

MICHAEL C. NEWMAN, P.E., CFM
Assistant Director of Public Works/
City Engineer



**PUBLIC WORKS
ENGINEERING DEPARTMENT**

February 19, 2009

Dear Mr. Glasson,

The City of Temple is currently in year two of a five-year Storm Water Management Program (SWMP) in compliance with Texas Pollution Discharge Elimination System (TPDES), Phase Two regulations for cities under 100,000 population. The TPDES Small Municipal Separate Storm Sewer System (MS4) General Permit regulating development activities in Temple became effective on August 13, 2007. The MS4 General Permit states that the SWMP must be "developed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality and to satisfy the appropriate water quality requirements of the Clean Water Act and the Texas Water Code". The "maximum extent practicable" standard is not defined by EPA and could be considered subjective. However, EPA has stated "compliance with the conditions of the Small MS4 General Permit and the series of steps associated with identification and implementation of the minimum control measures will satisfy the MEP standard."

TPDES MS4 identifies seven minimum control measures, which are as follows:

Public Education and Outreach for Storm Water Impacts
Public Involvement/Participation
Illicit Discharge Detection and Elimination
Construction Site Storm Water Runoff Control
Post-Construction Storm Water Management in New Development and Redevelopment
Pollution Prevention Good Housekeeping for Municipal Operations
Authorization for Municipal Construction Activities (optional)

Each year, Temple must provide documentation, implementation and evaluation of the SWMP. An annual report is prepared and provided to TCEQ. The first report was sent prior to November 10, 2008 in order to comply with annual reporting requirements.

Year three begins August 13th, 2009. By this date, we must have held two developer stakeholder meetings to identify and select "Construction BMPs" and two developer stakeholder meetings to identify and select "Post-construction BMPs." Combining these two meetings seems advantageous. The consulting firm, Jacobs Engineering (formerly Carter and Burgess), who helped us prepare the SWMP and documents to submit to TCEQ last year is available on contract until end of May, 2009.

To that end I recommend that we schedule developer stakeholder meetings one in April and one in May in order to meet both the August deadline for these SWMP requirements and to work within the contract time with our consultant. Please let me know if this is feasible with TABA.

Sincerely,

Michael C. Newman, P.E., CFM
Assistant Director of Public Works/City Engineer