

# Lakes Highway District National Pollution Discharge Elimination System (NPDES)

NPDES Permit # IDS-028207

## Annual Report

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Second Permit Year: December 31, 2009 – January 1, 2011



Lakes Highway District  
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Hayden, Idaho 83835  
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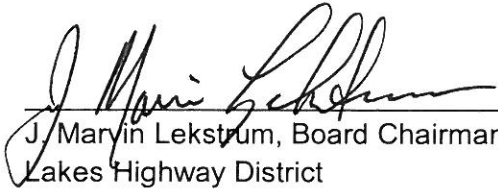
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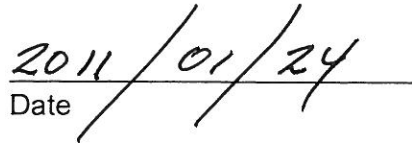
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## 1. Report Certification

Lakes Highway District, NPDES Municipal Separate Storm Sewer System ("MS4") Annual Report for Permit Year 2010.

"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 gathered and evaluated 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."

  
J. Marvin Lekstrum, Board Chairman  
Lakes Highway District

  
Date

This report identifies activities undertaken by the Lakes Highway District ("LHD") during the second (2<sup>nd</sup>) permit year as required by Part II of the Lakes Highway District Municipal Separate Storm Sewer System ("MS4"), NPDES Permit (permit). The 2010 permit year, as defined in this report, covers the period between December 31, 2010 – to January 1, 2011.

On November 20, 2008, the United States Environmental Protection Agency (EPA) issued to the Lakes Highway District (District) a storm water discharge permit, NPDES Permit #IDS-028207. The permit became effective January 1, 2009 and contains requirements for implementation of the permit.

Lakes Highway District shall reapply for a permit reissuance on or before July 5, 2014, 180 days before expiration of Permit #IDS-028207 if the District intends to continue operations and discharges from the MS4 beyond December 31, 2014.

## 2. Status of Implementing Components of the Storm Water Management Program

The Lakes Highway District's Storm Water Management Program is administered under the guidance of the LHD Engineer.

In anticipation of this permit, the LHD created the District Engineer position in June of 2008 and then hired an engineer technician in 2010. In addition to the engineering staff, the LHD consists of three full time road supervisory positions that assist with the storm water program. The duties of the staff are briefly described as follows:

Table 1. NPDES Staff Positions and Duty Descriptions		
Position	Position Type	Duty Description
District Engineer	Full-Time	Oversees and Coordinates Storm Water Management Program
Engineer Technician	Full-Time	Assists with Watershed Mapping and District Engineer with Implementation of the Stormwater Program.
Road Supervisor	Full-Time	Oversees and Responsible for Highway District Operations
Assistant Road Supervisor	Full-Time	Responsible Maintenance Activities, Approach Permitting, assists with Construction Inspections.
Road Foreman	Full-Time	Oversees work performed by the District to include construction, maintenance activities, stormwater and erosion control

Additionally, Maintenance and Operations staff at LHD participate in the implementation of the NPDES permit requirements. Maintenance and Operations staff observe roads on a daily basis and are responsible for reporting potential storm water and erosion control issues impacting LHD Roads.

#### A. Storm Water Management Program Components

Program status is based upon the NPDES permit issued by the EPA in November of 2008 and the schedule of compliance included in Part II of the Permit. The status of each component is described in this section.

##### 1) General Requirements:

##### *a) Develop, Implement and Enforce a Storm Water Management Program ("SWMP").*

During the first permit year, the LHD began the development of a SWMP. The SWMP is a 3-ring binder located at the District's main office and includes the following information:

SWMP Contents	
Permit	Permit Comments
Annual Report	Resolutions
Facility Operations Plan	IDDE Program
Illegal Dumping Procedures	Spill Response Plan
Training Log	MS4 Mapping
Public Tracking Log	Correspondence
Construction General Permit Requirements	Storm Water Pollution Prevention Plan Guidelines

As an initial step towards the development of a SWMP, the LHD Board approved Resolution 2009-12 Establishing NPDES Permit Programs and Local Requirements. Resolution 2009-12 emphasizes the following new and existing requirements:

Resolution 2009-12	
Description	Policy / Standards
All construction activities performed by the Highway District, disturbing more than 1-acre, shall comply with EPA's Construction General Permit (CGP). This shall not be confused with Maintenance activities that do not modify the original line, grade and/or original intent of the facility as clarified by the 2003 CGP Fact Sheet.	Existing Policy District Stds
As part of the permitting process for work within public right-of-way and when storm water from construction projects have the potential to drain into waters of the US, contractors and their on-site foreman shall be pre-certified by the <b>Storm Water Erosion Education Program (SEEP)</b> .	New Policy
All construction site operators working within District Rights-of-Way on sites that drain to waters of the US shall have the SEEP Field Guide on-site at all times during construction for guidance in implementation of appropriate erosion control measures.	New Policy
Lakes Highway District Staff shall report storm water violations to the Kootenai County Code Enforcement Officer.	New Policy
Lakes Highway District Staff shall report and publish on the District's website that all work within the Highway District shall be in accordance with the Associated Highway District Standards, the Kootenai County Site Disturbance Ordinance, requirements for SEEP Training and other NPDES Permit requirements.	New Policy

Additionally, in 2010 Resolution 2009-12 was revised by resolution 2010-04. The following table summarizes the Districts current policy with respect to NPDES Permit Programs and Local Requirements:

## Resolution 2010-04

Description	Policy / Standards
All construction activities performed by the Highway District, disturbing more than 1-acre, shall comply with EPA's Construction General Permit (CGP). This shall not be confused with Maintenance activities that do not modify the original line, grade and/or original intent of the facility as clarified by the 2003 CGP Fact Sheet.	Existing Policy District Stds
As part of the permitting process for work within public right-of-way and when storm water from construction projects have the potential to drain into waters of the US, contractors and their on-site foreman shall be pre-certified by the Storm Water Erosion Education Program (SEEP), <u>or other equivalent training program approved by Lakes Highway District.</u>	Revised Policy
All construction site operators working within District Rights-of-Way on sites that drain to waters of the US shall have the SEEP Field Guide, <u>or other District approved guide</u> , on-site at all times during construction for guidance in implementation of appropriate erosion control measures.	Revised Policy
Lakes Highway District Staff shall report storm water violations to the Kootenai County Code Enforcement Officer.	Existing Policy
Lakes Highway District Staff shall report and publish on the District's website that all work within the Highway District shall be in accordance with the Associated Highway District Standards, the Kootenai County Site Disturbance Ordinance, requirements for SEEP Training and other NPDES Permit requirements.	Existing Policy

### B. Minimum Control Measures

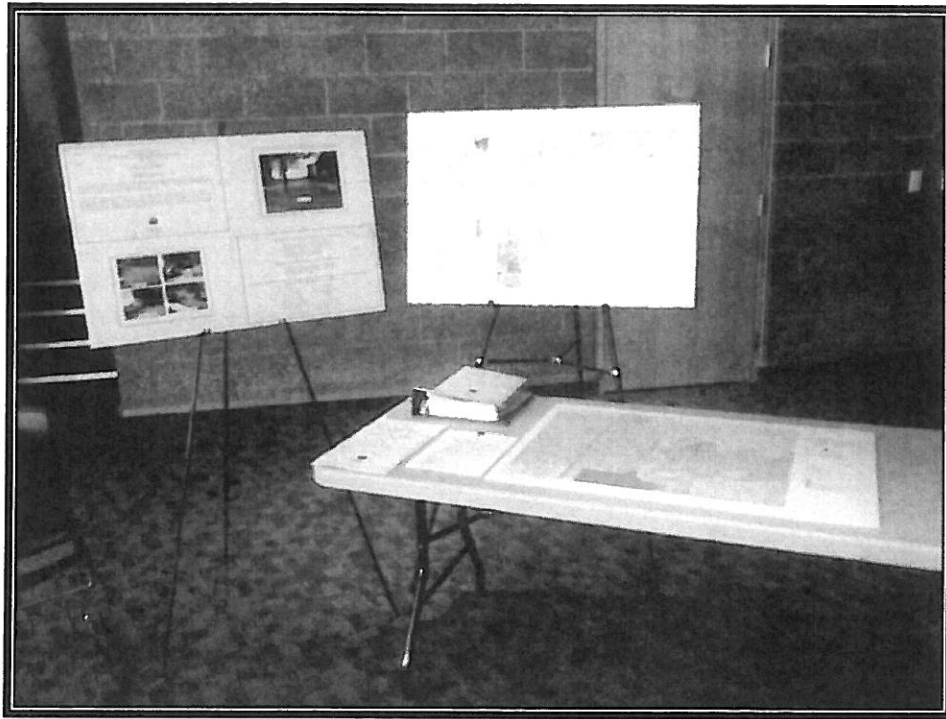
#### 1.) Public Education and Outreach

##### *a) On-going Public Education Program*

In 2009, LHD began working with the City of Coeur d'Alene and Post Falls to facilitate implementation of a televised Public Service Announcement ("PSA"). The PSA will inform the public of local storm water and erosion control issues. The PSA consists of 2-30 minute advertisements prepared by our local Storm Water Erosion Education Program ("SEEP"). In 2010 these PSA's were added to the District's website, [www.lakeshighwaydistrict.com](http://www.lakeshighwaydistrict.com).

In addition to the PSA's and website updates, LHD presented its NPDES Permit at an Environmental Public Open House on September 9, 2010. Refer to **Appendix A** for the flyer and sign-in sheet of attendees. This open house was sponsored by the City on Coeur d'Alene and was held at the Coeur d'Alene City Library.





**Photo 1: Sept 9, 2010 Environmental Open House, LHD Presentation**

Planned Activities for yr. 2011 and beyond:

Continue working with other local permit holders to develop and advertise PSA's. Additionally, Lakes Highway District will continue utilizing our website to inform the public regarding the importance of storm water and erosion control BMP's.

***b) Distribution of Relevant Storm Water Information***

Again, as a tool to educate and inform the public, the LHD established [www.lakeshighwaydistrict.com](http://www.lakeshighwaydistrict.com) during the first permit year. This website has continually been updated since implementation. Additional information posted in 2010 includes: PSA's, Facility Operations, Spill Prevention, and Illegal Dumping Procedures, contact information for reporting, LHD's IDDE Program, Training Information and MS4 Mapping.

In the second permit year (2010), LHD distributed appropriate information (SEEP Training and Field Guides) to homeowners and contractors who obtained permits for construction within District right-of-way. Additionally, the LHD offers SEEP information to the public and displays SEEP Field Guides at the District Office.



In addition to the PSA's and website activity, the LHD also provided the following outreach opportunities in 2010:

- Provided Resolution 2009-12 to the local Associated General Contractors.
- Presented and provided copies of Resolution 2009-12 to the local Utility Council at a meeting on March 15, 2010.
- Hosted a SEEP Training class on March 16<sup>th</sup>.

Planned Activities for yr. 2011 and beyond:

Distribute appropriate and relevant stormwater information to employees, the public and business with whom the District interacts.

## 2) Public Involvement and Participation

In addition to the continued public outreach through our website, and public open houses LHD staff attended meetings of the SEEP, Hayden Lake Watershed Association and the local Utility Council on 01/20/10, 01/21/10 and 02/02/10, respectively.

Planned Activities for yr. 2011 and beyond:

Post appropriate SWMP and all Annual Reports on our Website. Additionally, LHD's monthly involvement with the Kootenai County Area Transportation Team shall be a mechanism for updating the public on stormwater related projects.

## 3) Illicit Discharge Detection and Elimination

### *a.) Develop and implement a program to detect and eliminate illicit discharges.*

In 2010, the LHD prepared an Illicit Discharge Detection Elimination ("IDDE") Program as part of our 2<sup>nd</sup> year permit requirements. This program also includes a spill repose plan, illegal dumping procedures and training for LHD Staff on how to respond to illicit discharges. Refer to **Appendix B** for the program.

Planned Activities for yr. 2011 and beyond:

Implementation of the IDDE Program Work Plan.

### *b.) Effectively Prohibit Non-Storm Water Discharges*

In 2010, LHD implemented Resolution 2010-04 and the attached IDDE Program. These mechanisms define the jurisdictional authority and responsible agency for enforcement.

Planned Activities for yr. 2011 and beyond:

Implementation of the IDDE Program

*c.) Prohibit Non-Storm Water Flows*

Known controls or conditions to prohibit non-storm water flows include:

Controls or Conditions	Description	Potential Issue
IDAPA 58.01.16.400 and Recommended Standards for Wastewater Facilities, Ch 30.38 - Sewer System Design	Require sewer systems to be designed to protect water supplies	Prohibits Cross Connections of Sewer and Storm Sewers.
IDAPA 58.01.03.004.05 Failing System	Requires owners of failing septic tanks to obtain a permit and repair the system.	Failing Septic tanks could cause surface discharge to a storm sewer system.
IDAPA 58.01.03.007 Septic Tank Design and Construction Standards	Specifies minimum requirements for design to prohibit failures	Improperly designed system could cause surface discharge to a storm sewer system.

The LHD will report any observed discharges that impact water quality within the MS4 whether the discharge is related to stormwater or non-stormwater flows. Observations will be reported to the County Code Enforcement Officer for inspection and enforcement.

Planned Activities for yr. 2011 and beyond:

Work will include notifying the EPA of any new local controls or conditions placed on the types of non-stormwater discharges. Work will also include continued inspections and notifications to the County and EPA through subsequent annual reports.

*d.) Complete a Comprehensive MS4 Map*

In 2010, LHD prepared a comprehensive MS4 Map to include jurisdictional boundaries, the location of District-owned or operated storm sewers, culverts, roads with ditches and other conveyances, the location of all known inlets and outfalls, points at which LHD's MS4 is interconnected with other potential MS4's, names and locations of all waters that receive discharges.

The LHD's MS4 map was posted to our website in 2010 and also included herein in **Appendix-C** in both paper copy and electronic GIS via CD.

Planned Activities for yr. 2011 and beyond:

MS4 Map updates and improvement.

*e.) Begin an On-Going Education Program*

LHD's on-going education is a coordinated effort with other area permit holders. In 2009, LHD began working with the City of Coeur d'Alene and Post Falls to televise a Public Service Announcement ("PSA") during the first permit year. The PSA will inform the public of local storm water and erosion control issues. The PSA consists of 2-30 minute advertisements prepared by our local Storm Water Erosion Education Program ("SEEP") and again these PSA's are now posted to [www.lakeshighwaydistrict.com](http://www.lakeshighwaydistrict.com).

Planned Activities for yr. 2011 and beyond:

Continue working with other local permit holders to develop and advertise PSA's. Additionally, Lakes Highway District will continue utilizing our website to inform the public regarding the need to eliminate Non-Stormwater flows if they are determined to be a source of contaminants.

Planned activities should also include a training program as identified in our IDDE Program for Highway District Employees to look for signs of illicit discharges.

*f.) Begin Dry Weather Screening for Non-Stormwater Flows from Outfalls*

Dry weather screening for non-stormwater flows from outfalls shall be addressed as required during the third permit year, yr. 2011. This work is to be performed in accordance with LHD's IDDE Program Work Plan.

Planned Activities for the third permit year, 2011

During the third permit year, LHD will address non-stormwater discharge through our MS4 System. LHD will begin regularly screening of outfalls during dry weather in accordance with the IDDE Program. If flows are discovered during dry weather, LHD will analyze whether or not the flows are an "allowable non-stormwater discharge" (i.e. groundwater, as described in Part I.C.1.c of the permit and Section 2.B.3.c of this report) or if it needs to be removed/eliminated. LHD will provide the necessary means to expeditiously follow-up and eliminate such illicit discharges for our MS4.

*g.) Inventory all industrial facilities*

To be addressed as required in the third permit year, yr. 2011.

Planned Activities for the third permit year, 2011

During the third permit year, LHD will provide the necessary inventories of all industrial facilities within the MS4.

#### 4) Construction Site Storm Water Runoff Control

##### *a.) Develop, Implement and Enforce Program to Reduce Pollutants in Storm Water Runoff to the MS4 for Construction Activities Conducted or Overseen by the Highway District*

In 2009, LHD through Resolution 2009-12 and again by Resolution 2010-4 has required all construction projects within the MS4 to be performed in accordance with the EPA Construction General Permit requirements.

Planned Activities for yr. 2011 and beyond:

Implementation of Resolution 2010-4. All work within LHD Right-of-Way requires a permit. Special Conditions of this permit require contractors to comply with Resolution 2010-4.

##### *b.) Provide Adequate Oversight and Direction to Contractors Working on Highway District Projects*

Planned Activities for yr. 2011 and beyond:

On an on-going basis, the Highway District requires all construction projects within the District, whether performed by the District or under the supervisor of, to be in conformance with the EPA, Construction General Permit. Additionally, the Highway District requires that construction conform to the Associated Highway District Standards and the Kootenai County Site Disturbance Ordinance. The LHD is committed to provide sufficient resources to oversee and direct contractors on work within the MS4.

##### *c.) Review and Update Existing Regulatory Mechanism*

In 2009, LHD completed a review of existing policies. On December 22, 2009 the Board provided official direction to staff through Resolution 2009-12 that not only clarified existing District requirements, but also implemented new requirements for all work within the public right-of-way to be performed under the training of SEEP. Additionally, through Resolution 2009-12 LHD will report all non-storm water discharges to the County Code Enforcement Officer as a potential violation to the Kootenai County Site Disturbance Ordinance. In 2010, Resolution 2009-12 was updated as previously discussed in this report.

Planned Activities for yr. 2011 and beyond:

Review and updates to existing policies and procedures was completed during the first and second permit year. Work in the third permit year and beyond will include documentation of reporting to the County Code Enforcement Officer and providing written documentation as part of the Annual Report.

*d) Publish and Distribute Local Requirements for Construction Site Operators to Implement Appropriate Erosion and Sediment Control*

Efforts during the first permit year included publishing of the "North Idaho Stormwater Erosion & Sediment Control Field Guide". LHD provides SEEP Field Guides to interested public through our office and also to Construction Operators who are permitted to do work within LHD right-of-way.

Planned Activities for yr. 2011 and beyond:

The "North Idaho Stormwater Erosion & Sediment Control Field Guide" will be distributed to all Contractors who obtain permits to work within LHD's MS4 road right-of-way.

*e) Develop Procedures for Reviewing all Pre-Construction Site Plans for Potential Water Quality Impacts*

Resolution 2010-4 requires construction site operators within road rights-of-way under the jurisdiction of LHD to obtain a permit from the District. These permits are evaluated to ensure appropriate BMP's are in-place for site stabilization and to ultimately prevent stormwater runoff. Work outside of the road right-of-way, under the jurisdiction of Kootenai County and requires individuals performing work to comply with Kootenai County Site Disturbance Ordinance No. 374.

Planned Activities for yr. 2011 and beyond:

Implement Resolution 2010-4 and review BMP's for work performed by permit in LHD Rights-of-Way.

*f) Implement a Program to Receive, Track and Review Information Submitted by the Public Regarding Construction Site Erosion and Sediment Controls*

In 2010, LHD implemented a separate email account that is use to assist with tracking public comments related to stormwater. This email address is posted on our website for the public to directly notify staff at LHD. Additionally, this email account is used to notify staff of phone calls received regarding stormwater related items and/or notifications to the County Code Enforcement Officer. All correspondence to/from this tracking log is documented on a form on the inside cover of a three ring binder held in the District Office.

Planned Activities for yr. 2011 and beyond:

Continue to update, improve and use the established tracking log.

*g) Develop and implement Procedures for Site Inspection and Enforcement Measures Established as Required in Part II.B.4.c and d of the Permit*

To be implemented as required in the third permit year, 2011.

Planned Activities for yr. 2011 and beyond:

Develop and implement procedures for site inspections for work within the road right-of-way. Enforcement shall be in accordance with the IDDE Program identified authority.

*h) Comply with the Construction General Permit and all Other Relevant Local Requirements for Erosion, Sediment and On-Site Materials Control on Public Construction Projects.*

As specified in Resolution 2010-4, LHD is committed to complying with the CGP for all construction projects.

*5) Post - Construction Storm Water Management in New Development and Re-development*

Kootenai County is the regulatory authority over developments until such time that the development is complete, to include final site stabilization. Kootenai County requires all development to comply with the Site Disturbance Ordinance No. 374. Only at such time that a development is complete and finally stabilized will the Highway District consider accepting roads within a development, if requested by the developer. The LHD does not have to accept authority over these roads, and if they don't, then the County retains authority over these roads. Otherwise, if the LHD accepts roads with a proposed development, only at that time will the LHD have authority over the roads. The County retains authority of construction sites outside of the public road right-of-way. Given the regulatory authority over developments as compared to public road right-of-way, there will be no Post-Construction Site Runoff from developments within the LHD authority.

*a.) Implement and Enforce Post-Construction Site Runoff from Developments*

Planned Activities for yr. 2011 and beyond:

LHD's authority is limited to road rights-of-way accepted into the District. Authority over lands within the County, outside of accepted road right-of-way is with Kootenai County. LHD will notify the County Code Enforcement Officer of site runoff from developments for enforcement under the Kootenai County Site Disturbance Ordinance No. 374. When appropriate, LHD will encourage the County to require drywells to ensure all runoff is retained on-site.

*b) Implement Policy to Address Post-Construction Site Runoff*

Planned Activities for yr. 2011 and beyond:

LHD will notify the County Code Enforcement Officer of site runoff from developments for enforcement under the Kootenai County Site Disturbance Ordinance No. 374. When appropriate, LHD will encourage the County to require drywells to ensure all runoff is retained on-site.

*c) Ensure Proper Long Term Operation and Maintenance of Permanent Stormwater Management Controls*

By State Statute, the Board of Highway District Commissioners must accept all new roads into the Highway District by majority vote. Additionally, in accordance with the State Statute, if a new road is accepted into the Highway District, the new road is accepted for maintenance. This process of acceptance ensures LHD will fund long term operation and maintenance of permanent stormwater management controls within road right-of-way under the jurisdiction of LHD.

Planned Activities for yr. 2011 and beyond:

If new roads are accepted by the Highway District for maintenance, ensure proper long-term operation and maintenance of permanent stormwater management controls within the road right-of-way under the jurisdiction of LHD.

*d) Develop and Implement Processes for Pre-Construction Plan Review of Permanent Storm Water Management Controls*

To be addressed as required by the permit in the fourth permit year, yr. 2012.

6) Pollution Prevention and Good Housekeeping for Municipal Operations

*a.) Develop and Implement an Operation and Maintenance Program*

In 2010, LHD formalized an operations and maintenance plan for the operations facility on Ramsey Road, included in **Appendix D**.

Planned Activities for yr. 2011 and beyond:

Implement the Operations and Maintenance Program.

*b.) Develop and Conduct Appropriate Training for Personnel*

In 2010, LHD provided staff Municipal Storm Water Pollution Prevention Training (Storm Watch). Refer to **Appendix E** for an acknowledgement of training.

Planned Activities for yr. 2011 and beyond:

Provide training related to optimum maintenance practices for the protection of water quality.



*c.) Prepare a Storm Water Pollution Prevention Plan for the LHD Maintenance Yard*

The LHD Maintenance yard is located outside of the Coeur d'Alene Urbanized Area and MS4 Boundary. Therefore action contained in Part II.B.6.c is not specifically required.

Future Planned Activities:

None under this permit.

**C. Discharges to Water Quality Impaired Receiving Waters**

Refer to discussions in Part 2.B.1-6 of this annual report for details regarding how LHD intends to control discharge of pollutants.

**D. Reviewing and Updating the SWMP**

LHD proposes no changes to the Stormwater Management Program.

**E. Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation**

There are no new transfers of ownership, operational authority or responsibility for SWMP implementation during the first permit year.

**F. SWMP Resources**

The Highway District is committed to providing the necessary funding for implementation the NPDES permit requirements as specified in Resolution 2009-12.

Planned Activities for yr. 2011 and beyond:

The LHD will continue to provide the necessary resources and funding for implementation of the permit.

### 3. Summary of Planned Activities for the Third Permit Year

Annual Report Section Reference	Description of Activities Required
Sec 2.B.1.a	Continue working with other local permit holders to develop and advertise PSA's. Additionally, Lakes Highway District will continue utilizing our website to inform the public regarding the importance of storm water and erosion control BMP's.
Sec 2.B.1.b	Distribute appropriate and relevant stormwater information to employees, and to citizens and business with whom the District interacts
Sec 2.B.2	Post appropriate SWMP and all Annual Reports on our Website. Additionally, LHD's monthly involvement with the Kootenai County Area Transportation Team shall be a mechanism for updating the public on stormwater related projects.
Sec 2.B.3.a	Implement the IDDE Program
Sec 2.B.3.b	Implement the IDDE Program
Sec 2.B.3.c	Notify EPA of any new Controls and Report potential Illicit Discharge to the Regulatory Authority.
Sec 2.B.3.d	Update, Improve MS4 Map
Sec 2.B.3.e	Continue to advertise via PSA's and Website
Sec 2.B.3.f	Begin Dry Weather Screening as define in the IDDE Program
Sec 2.B.4.a	Continued implementation of Resolution 2010-4. All work within LHD Right-Of-Way requires a permit. Special Conditions of this permit require contractors to comply with Resolution 2010-4.

Sec 2.B.4.b	Continue to Provide Oversight on Construction Projects
Sec 2.B.4.c	Provide Documentation of Code Enforcement Actions
Sec 2.B.4.d	Distribute SEEP Field Guide
Sec 2.B.4.e	Implement Resolution 2010-4 and review BMP's for work performed by permit in LHD Rights-of-Way.
Sec 2.B.4.f	Continue to update, improve and use the established tracking log
Sec 2.B.4.g	Develop and implement procedures for site inspections for work within the road right-of-way. Enforcement shall be in accordance with the IDDE Program identified authority
Sec 2.B.5.a	LHD will notify the County Code Enforcement Officer of site runoff from developments for enforcement under the Kootenai County Site Disturbance Ordinance No. 374. When appropriate, LHD will encourage the County to require drywells to ensure all runoff is retained on-site.
Sec 2.B.5.b	LHD will notify the County Code Enforcement Officer of site runoff from developments for enforcement under the Kootenai County Site Disturbance Ordinance No. 374. When appropriate, LHD will encourage the County to require drywells to ensure all runoff is retained on-site.
Sec 2.B.5.c	If new roads are accepted by the Highway District for maintenance, ensure proper long-term operation and maintenance of permanent stormwater management controls within the road right-of-way under the jurisdiction of LHD.
Sec 2.B.6.a	Implement the Operations and Maintenance Program.
Sec 2.B.6.b	Provide training related to optimum maintenance practices for the protection of water quality.