



City of McMinnville **TMDL Implementation Plan**

Introduction to the Implementation Plan for Stormwater
Management

City of McMinnville Work Session August 9, 2022

A New Program for the City

- ▶ The Department of Environmental Quality (DEQ) officially notified the City of McMinnville in March 2021 that the City was a Designated Management Agency and subject to the regulations of the *2019 Final Revised Willamette Basin Mercury Total Maximum Daily Load and Water Quality Management Plan*. This plan will elevate stormwater management activities within the City.



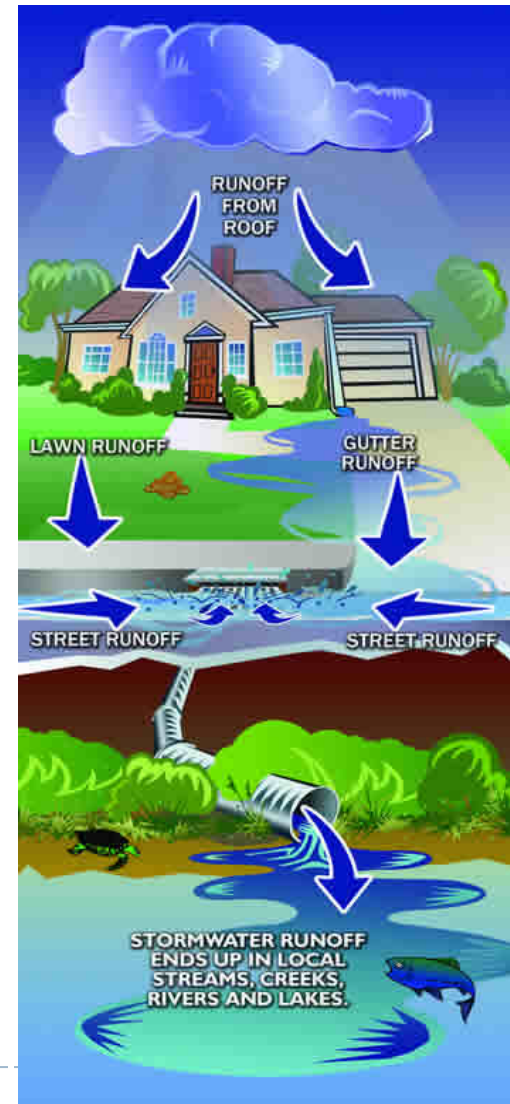
The 2019 Final Revised Willamette Basin Mercury TMDL and Water Quality Management Plan

- ▶ This is a document that was created by DEQ and approved by the EPA that requires Designated Management Agencies (like McMinnville) to develop plans to reduce their contributions of **mercury** to the Yamhill River.
- ▶ The TMDL program is required in the Federal Clean Water Act and administered by DEQ in Oregon.
- ▶ Failure to follow regulations in the Water Quality Management Plan are violations to which DEQ will apply enforceable actions (fines, mitigation, etc)
- ▶ McMinnville's TMDL Implementation Plan is in draft form and some portions are underway, (ie. Public Education)



Stormwater

- Stormwater is precipitation (water, snow or ice melt) that falls on impervious surfaces (sidewalks, parking lots, roads, roof tops, and compacted areas)
- Stormwater management systems capture this water and direct it to waterways where it is discharged.



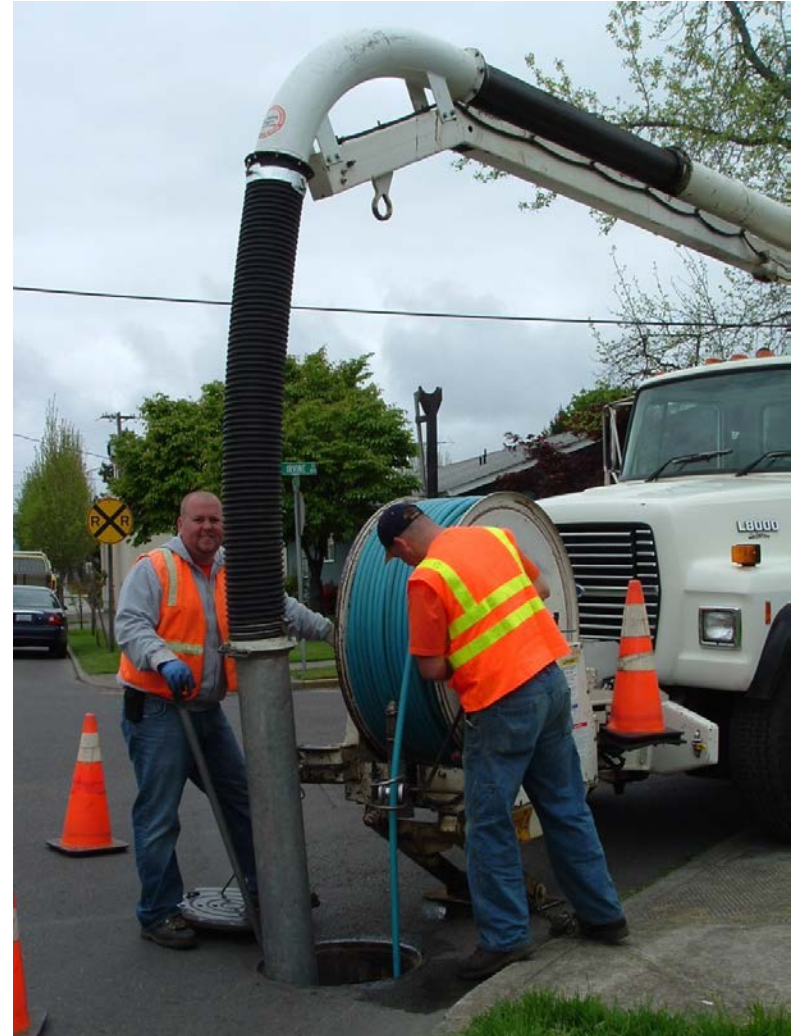
What is a TMDL Implementation Plan?

- ▶ TMDL - Total Maximum Daily Load
- ▶ TMDL Meaning – A TMDL describes the amount of a pollutant that a waterway can receive without exceeding water quality standards. (Safe for recreation, safe for fish, drinking water, fish consumption, etc)
- ▶ TMDL Implementation Plan – A regulatory document that describes the community and sets out mandatory activities that are to be taken over a 5 year period. The plan includes activities, milestones, and a description of how McMinnville will meet regulations.



What Does this Mean for McMinnville?

- ▶ New activities for how the City is maintained
- ▶ New ordinances for regulations and permitting requirements for construction activities
- ▶ An opportunity to change and refine the program
- ▶ More community education and engagement
- ▶ A regulated focus on water quality in local waterways



Six Minimum Control Measures Required

- ▶ Public Education
- ▶ Public Involvement
- ▶ Illicit Discharge Detection and Elimination
- ▶ Construction Site Runoff
- ▶ Post Construction Site Runoff in New and Redevelopment
- ▶ Good Housekeeping in Municipal Operations



► **Public Education**



Conduct an ongoing education and outreach program for the public and other target audiences such as students, businesses, developers and builders.

Develop educational materials and presentations

Evaluate and keep records on participation and activities



▶ Public Involvement



DMAs must implement a public involvement and participation program that provides opportunities for the public to effectively participate in the development of stormwater control measures.

Examples include: City Council review, public hearings, posting the plan to the website, catchbasin marking, or bank restoration work.

▶ Illicit Discharge Detection and Elimination



DMAs must implement and enforce a program to detect and eliminate illicit discharges into the stormwater conveyance system. An illicit discharge is any discharge to a stormwater conveyance system that is not composed entirely of stormwater

Develop a procedure to respond to all violations

Document all complaints and responses.



▶ Construction Site Runoff



Develop a program that meets or exceeds DEQs 1200-C or 1200-CN program.

Require erosion control plans for projects $\frac{1}{2}$ acre or larger.

Develop an escalating response plan for violations.

Maintain a database for construction activities



▶ **Post Construction Runoff Control in New and Re-Development**



DMAs must develop, implement, and enforce a program to reduce discharges of pollutants and control post-construction stormwater runoff from new development and redevelopment project sites in its jurisdictional area.

This element calls for infiltration of runoff using water quality treatments such as: bioswales, infiltration trenches, raingardens, and vegetated stormwater facilities

▶ **Good Housekeeping in Municipal Operations**



DMAs must properly operate and maintain its facilities, using prudent pollution prevention and good housekeeping to reduce the discharge of mercury-related pollutants, such as sediment, through the stormwater conveyance system to waters of the state

Examples include street sweeping, catchbasin cleaning, infrastructure inspection and maintenance. These are things that McMinnville currently does.



Regulatory Requirements

- ▶ Must meet annual goals and report findings in an annual report due Dec. 1st of each year.
- ▶ All components of the plan must be completed by 2027 (5 years)
- ▶ In 2027 the City must review and update the plan and implement for the next 5 year period



Frequently Asked Questions

- ▶ Who is regulated under DEQs TMDL program?
 - ▶ Cities w/ < 5000 people
 - ▶ Cities w/ populations between 5000 and 10,000 people
 - ▶ **Cities w/ populations > 10,000**
- ▶ Where does mercury come from?
 - ▶ The largest % of mercury in Oregon comes from air deposition. Mercury is a heavy metal that bonds with soil. Erosion is the main culprit for mercury in waterways.
- ▶ What will happen if we just don't comply?
 - ▶ The City will be fined by DEQ
- ▶ Do these requirements ever go away?
 - ▶ Unknown. DEQ has determined that a mercury reduction of 75% by all TMDL agencies would result in fish that are safe to eat from the Willamette River.
- ▶ Is there good news?
 - ▶ Yes. Communities with sound environmental programs are cleaner, waterways are safer, and property values are higher!



Next Steps

- ▶ Submit the final TMDL Implementation Plan to DEQ by Sept. 3, 2022
- ▶ Adopt the plan by Resolution prior to Dec. 31, 2022
- ▶ Develop a work plan with management staff for the first year. (Oct 1, 2022 through Sept 30, 2023)
- ▶ Meet with the City Attorney to discuss legal implications of the program
- ▶ Review appropriate local ordinances from other agencies
- ▶ Implement the measures as listed in the matrix (Appendix A of the TMDL Implementation Plan)
- ▶ Complete required recordkeeping for all measures and activities
- ▶ City Council review of progress
- ▶ Submit annual progress report to DEQ no later than Sept 30, 2023



QUESTIONS?



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