

**MEMBER CITIES' RESPONSE TO EPA 308 REVIEW REPORT
DATED JULY 15, 2010**

The Cities of Adamsville, Brighton, Brookside, Center Point, Clay, Fairfield, Gardendale, Homewood, Hueytown, Irondale, Leeds, Lipscomb, Maytown, Midfield, Mulga, Mountain Brook, Pinson, Pleasant Grove, Tarrant, Trussville, and Vestavia Hills submit the following response to EPA's 308 Review Report dated July 15, 2010. Each section contains a brief description of the comments made by EPA followed by the Member Cities response.

I. Annual Report

A. EPA 308 Review Report - Permit Requirements

SWMA is required to ensure that all components of the Annual Report have been completed, including but not limited to all relevant information and components from all Co-Permittees, as required by the Permit. Specifically,

1. Part I.C.2, Part II.D.4 and Part II.A.F of the Permit require a legally binding or interjurisdictional agreement if implementation authority is shared or transferred from one Permittee to another. No such agreements were provided in the Annual Report submitted by SWMA.
2. All information required under Part V.B is to be submitted in a Summary Table.
3. The Annual Report is also required to provide a complete fiscal analysis and budget for each Co-Permittees' MS4 Program implementation for the past and next years, indicating budgets and funding sources. The 2008 Annual Report did not contain the required fiscal analysis.

B. Member Cities' Response

Current SWMA members:

Adamsville	Brighton	Brookside
Center Point	Clay	Fairfield
Gardendale	Homewood	Hueytown
Irondale	Leeds	Lipscomb
Maytown	Midfield	Mulga
Mountain Brook	Pinson	Pleasant Grove
Tarrant	Trussville	Vestavia Hills

Former SWMA members:

Unincorporated Jefferson County	Birmingham
Hoover	Bessemer
Graysville	Fultondale

SWMA and the Member Cities acknowledge that the Annual Report should include a detailed fiscal analysis for each Member City that includes: the cost of each individual program element, the revenue generated by each program funding source, and a current and future program budget. Towards that goal, storm water budgetary tracking forms are being developed by SWMA for use by the Member Cities. The forms will be used to track the cost of individual MS4 improvement activities such as: roadway applications, street-sweeping, pesticide application, detention pond cleanouts, and various other municipal duties. The information will be stored in a database by SWMA to provide for easy compilation in the Annual Report. Paper forms are currently in use by the Member Cities until the online reporting forms become available.

The legally binding agreements between SWMA members are stated by the SWMA's Articles of Incorporation signed in 1996 by the then Member Cities and its' Bylaws adopted on October 15, 1998. The documentation requested shall be included in the Annual Report for all Member Cities from this point further. Documentation will also be provided that shows withdrawal letters from former municipal members and unincorporated Jefferson County.

II. SWMP Administration

A. EPA 308 Review Report - Program Requirements

According to Part II of the Permit, the Permittees should have a Storm Water Management Plan ("SWMP") that shows the controls necessary to reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable ("MEP"). Specifically,

1. A SWMP must be developed and implemented that includes all quantitative and qualitative goals for all program elements for reaching the MEP.
2. The SWMP should detail requirements to be carried out by entities other than SWMA.

B. Member Cities - Current/Future Program

SWMA and JCDH have developed a draft SWMP plan that encompasses the 11 parts of the Permit. The SWMP has quantitative and qualitative goals as well as timelines that will be adjusted on a yearly basis to measure the effectiveness of the program as determined by the percentage of goals achieved. Goals are both short-term and long-term depending on the nature of the objective to be accomplished. (See attachment labeled "SWMP" to view the details of this plan).

III. Structural Controls and Storm Water Collection System

A. EPA 308 Review Report - Program Requirements

The SWMP and 2009 Annual Report did not contain sufficient information to provide a review of the Program.

B. Member Cities - Current/Future Program

Although SWMA does not perform this program element for its members, JCDH is developing supplemental Standard Operating Procedures (“SOPs”) for the inspection and maintenance of certain elements of the MS4, and JCDH anticipates having the SOPs completed, reviewed and adopted by the SWMA members by January 2011. JCDH will use the SOPs as a basis for providing training to public work employees on proper protocol procedures and the proper forms used for documentation.

JCDH is currently in the process of mapping all storm drains using GIS/GPS technology with the goal to develop a comprehensive MS4 map for all Member Cities. The GIS databases will include storm drain location, pipe size, pictures of all drains, type of structural control used, storm drain marker placement, and eventually a mapping of the network. Draft documents will be provided to EPA upon request.

Once the data is collected and compiled, this will allow for a more watershed based approach for pollutant removal strategies. The mapping of the storm drain and outfall system has been deemed critical to developing an effective storm water program in Jefferson County and is an on-going process and a top priority to be completed by October 1, 2012.

SWMA and JCDH are developing detention pond and structural control clean-out documentation forms for Member Cities and private entities to report activities to JCDH for inclusion in the Annual Report.

IV. Areas of New and Significant Redevelopment

A. EPA 308 Review Report - Program Requirements

Part II.A.2 of the Permit requires a comprehensive master planning process to develop, implement, and enforce controls to minimize the discharge of pollutants from areas of new development and significant redevelopment after construction is completed.

B. Member Cities’ Response - Current/Future Program

SWMA and JCDH have developed a draft manual that will provide municipal employees with the standardization of procedures to prevent pollutants from entering the MS4. Adoption of the SOPs by Member Cities is slated for January 2011. Upon adoption, JCDH will provide training to municipal employees. (See attachment labeled “SOP” to view details of this plan.)

SWMA and JCDH understand that post construction is a necessary component for any effective storm water management plan. The *Erosion and Sedimentation Control Ordinance*, passed by most of the Member Cities in 1999 is the source document used for stabilization of sites. The Member Cities acknowledge the need to address the post-construction issue by amending the *Erosion and Sedimentation Control Ordinance* (or adopting new ordinances) that provide for post construction measures. The target date of amendment of the *Erosion and Sedimentation Control Ordinance* is June 1, 2011. Please note that the public review and comment of such amendments is extensive and will require time for the Member Cities. SWMA and JCDH will work together to provide a design checklist based on EPA’s recommendation for post construction.

V. Roadways

A. EPA 308 Review Report - Permit Requirements

Part II.A.3 of the Permit requires that public streets, road, and highways should be operated and maintained to minimize the discharge of pollutants, including those related to deicing or sanding activities.

B. Member Cities' Response - Current/Future Program

Although SWMA does not perform this program element for its members, JCDH is preparing SOPs for proper storage of roadway materials, application amounts, time schedules, and disposal clean-up after de-icing or sanding activities. The anticipated adoption of the SOPs is January 2011. Upon adoption of the SOPs by Member Cities, training shall be provided for municipal employees.

Additionally, SOPs shall be developed to prevent storm water from becoming contaminated during road construction or resurfacing projects. Tracking forms shall be provided to the Member Cities to detail the miles of roadway swept, volume of debris collected, and the disposal method used on street refuse. The forms shall be collected at the end of the fiscal year and compiled in the Annual Report .SWMA acknowledges that interjurisdictional agreements must be developed and provided if members rely upon the County or State to maintain their roadways.

VI. Flood Control Projects

A. EPA 308 Review Report - Permit and Program Requirements

The Permit requires that impacts on receiving water quality shall be assessed for all flood management projects. The SWMP and 2009 Annual Report did not contain sufficient information to provide a review of the Program.

B. Member Cities' Response - Current/Future Program

Although SWMA does not operate this program for its members, JCDH is preparing SOPs for cleaning detention and retention ponds. The anticipated adoption of these SOPs by Member Cities is January 2011. Currently JCDH is finalizing detention pond forms that will allow for maintenance and upgrades to be recorded by all Member Cities. By January 2013, JCDH anticipates a comprehensive GIS database for all flood control structures and detention ponds. JCDH will then use this database to track pollutant loadings from detention ponds and other flood control structures.

SWMA currently relies on the Army Corps of Engineers and ADEM to assess most flood control projects. These are then permitted by each individual municipality. ADEM administers grant money to local non-profit organizations as well to provide flood control projects on an individual basis. SWMA acknowledges the need to access flood control projects for water quality issues and will incorporate this into future programs.

In the future all flood control projects will be documented in the Annual Report along with a description of the individual project.

VII. Pesticides, Herbicides, and Fertilizer Application

A. EPA 308 Review Report - Permit Requirements

Part II.A.5 of the Permit requires the implementation of controls to reduce the discharge of pollutants related to the storage and application of Pesticides, Herbicides, and Fertilizer Application (“PHF”).

B. Member Cities’ Response – Current/Future Program

SWMA does not operate the PHF program for its members; however JCDH does implement the public education program element for all SWMA Member Cities. Attached is the document titled “Education” that JCDH provides to Member Cities on the monthly education efforts. Please note several items relating to PHFs. SWMA and the Member Cities acknowledge that the Cities must have their own program or be a party to a signed agreement with another entity.

JCDH is developing written SOPs for homeowners/municipal employees on the proper storage, use, and disposal of PHFs with anticipated adoption by January 2011. Upon adoption of the SOPs, training will be provided to municipal employees on the detrimental effect of PHFs on the surrounding watershed. The SOPs shall be provided to any private contractor that will use PHFs on the municipalities’ behalf.

A tracking form will be provided by SWMA and JCDH to allow Member Cities to estimate the amount of PHFs applied every year and the fiscal amount associated with this application. The storm drain maps, once completed, will also be provided to applicators to keep clippings and PHFs from affecting the MS4s.

VIII. Illicit Discharge and Improper Disposal

A. EPA 308 Review Report - Program Requirements

Section II.A.6 of the Permit requires an ongoing program to detect and eliminate illicit discharges and improper disposal into the storm sewer, which must contain a variety of mandatory components. Non-storm water discharges to the MS4 shall be effectively prohibited (any exceptions to the prohibition must be identified). Specifically,

1. The Permittee must prevent or require the operators of sanitary sewers to eliminate dry and wet weather overflows from sanitary sewers into the MS4.
2. The Permittee must limit, to the MEP, infiltration of seepage from sanitary sewers into the MS4.
3. The Permittee must have a program to locate and eliminate illicit discharges and improper disposal, which shall include dry weather screening.

Part II.E of the Permit requires the establishment of the necessary legal authority to implement an effective illicit discharge and improper disposal program. Specifically, the Permit

prohibits illicit discharges from entering the MS4 system, controls disposal of material other than storm water into the MS4, and enables the MS4 to require compliance with conditions and carry out all inspections, surveillance, monitoring procedures, and enforcement necessary to determine compliance.

40 CFR 122.26(d)(1)(iv)(D) requires field screening analysis of any dry weather discharge observed for pH, total chlorine, total copper, total phenol, and detergents or surfactants along with flow rate. Specifically, SWMA did not conduct field screening procedures as specified in 40 CFR 122.26(d)(1)(iv)(D).

Part V.B.3 of the Permit requires a Summary Table of yearly activities for each Co-Permittee to document the compliance status. Specifically, Information on file does not capture the nature or number of calls for each of the Co-Permittees.

B. Member Cities' Response – Current/Future Program

SWMA and the Member Cities acknowledge that an IDDE program must be implemented. Several of the program requirements are currently being met. SWMA and the Member Cities understand that they must eliminate dry/wet weather overflows from sanitary sewers into the MS4; therefore JCDH has implemented a reporting process to be notified by Jefferson County Environmental Services when sanitary sewer discharges into the MS4 occurs. All private sewer overflows are investigated as a public health nuisance complaint by JCDH. The sanitary sewer overflows monitored by JCDH for the past four years have been mapped in the attached document titled “Sanitary Sewer Overflows” (“SSO”). These are all the SSO sites identified by Jefferson County Environmental Services, JCDH, and SWMA over the last four year period.

Also, a process to locate and eliminate malfunctioning septic tank systems is in place at JCDH. A GIS/GPS mapping system is being developed to track all illicit discharges. All industrial sites (ADEM NPDES) have been GIS mapped and shall be prioritized by magnitude and nature of the ADEM NPDES permit, sensitivity of receiving waters, and other relevant factors.

SWMA and JCDH are using GIS/GPS to map the Member Cities' watersheds for illicit discharges. If flow is observed during GIS/GPS mapping additional information is taken to check for illicit discharges such as: odor, color change, pH, and temperature.

If an illicit discharge is determined, then a complaint is generated at JCDH and a follow-up sample is conducted immediately. Sample results are electronically relayed to JCDH's database. This procedure shall be revised to reflect the parameters and 24 hour time frame called for by EPA. For sites identified as an illicit discharge, JCDH personnel then work with the proper authorities to assure that the illicit discharge is remediated in a timely manner. SWMA and JCDH have developed software that allows for an illicit discharge complaint to be identified, quantified, and dates of inspections to be easily reproduced. Electronic records allow for a paper trail to be produced on each inspection investigated by JCDH. Previously mentioned SOPs contain procedures used by SWMA and JCDH for investigating, detecting, and remediating illicit discharges.

SWMA and JCDH also have a dry weather screening system in place with 29 main channel sites sampled 4 times a year with a minimum of 23 parameters as required by EPA. The

samples are conducted on a three dry and one wet (first flush 48-72 hours after rain) condition to give a snapshot of each watershed. Major tributary samples that are collected twice a year dry to provide further monitoring for illicit discharges. Sample results are provided in the attached document titled “Samples 2010”.

Field inspection data is incorporated into the GPS data dictionary to prevent any loss of paper or misinformation. The data dictionary will allow for easy GIS tracking of sampling data. The information boxes are required fields and are mandatory to be completed by the field inspectors.

The storm water hotline (205-930-1999) and online complaint form used by SWMA and JCDH at <http://www.JCDH.org/misc/ContactUs.aspx> is checked daily and loaded into the complaint database used by JCDH. The database allows for reporting of the number and nature of the complaints per member city on a daily, yearly, or monthly basis. The complaint is also assigned a status with JCDH on how the complaint was handled.

The *Erosion and Sedimentation Control Ordinance*, adopted by the Board of Directors on May 25, 1999 is the document currently being used for prohibiting illicit discharge removal and remediation. SWMA understands that this document will need to be revised or a new ordinance adopted by Member cities in order to establish the proper legal authority for an effective IDDE and to allow for stronger enforcement, escalation of fines for illicit discharges, and other needs as stated by EPA. The target date for adoption of such an illicit discharge ordinance is June 1, 2011.

IX. Spill Prevention and Response

A. EPA 308 Review Report - Permit Requirements

In accordance with Part 11.A.7 of the Permit a Spill Prevention and Response Program shall be implemented to prevent, contain and respond to spills that may discharge into the MS4. Specifically,

1. SWMA must be prepared to respond to other spills, those not quantified as “hazardous” to the MS4.
2. SWMA should develop and SOP on Spill Prevention and Response with addresses spills of all types, the roles and responsibilities of each responding department and an evaluation of the results and effects on the MS4.

B. Member Cities’ Response – Current/Future Program

SWMA understands that an interjurisdictional agreement is required if members rely upon Jefferson County EMA for hazardous spill response. Members also utilize their respective fire departments for response; therefore, JCDH is working with fire departments to develop a uniform tracking system for all types of spills (hazardous or otherwise), to document the date, the spill’s resolution, and whether there was impact to the MS4. In addition, a comprehensive storm water map is being developed for each member that will aid the investigation of spills and assist in the prevention of pollutants from entering the local municipality’s MS4.

The SOP drafted by JCDH will cover the procedures recommended for spill prevention and response. An additional document is being addressed to show each organization's role in preventing spills from reaching the MS4. JCDH contact information has been provided to the Jefferson County Emergency Management Agency ("EMA").

SWMA and JCDH will coordinate with EMA and local fire departments to develop a system that reflects the impacts spills have on Jefferson County watersheds.

X. Industrial and High Risk Runoff

A. EPA 308 Review Report - Permit Requirements

SWMA and/or its Co-Permittees have not fully implemented an Industrial Program as required by Part II.A.8 of the Permit and therefore, has not implemented the Program to meet MEP. Specifically, SWMA or its members/Co-Permittees must institute an Industrial Program, with appropriate legal authority that ensures inspection, monitoring, and enforcement.

B. Member Cities' Response – Current/Future Program

SWMA acknowledges that it must work to implement an Industrial and High Risk Runoff Program. Discussions are currently ongoing concerning program elements and the roles of the various agencies.

Alabama Department of Environmental Management ("ADEM") NPDES sites are included in the GIS database to reveal any concentrations of industrial runoff that might create higher illicit discharge potentials. The database of these sites shall be continually updated with the aid of ADEM. It is understood that the inventory should include all industrial sites, hazardous waste facilities, municipally-owned or operated facilities, commercial or light industrial facilities of concern to the MS4. JCDH is looking at cooperating with ADEM and JCDH Air Monitoring Division to conduct industrial storm water inspections. Multi-agency storm water inspections will be conducted for the major industries with JCDH personnel conducting storm water inspections for smaller businesses.

SWMA and the Member Cities understand that the Cities must adopt an ordinance in order to meet EPA's requirements to have legal enforcement authority over ADEM permitted sites, with expected adoption by June 1, 2011. Expanded authority would allow for inspection, monitoring, and enforcement of storm water at municipal landfills, other treatment or disposal facilities, facilities subject to EPCRA Title III, Section 313, facilities subject to NPDES permitting requirements for discharges of storm water associated with industrial activity, and any other industrial or commercial discharges the permittee determines is contributing substantial pollutant loading to the MS4.

SWMA and JCDH are developing SOPs for conducting industrial inspection as well as enforcement and mitigation for illicit discharges. Municipal, industrial, and storage area employees shall be trained to eliminate illicit discharges from each of their individual facilities. The Member Cities anticipate adoption of the SOPs by January 2011.

XI. Construction Site Runoff

A. Permit Requirements

The SWMA Construction Program fails to address NPDES permitted facilities which is a failure to meet the MEP standard imposed under Part II of the Permit. Specifically,

1. SWMA must implement an interjurisdictional agreement to perform inspections, etc. for its members as required by Part II.E.4 of the Permit.
2. SWMA is in violation of Part II.A.9 of the Permit which requires SWMA to have the legal authority to control the contribution of pollutants to the MS4 from storm water discharges from construction sites.

B. Member Cities' Response - Current/Future Program:

SWMA and the Member Cities acknowledge that it is necessary to permit all construction sites including sites greater than one acre. The process is currently being discussed on whether or if the Member Cities and ADEM can jointly permit all construction sites within the Member Cities. In order to meet the MEP standard imposed under the current permit and the program amendments set forth by EPA, SWMA is in the process of amending the *Erosion and Sedimentation Control Ordinance* to give more municipal control over construction sites. It is anticipated that ordinance revisions should be adopted by June 1, 2011. SWMA, JCDH, ADEM and the municipalities are discussing a joint program on NPDES permitted facilities inspections, monitoring, and enforcement. SWMA projects this shall be in place by the January 2012.

The legally binding agreements between SWMA members are stated by the SWMA's Articles of Incorporation and its' ByLaws which are attached.

SWMA and JCDH are developing construction site runoff SOPs for SWMA Member Cities and will provide training to each member city as soon as the SOP is approved.

C. Member Cities' Response – Building Permit and Site Plan Review: Current/Future Program:

SWMA understands that it must have a Program to include NPDES permitted sites to meet the MEP standard imposed under our permit; and towards that goal SWMA's members will have to amend the *Erosion and Sedimentation Control Ordinance* that meets EPA's requirements to have enforcement authority over NPDES permitted sites. It is anticipated that ordinance revisions should be adopted by Member Cities by June 1, 2011. Further, it is understood that the inventory should include all industrial sites, hazardous waste facilities, municipally-owned or operated facilities, commercial or light industrial facilities of concern to the MS4.

Presently, all commercial construction sites are monitored by SWMA and JCDH until a more EPA-compliant ordinance can be adopted by each member city. Construction plans are reviewed by JCDH or the local municipality upon submission to the local municipality. JCDH currently employs two engineers with knowledge of erosion and sedimentation plans.

The permitting process used by SWMA Member Cities is currently under review to determine the best methods to meet EPA's requirements.

The adoption by Member Cities of a revised *Erosion and Sedimentation Control Ordinance* by June 1, 2011 is a priority to SWMA and JCDH. The new storm water ordinance will address all construction sites, including those larger than one acre. These sites will still be required to obtain an ADEM permit but will also be regulated by the municipality in which the site is located. More frequent inspections and enforcement shall be conducted by SWMA Member Cities as well as JCDH.

JCDH is developing program SOPs for building permit and site plan review processes; adoption is anticipated by January 2011.

JCDH is currently developing an online tracking program that will be used by SWMA Member Cities, to track all members' construction site permitting and to notify JCDH when permits have been issued by the member city; implementation is anticipated by February 2011.

C. Member Cities' Response – Site Inspection and Enforcement: Current/Future Program:

SWMA understands EPA's mandate that it may no longer rely upon ADEM to fulfill the inspections and enforcement requirements for sites greater than one acre and that the Program must meet the MEP standard imposed under our permit. Towards that goal, SWMA is working on a draft amendment to the current *Erosion and Sedimentation Control Ordinance* to meet EPA's requirements to have legal enforcement authority over NPDES permitted sites. It is anticipated that ordinance revisions should be adopted by June 1, 2011.

JCDH is developing Program SOPs for site inspections and enforcement to ensure consistency in the site review process; adoption is anticipated by January 2011. Program SOPs will include procedures on: filling out an inspection checklist, records review process, tracking system entry and completion, and the disclosure of findings. Software has been developed for JCDH field inspector laptops that will allow for inspection data to be directly uploaded to the JCDH database and for a field report to then be generated for dispersal. All check boxes on the software inspection form are required fields, preventing problems that have occurred in the past with incomplete data sets and thus allow for consistency in inspections, as per EPA's suggestions. The database will allow for electronic tracking of construction inspections using GIS maps. Software test release is set for February 1, 2011.

D. Member Cities' Response – Training: Current/Future Program:

SWMA's audit revealed that it is meeting its educational goals. SWMA understands that construction site operators must be offered and attend training workshops, therefore JCDH promotes two Erosion & Sedimentation Control workshops per year; see attached brochure and agenda for such training. Additionally, JCDH will promote an Erosion & Sedimentation Control workshop for city officials and JCDH employees by February 2011.

XII. Public Education

A. Member Cities' Response – Current/Future Program:

SWMA provides a Public Education Program for its members. Members provide interlocal agreement through SWMA's Articles of Incorporation and its Bylaws. Additionally,

SWMA has a signed agreement with the JCDH to perform certain duties with regard to the SWMP.

The estimated number of people reached by various educational programs is provided in the document marked “Education”. SWMA and JCDH will conduct surveys to determine effectiveness of educational programs.

XIII. Monitoring

A. EPA 308 Review Report - Permit Requirements:

Part V.A.5 of the Permit specifies a list of 23 parameters in Attachment II to be analyzed as part of the effort in calculating SPL and EMC. In order to achieve compliance, SWMA needs to sample the entire representative monitoring requirement list in Attachment II of the Permit.

Pursuant to part V.A of the Permit, identification of water quality improvements or degradation over time must be made. Specifically, no effort was made to analyze the SPL monitoring data by watershed or sub-watershed to identify and prioritize portions the MS4 requiring additional controls, as required by Part V of the Permit.

B. Member Cities’ Response – Current/Future Program

SWMA provides the Monitoring Program for its members; interlocal agreement is provided thru SWMA’s Articles of Incorporation and its Bylaws. Additionally, SWMA has a signed agreement with the JCDH to perform certain duties with regard to the SWMA.

Part V.A.5 of the Permit specifies a list of 23 parameters in Attachment II to be analyzed as part of the effort in calculating SPL and EMC. SWMA and JCDH have corrected the sampling procedures to include all 23 parameters.

There are additional parameters that SWMA and JCDH have deemed necessary to properly evaluate the watersheds in the SWMA Member Cities. The ADEM 303(d) listing was considered in selecting sampling packages for waterways that are impaired. It is recognized that those streams designated as impaired in SWMA members cities are most often due to sedimentation or habitat alteration; therefore a monthly turbidity sampling program has been implemented at 29 sites throughout the SWMA Member Cities’ jurisdiction.

JCDH has analyzed the last 10 years of data previously collected by SWMA, along with the new data collected by JCDH and is currently developing trend data to determine future direction of the storm water program. Existing sampling sites were used wherever possible for consistency of data analysis and new sites were selected to characterize water parameters as the water enters member city jurisdiction and as it exists. The sampling data is collected electronically and data trends are generated automatically. Further data analysis is conducted by down loading the data into Excel spreadsheets.

GIS land use maps have been incorporated in watershed modeling and planning. The land use is shown in document titled “Land Use” attached. SWMA and JCDH are using rain gauge data from Birmingham International Airport, but a more effective way is being examined to interpolate radar data to give more precise estimates. JCDH has a meteorologist on staff to aid

the storm water staff with weather monitoring and any other weather related issues. The more accurate weather data shall be used in future SPL calculations.

XIV. Fiscal Analysis

A. EPA 308 Review Report - Permit Requirements:

A complete fiscal analysis should follow Part V.B.6 of the Permit. Specifically, the fiscal analysis for Co-Permittees should be included in each Annual Report.

B. Member Cities' Response – Current/Future Program

The current storm water fee was established in 1997, with fees paid to SWMA; there are no proposed fee increases at this time. SWMA understands that, besides the cost of operation based on the storm water fee collections, we should provide fiscal analysis from the additional program costs incurred by its members. Future Annual Reports will include fiscal analysis for each Member City's costs per program element and identify all funding sources; and budgets shall be provided for past, current, and next calendar year.

XV. Summary

Permit Requirements:

SWMA may operate all or part of Storm Water Programs for other entities, but there must be a signed agreement in place and included in the SWMP and the Annual Report, as required by Part I.C.1, Part I.C.2, and Part II.D.4 and 5 of the Permit.

Legal authority to operate all of the Programs required by the Permit and the storm water regulations must be established as required by Part II.E of the Permit. All Permittees must take a more active role in the preparation of the Annual Report. Those responsibilities are outlined in Part V.B of the Permit. Signatory requirements are stated in Part V.C and Part IV.II of the Permit.

Current/Future Program

The legally binding agreements the Member Cities share are SWMA's Articles of Incorporation and its Bylaws. In addition, SWMA has a signed agreement with the JCDH to perform certain duties as spelled out in the SWMP. The above documents will be provided in the Annual Reports. SWMA will ensure that members are more involved in the Annual Report preparation, that they understand the Permit requirements which they fulfill for their own program elements, and they understand the Annual Report and review it prior to signing.