integral part of our individual and community well-being. Water quality is regulated and protected in the United States through numerous federal laws and regulations, including the CWA and the Safe Drinking Water Act. The LDEQ implements and enforces provisions of these federal acts and state water quality standards. The National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS) and the

Louisiana Department of Wildlife and Fisheries also play a role in regulating aquatic habitat, through their listing of indigenous fish species as threatened or endangered. Many of these regulations have components that place requirements on local governments or impose a liability on a local government whose actions result in degradation of surface water quality.

Local governments have an interest and a responsibility to participate in water quality protection and restoration efforts. However, due to the ever-changing regulatory environment, local rules and ordinances may not adequately address water quality. Local government is best suited to determine how to best address water quality and habitat protection in conjunction with state and federal agencies.

6.1 Recommended Changes to Wastewater Ordinances

Ascension Parish currently has in place several ordinances to control discharges to surface waterbodies of the parish. These ordinances have been established with the intent of balancing water quality protection and economic development. The intent of the ordinances is to ensure that permitted development shall be sited and designed to conserve natural drainage features and vegetation, prevent the introduction of pollutants into Parish waters at levels which will degrade water quality, and protect the overall quality of Parish waters and resources. In addition, the Parish is now authorized under a municipal separate storm sewer system LPDES permit with its own permit conditions and requirements under which the Parish is responsible for localized water quality problems, even though the Parish may have no control over the source of the pollution.

In addition to the existing ordinances, it is recommended that the Parish consider adoption of the following or similar ordinances to prevent further degradation of Parish waterbodies:

- All development should be evaluated for potential adverse impacts to water quality and applicants should consider Site Design, Source Control, and Treatment Control BMPs to minimize and prevent polluted runoff (storm water and wastewater) from having water quality impacts resulting from the development.
- Significant natural features within Ascension Parish should be identified and inventoried. These significant features should include:

- Seasonal and perennial streams and other natural drainage ways, wetlands, and floodplains;
- Rivers, streams, and lakes should be preserved and buffered as needed to protect their function.

- Significant natural drainage features and wetlands should be preserved or have their losses mitigated.
- Site-specific buffering, setback requirements and best management practices may be required, as necessary, to enhance and protect resources.
- To minimize the negative impacts of development, storm water should be infiltrated on site to the greatest extent possible. Runoff that cannot be infiltrated should be managed so that the hydrograph of the receiving stream is not significantly impacted, and the demonstration must be made that receiving water quality is maintained.
- Locally significant wetlands should be protected by buffers to preserve habitat and protect and enhance water quality.

USEPA recommends a tiered management system to properly control discharges from decentralized on-site individual wastewater treatment systems. While the Parish currently practices several of the below described on-site management techniques, enforcement of the rules is key to effectuating actual water quality improvements.

- Decentralized Systems Inventory and Awareness of Maintenance Needs – Conventional on-site individual home treatment systems are passive and durable treatment systems that can provide acceptable treatment under suitable site conditions despite a lack of attention by the homeowner. Failures that may occur and continue undetected pose a relatively low risk to water quality. The objective of this program is to ensure that the local authority can control design, siting, and installation of on-site individual systems in compliance with prevailing rules and ordinances, and that all systems are recorded, inventoried and property owners are informed of the maintenance needs of the systems.
- Management through Maintenance Contracts - this program component builds on component one by ensuring that maintenance contracts with certified and trained operators are maintained by all property owners of on-site systems and that these systems are maintained on a yearly basis.

- Management through Operating Permits – to ensure on-site systems continuously meet performance requirements, limited term operating permits may be necessary to ensure water quality standards are maintained. Operating permits provide a mechanism for continuous oversight of system performance and negotiating corrective action.
- Utility Operation and Maintenance – where the sensitivity of the area is high (ex: scenic streams) and waterbodies are impaired, there is a need for continuous monitoring and reliable operation and maintenance. The objective of this program component is to achieve greater control over compliance. The utility takes responsibility for operation and maintenance of the system owned by homeowners for a service fee.
- Utility Ownership and Maintenance – the designated management entity or utility owns and operates the treatment system. This system component ensures a high level of control and reduces the likelihood of disputes between the owner and contract/utility operators. This also allows the replacement of existing systems with higher performance capabilities when necessary. The homeowner pays a service fee just as they would a sewer bill.

6.2 Recommended Changes to Drainage Ordinances

As the Parish continues to grow, modifications to the current Parish drainage ordinances are recommended. Many of the ordinances which are currently in place for Ascension Parish are great starting points to address the flat topography throughout the Parish. However, there are no written requirements or criteria specifying what method of analysis (*i.e.* the SCS Method, Rational Method, and Modified Rational Method) is required for water routing. Due to the uniqueness of Ascension Parish with average over land slopes being sometimes less than 0.001 percent, and the fact that many areas of the Parish consist of wetlands and are inside flood areas, regulations regarding what design method should be utilized in the detention analysis for developed property need to be further defined. Specifying a specific method by which to analyze a new development, allows the Parish engineering department to specifically guide applicants and engineers who are working on those new developments, to design the drainage systems in accordance with common criteria across all projects throughout the Parish.

In addition to specifying a specific method of analyzing detention ponds and drainage systems throughout the Parish, the Parish also needs to consider developing rules and regulations to create regional

detention ponds dealing with large scale urban runoff as the Parish continues to grow. The implementation of regional detention ponds at specific locations throughout the Parish and having those regional ponds funded through a sales tax millage or property tax millage would curtail the effects of development in urban runoff further than what would be required by the individual developments throughout the Parish. With any development, the fact that a piece of wooded property is paved with an impervious surface always generates a greater volume of runoff. Most design methods and criteria required by municipalities usually look at attenuating the post development flows back to a pre-developed condition. However, the total volume of water that runs off that particular site is always greater due to the fact that property has now been developed, and the ability for water to percolate into the ground system, as well as the little small pockets of depressions that store water until it is evaporated or transmitted into the soil, no longer exists. Therefore, regional detention ponds would be geared toward addressing the overall increased volume of water that occurs with development and urban sprawl. Many large municipalities with similar topographic challenges, such as the greater Houston area, all have implemented these regional detention ponds to curtail the increased volume of water resulting from urban sprawl.

6.3 LDEQ Criteria Revisions/Regulatory Changes

Since issuance of the previous report, four additional watersheds have been updated to reflect site-specific seasonal variations from the default 5.0 mg/L DO standard with a new DO standard of 2.3 mg/L established during the months of March through November. This change brings all waterbodies in Ascension Parish, except for the Mississippi River and upper Amite River (north of the Lower Mississippi River Alluvial Plain/Diversion Canal), into the category of naturally lower DO levels.

The data clearly demonstrates that the change in the summer DO standard to 2.3 mg/L does bring many stations into compliance. However, there are several stations that remain below both the summer and winter standard. Ascension Parish staff should be active participants in the LDEQ alternative plan structure and implementation in the New River and Blind River watersheds as LDEQ moves through this new process.

7.0 CONCLUSION AND PATH FORWARD

To best determine why water quality data varies or changes over time, there is a need to collect and compile many outside influencing factors including meteorological data, pump station flows, accurate point

source discharge information, physical stream information and flows, cyclical information (drought, hurricane, *etc.*), and seasonal variabilities that can have a great impact on measured water quality data.

The Parish should consider continuation of this sampling effort at the sub-watershed stations for several additional years. Specifically, the Parish should consider more frequent and routine sample collection so that a more robust data set can be developed and analyzed. Collection of water quality data, in addition to documentation of the above listed additional information, will provide the Parish with a more comprehensive data allowing the Parish and stakeholders to make the best water quality decisions - including where to prioritize funding for sewer projects, identifying areas where development may need to be curtailed or additional levels of protection established for new point sources, identifying locations for additional monitoring sites, how to manage drainage and flood control structures with minimal impact to water quality, where to implement BMPs like litter traps, *etc.*

Because water quality decisions made by LDEQ are based on monthly data collected over a one-year period, every four years, any additional data that can be provided by the Parish will serve to ensure that the state is making water quality decisions on a more robust and complete data set.

To best prepare for future water quality modeling efforts and to more appropriately determine the impact from point and nonpoint sources, the Parish should conduct physical stream inventories and assessments so that actual loads can be determined. Measurement and recording of stream cross sections, specifically at the monitoring stations, should be conducted along with installation of a flow gauge/stick so that water levels can be recorded and flows calculated for the times that water quality samples are collected. Flow information will allow future efforts to determine pollutant loads in addition to concentrations enabling more accurate and representative water quality modeling.

In addition to the collection of water quality data, the Parish should begin to inventory point and nonpoint sources of oxygen demanding load to local waterbodies. The use of GIS to map neighborhoods and homes with municipal sewage treatment service, neighborhood package sewage treatment plants, commercial business treatment systems, and individual home treatment units should be completed so that the Parish has a complete understanding of where potential point source loading is occurring. The impact of

individual home treatment units and small package treatment plants at individual businesses can have a significant impact on water quality when located in sensitive areas and/or in large numbers.

Upon collection of this additional data, stream information, and point source inventory, the Parish should consider a water quality modeling effort to determine what impact, if any, existing point sources, planned sewer projects and new developments may have on water quality. While it is expected that all sewer and pollution reduction projects improve water quality to some extent, a focused modeling effort will allow the Parish to make the most informed water quality decisions in order to prioritize infrastructure projects and grant monies in those areas where projects will have the biggest pollution reduction impact. Sewering areas of the Parish without consideration of the impact that the project may or may not have on water quality (location in watershed, actual load reduced, upstream flows) can result in the expenditure of millions of dollars that may not necessarily improve identified water quality problems.

Future development in the Parish should be closely monitored and may require the Parish to steer away new discharges in those sub-watersheds where the existing available load capacity has been consumed and direct them to those areas where the waterbody has the assimilative capacity to accept additional pollutant loading. In basins where development is proposed without available capacity, the development should be required to maintain a net zero increase in load through effluent reduction/elimination, sewering, and providing additional treatment for existing dischargers, or other alternative technologies.

8.0 ABBREVIATIONS AND DEFINITIONS

BAC	Bacteria
BMP	Best Management Practice
BOD	Biochemical Oxygen Demand
col/100 mL	Colonies per 100 milliliters
DO	DO
Ecoregion	Ecological regions or areas of general similarity in ecosystems and in the type, quality, and quantity of environmental resources.
GIS	Geographic Information System
HAB	High Biomass Algal Bloom
LALW	Limited Aquatic Life and Wildlife
LDEQ	Louisiana Department of Environmental Quality
LDHH	Louisiana Department of Health and Hospitals
LDOTD	Louisiana Department of Transportation and Development
LIDAR	Light Detection and Radar
LMRAP	Lower Mississippi River Alluvial Plain
LPBF	Lake Pontchartrain Basin Foundation
LTP	Louisiana Technical Procedures
mg/L	Milligrams per Liter
MS4	Municipal Separate Storm Sewer System

ng/L	Nanograms per Liter
NTU	Nephelometric Turbidity Unit
Sub-watershed	Smaller drainage basins within larger drainage basins or subsegments.
Subsegment	A named regulatory waterbody as defined by LAC 33:IX.1123.
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids