

# **Storm Water Management Program**

Revised June 2004  
Revised December 2016

**Ohio EPA Facility Permit Number: 3GQ00041\*CG**

## **Regulated MS4 Communities:**

**PORTAGE COUNTY  
BRIMFIELD TOWNSHIP  
FRANKLIN TOWNSHIP  
RAVENNA TOWNSHIP  
ROOTSTOWN TOWNSHIP  
SUFFIELD TOWNSHIP  
CITY OF RAVENNA  
CITY OF STREETSBORO  
BRADY LAKE VILLAGE  
VILLAGE OF SUGAR BUSH KNOLLS**

Contact:  
Portage Soil & Water Conservation District  
6970 State Route 88  
Ravenna OH 44266  
330-297-7633 x111  
[www.portageswcd.org](http://www.portageswcd.org)

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## I. Introduction

The Ohio Environmental Protection Agency (Ohio EPA) designated multiple communities as operators of Small Municipal Separate Storm Sewer Systems (Small MS4's). These communities are required to comply with Ohio EPA's National Pollutant Discharge Elimination System (NPDES) Phase II Small MS4 general permit requirements. Further, these communities are required to develop, submit, and implement a Storm Water Management Program (SWMP) consistent with the Ohio EPA permit requirements. The SWMP is required to identify the regulated community's plan to implement six minimum pollution control measures as listed below in Table 1.

**Table 1: NPDES Phase II General Permit Six Minimum Control Measures (MCM)**

MCM #1: Public Education	MCM #4: Construction Site Storm Water Runoff Control
MCM #2: Public Outreach	MCM #5: Post Construction Storm Water Management in New Development and Redevelopment
MCM #3: Illicit Discharge Detection and Elimination	MCM #6: Good Housekeeping

Portage County is designated as a Phase II Small MS4 community and has submitted a Notice of Intent (NOI) to Ohio EPA enabling coverage of the County's MS4 program under the Ohio EPA general permit. The Cities of Ravenna and Streetsboro, the Villages of Brady Lake and Sugar Bush Knolls, and the Townships of Brimfield, Franklin, Ravenna, Rootstown, and Suffield are individually also designated as Small MS4 communities. Each community has individually submitted a co-permittee NOI application to Ohio EPA for permit coverage under the Portage County master NOI.

This document, approved by Portage County and its co-permittees, outlines a plan to develop, implement and enforce a storm water management program that is designed to satisfy the requirements of the Ohio EPA's NPDES Phase II Small MS4 permit program. The SWMP specifically addresses the six minimum control measures required by the state regulations. The plan also identifies Portage County's legal authority to implement the SWMP for compliance with Ohio EPA NPDES Phase II Small MS4 general permit requirements and create a mechanism to fund the program.

The Notice of Intent (NOI) and the original SWMP were submitted to the Ohio EPA on March 10, 2003. The SWMP was revised as a result of Ohio EPA recommendations and resubmitted to the Ohio EPA on June 20, 2004 and again in March, 2007. Additional rules were adopted and submitted to the OEPA in 2009, when the Portage County Storm Water District was created.

## **II. Legal Authority to Implement the Storm Water Management Program**

Portage County has the legal authority to implement the SWMP under the governmental authority granted by the Ohio Revised Code. Some legal limitations may exist in regard to the County's ability to enact enforceable regulations as part of this program.

The Townships in Portage County have the legal authority to implement this SWMP under the governmental authority granted by Title 5, Chapters 501 to 521, Chapter 1502, and Chapter 5571 of the Ohio Revised Code. In addition, Ohio Attorney General Opinion No. 85-053 holds that a township may enact zoning resolutions which regulate land use in such a manner as to control sediment and storm water runoff from urban development. In this context, "urban development" may include large-lot housing subdivisions and low density, semi-rural commercial or industrial development, and does not necessarily imply the higher-density types of development associated with cities. Some legal limitations may exist in regard to the Township ability to enact enforceable regulations as part of this program.

The Cities of Streetsboro and Ravenna have the legal authority to implement this SWMP under the governmental authority granted by Article XVIII, Section 3 of the Ohio Constitution.

## **III. Financial Ability to Implement the Storm Water Management Program**

The communities included in this SWMP will fund the activities necessary to implement and enforce the SWMP through their respective general funds. In 2009, Portage County created a Storm Water District through provisions of Ohio Revised Code Chapter 6117. The Storm Water District collects an assessment from the unincorporated portion of Portage County on an annual basis. The funds raised through the assessment can only be used for compliance activities related to the Ohio EPA NPDES Phase II permit program.

## **IV. Permit Coverage Area Descriptions**

Portage County can be divided into three U.S. Army Corps of Engineer Districts, namely the Buffalo District, Pittsburgh District and Huntington District. These Districts cover the five main watersheds in Portage County. Three of watersheds are located within the communities involved in this SWMP.

The Buffalo Army Corps of Engineers District in Portage County is made up of the Cuyahoga River Basin (136,135 acres), the Chagrin River Basin (13,435 acres) and the Grand River Basin (3,087 acres). The Pittsburgh Army Corps of Engineers District in Portage County consists of 170,770 acres in the Mahoning River Basin. The Huntington Army Corps of Engineers District in Portage County is comprised of 1,078 acres of the Tuscarawas River Basin. All communities in Portage County that are applying as co-permittees are located almost entirely in either the Cuyahoga River watershed or the Mahoning River watershed. A small section of the southwest corner of Suffield Township drains into the Headwaters Tuscarawas River Subwatershed.

The Cuyahoga River watershed consists of 136,135 acres in Portage County. Communities participating in this SWMP located in the Cuyahoga River Watershed include: Brimfield



Township (17.4 mi<sup>2</sup>), Brady Lake Village (0.4 mi<sup>2</sup>), Franklin Township (7.5 mi<sup>2</sup>), Ravenna Township (4.8 mi<sup>2</sup>), Rootstown Township (5.9 mi<sup>2</sup>), Suffield Township (4.2 mi<sup>2</sup>), Village of Sugar Bush Knolls (0.24 mi<sup>2</sup>), City of Ravenna (3.8 mi<sup>2</sup>), and City of Streetsboro (11.8 mi<sup>2</sup>).

The Brimfield Township sub watersheds that drain into the Cuyahoga River are Plum Creek, Brimfield Ditch, Breakneck Creek feeder canal and Morrow Ditch.

The Brady Lake Village sub watershed that drains into the Cuyahoga River is Brady Lake.

The Franklin Township sub watersheds that drain into the Cuyahoga River are Breakneck Creek, Plum Creek, Fish Creek and Brimfield Ditch.

The Ravenna Township sub watersheds that drain into the Cuyahoga River are Breakneck Creek, Wahoo Ditch, Eckert Ditch and Hommon Ditch.

The Rootstown Township sub watersheds that drain into the Cuyahoga River are Breakneck Creek, Reed Ditch and Clara Root Ditch.

The Suffield Township sub watersheds that drain into the Cuyahoga River are Potters Creek and Wingfoot Lake Outlet.

The Village of Sugar Bush Knolls sub watersheds that drain into the Cuyahoga River are unnamed tributaries to Tinkers Creek and Twin Lakes.

The City of Streetsboro sub watersheds that drain into the Cuyahoga River are unnamed tributaries to Tinkers Creek and the Cuyahoga River.

The Mahoning River watershed consists of 170,770 acres in Portage County. Communities participating in this SWMP located in the Mahoning River Watershed include: Ravenna Township (2.8 mi<sup>2</sup>), Rootstown Township (1.9 mi<sup>2</sup>), and the City of Ravenna (1.4 mi<sup>2</sup>).

The Ravenna Township sub watersheds that drain into the Mahoning River are the West Branch of the Mahoning River, Harmon Brook and unnamed tributaries.

The MS4 areas of the participating communities are summarized on the next page in Table 2.

**Table 2: Summary of MS4 Areas for Participating Communities**

<b>Community</b>	<b>Cuyahoga River Watershed</b>	<b>Mahoning River Watershed</b>	<b>Tuscarawas River Watershed</b>	<b>Total</b>
City of Ravenna	3.8	1.4	0.0	5.2
City of Streetsboro	11.8	0.0	0.0	11.8
Village of Sugar Bush Knolls	0.2	0.0	0.0	0.2
Village of Brady Lake	0.4	0.0	0.0	0.4
Brimfield Township	17.4	0.0	0.0	17.4
Franklin Township	7.5	0.0	0.0	7.5
Suffield Township	4.2	0.0	1.8	6.0
Ravenna Township	4.8	2.8	0.0	7.6
Rootstown Township	5.9	1.9	0.0	7.8
<b>TOTAL</b>	<b>56.1</b>	<b>6.0</b>	<b>1.8</b>	<b>63.9</b>

\* All areas are reported in square miles.

## **V. Description of Storm Water Management Program and Storm Water District Development**

The process to develop the SWMP began in September of 2002 with the Portage County Commissioners (PC BOC) authorizing the Portage Soil & Water Conservation District (SWCD) to be the lead agency on this project. The Commissioners invited the communities designated by Ohio EPA as Small MS4 communities and required to comply with the NPDES Phase II Small MS4 permit program to join the County's plan and apply for the NPDES permit as co-permittees in order to save money and standardize approaches to storm water management in the County. Portage County communities designated as Small MS4 communities included: Portage County; Cities of Aurora, Kent, Ravenna, and Streetsboro; Villages of Brady Lake and Sugar Bush Knolls; Townships of Brimfield, Franklin, Ravenna, Rootstown and Suffield; and Kent State University. The Portage County Commissioners, Portage County Engineer and the SWCD hosted multiple informational meetings for Small MS4 communities.

Public informational meetings for participating communities were held in the fall of 2002. Meetings between the Portage County Regional Planning Commission, Portage County Engineer, Portage County Health District and Portage SWCD were held January 9, January 30 and January 31, 2003 to review subdivision regulations and discuss possible revisions. An organizational meeting to establish a Storm Water Task Force was held in March of 2003. A cooperative effort among all of the communities in the County was considered the most logical and effective response to the new requirements, and Portage County worked to accomplish that goal. The SWCD and the Portage County Commissioners presented the agreement and the draft SWMP to the Trustees from participating communities at a public meeting on February 15, 2003. Subsequently the Cities of Aurora and Kent, and Kent State University, elected to develop their own SWMPs and apply for permit coverage separately from the County.

Following establishment of the Storm Water Task Force in March of 2003, the Task Force reviewed the general requirements of each Minimum Control Measure required by the permit,

and began an inventory of current activities that meet these general requirements. The Task Force continues to meet quarterly to review the progress of the program and make appropriate decisions regarding the SWMP. Members of the Storm Water Task Force include 1 to 2 representatives from each community (including the designated responsible party), Portage SWCD delegate, Portage County Engineer's Office representative, Portage County Health District representative, Portage County Water Resources representative and Portage County Planning Commission representative.

A Storm Water Steering Committee (SWSC) was also established in 2003. Its role is to make recommendations on the SWMP to the Storm Water Task Force prior to submittal to the PC BOC and Mayors of the MS4 Communities. The SWSC has historically been chaired by the Portage County Engineer, who was designated by the PC BOC as the County's Storm Water Coordinator. Other historical members of the SWSC are high level representatives of the Portage County Health District and the SWCD. A representative from the Portage County Prosecutor's Office also has been involved. Ideally the SWSC meets quarterly, about one month before the Task Force Meeting.

Beginning with a 2003 report, Portage County has submitted annual reports to the Ohio EPA regarding the status of the SWMP in order to comply with the Ohio EPA permit reporting requirements. The SWMP was considered acceptable until the spring of 2009. At that time, Ohio EPA notified the PC BOC that although the program was meeting requirements relative to Public Education, Public Involvement, and Good Housekeeping, they needed to adopt new regulations and provide staff to implement and enforce the remaining minimum control measures related to Illicit Discharge Detection and Elimination, Construction Site Storm Water Runoff Control, and Post-Construction Storm Water Management in New Development and Redevelopment. Subsequently, the PC BOC adopted the required regulations and a funding mechanism (Storm Water District) to support the perpetual implementation effort associated with these rules.

A Table of Organization has been developed and approved for the communities participating in this SWMP. The Tables of Organization are located in the Appendix.

Portage County is in the process of updating the County's Subdivision Regulations. Information on storm water management requirements, including Storm Water Pollution Prevention Plans, are being updated to include current storm water management program standards and consistent with Ohio EPA minimum requirements.

## **VI. Reporting Requirements**

Portage County and its listed co-permittees submit required annual reports to Ohio EPA documenting the implementation of the SWMP. The reports are compiled by the SWCD using data submitted by the local communities and County agencies. The reports include the status of compliance with the permit conditions, an assessment of the appropriateness of the best management practices (BMPs), and progress towards achieving the measurable goals for each of the six minimum control measures. The reports also include a summary of the activities Portage County and its listed co-permittees will undertake during the reporting cycle, any proposed changes to BMPs or measurable goals, and all relevant data obtained during the reporting period.

## VII. Storm Water Management Program

This section of the SWMP outlines the six minimum control measures which are expected to result in significant reductions in pollutants discharged by Portage County and its listed co-permittees. The six minimum control measures will address water quality pollutants such as sediment, road debris, machinery and vehicle fluids such as gasoline, oil and coolant, and urban non-point source pollutants (i.e. nutrients, pesticides, household hazardous waste) entering the MS4. The minimum control measures (MCM) are: #1-Public Education and Outreach, #2-Public Participation and Involvement, #3-Illicit Discharge Detection and Elimination, #4-Construction Site Runoff Control, #5-Post-Construction Runoff Control, #6-Pollution Prevention & Good Housekeeping.

BMPs have been selected to address the MCM requirements and for consistency with Ohio EPA approved TMDL recommendations for identified water quality problems associated with MS4 discharges within the MS4 watersheds. A table listing the TMDL constituents in each MS4 community is included in the Appendix. Coordination of BMPs to TMDLs is shown below and on the following page in Tables 3 and 4.

**Table 3: Identified TMDLs by MS4 Community**

MS4 Community	Identified TMDL Parameters							
	Phosphorus	Ammonia	Nitrogen	Total Suspended Solids (TSS)	Dissolved Oxygen (DO)	Flow	Habitat	Bacteria
Brimfield Township	X	X		X	X	X		
Franklin Township	X	X	X	X	X	X	X	X
Ravenna Township	X	X		X	X	X	X	X
Rootstown Township	X	X		X	X	X	X	X
Suffield Township	X	X		X	X	X	X	X
Brady Lake Village	X	X		X	X	X		
Village of Sugar Bush Knolls	X	X		X	X	X		
City of Ravenna	X	X	X	X	X	X	X	X
City of Streetsboro	X	X	X	X	X	X	X	X

**Table 4: Proposed SWMP BMP Correlation to Identified TMDLs**

<b>Identified TMDL</b>	<b>Minimum Control Measure</b>					
	<b>MCM #1: Public Education and Outreach</b>	<b>MCM #2: Public Involvement and Participation</b>	<b>MCM #3: Illicit Discharge Detection and Elimination</b>	<b>MCM #4: Construction Site Runoff Control</b>	<b>MCM #5: Post-Construction Storm Water Management</b>	<b>MCM #6: Pollution Prevention and Good Housekeeping for Municipal Operations</b>
Phosphorus	X	X	X	X	X	X
Ammonia	X	X	X	X	X	X
Nitrogen	X	X	X	X	X	X
Total Suspended Solids (TSS)	X	X	X	X	X	X
Dissolved Oxygen (DO)	X	X	X		X	X
Flow	X	X			X	X
Habitat	X	X	X	X	X	X
Bacteria	X	X	X			

This table was prepared by comparing the proposed BMP activities included in this SWMP to the Recommended BMPs for the various TMDL parameters as published by the Northeast Ohio Stormwater Training Council. Refer to the following pages for specific information regarding proposed activities associated with each minimum control measure.

## **A. Public Education and Outreach (MCM #1)**

The goal of this measure is to gain public support and increased compliance with NPDES regulations. When citizens understand the issues surrounding storm water management, they will be more likely to volunteer their efforts and avoid actions that lead to water quality problems.

### **Strategies**

The Portage SWCD will be responsible for the overall management and implementation of the public education and outreach program.

Portage County and its co-permittees will inform residents about the steps they can take to reduce storm water pollution and about ways to get involved in the Portage County Storm Water Management Program through a combination of public meetings, workshops, community activities, and print media including newspaper articles, newsletters, brochures, and web site postings. The Portage SWCD newsletter is sent three times per year to over 7,000 Portage County residents. The Portage SWCD website will also provide a link to storm water program information and the number of hits to the link will be documented.

There are four main target groups in Portage County. First are the homeowners who form the vast majority of property owners in the County. The County and co-permittees will use all of the tools described above to reach this group. The County will work to expand its home sewage treatment system maintenance education program. The Portage SWCD will also contact homeowners' associations and civic groups directly to involve them in education efforts. The second target group is the commercial businesses. The County, Cities and Townships will reach these groups mainly through the distribution of brochures and the website information. Some commercial business owners may be contacted directly by members of the Storm Water Task Force to discuss the measures that they now take to control runoff and pollution, and to discuss ways that they can improve and participate in the storm water program. The third target group is the students in the County. As the future homeowners and business owners of the County, it is important to educate these individuals on storm water management issues and their role in non-point source pollution. The Portage SWCD will deliver a comprehensive storm water and non-point source pollution education program to the school systems serving the permit communities. The program will utilize educational materials, the Enviroscope Model, groundwater model and the streamulator. It will consist of both in-class presentations and teacher workshops. The fourth target group is the development community. The Portage SWCD will use the strategies described above to reach this group including providing information regarding the use of site development best management practices and construction site maintenance best management practices.

The education programs for Portage County and its co-permittees will target pollutant sources common to the Cuyahoga River and Mahoning River watersheds, including sediment pollution from stream bank and road ditch erosion and improperly controlled

construction sites, habitat alteration due to land use changes, bacteria and nutrient pollution from home sewage treatment systems, and urban storm water runoff. Because the majority of these pollution problems are caused by increases in impervious cover and the resulting increases in storm water volume and velocity, much of the educational program will focus on increasing public awareness of the links between land use practices and storm water pollution. Portage County will also continue its program on proper operation and maintenance of home sewage treatment systems. The Portage SWCD and the Storm Water Task Force will seek out and develop materials to address homeowner practices that may cause pollution, such as landscaping and lawn care; use and disposal of paints, solvents, oils, etc; and recycling or composting of appropriate materials.

Portage County and its co-permittees will use the following strategies to reach the four target audiences:

1. Portage SWCD newsletter three times per year and County, Township and City newsletters and publications as needed.
2. News releases and articles in local papers—e.g., *Record Courier*
3. Web site postings and links on Portage SWCD website and participating community websites.
4. Educational storm water workshops held at County, City and Township levels that target innovative storm water management techniques.
5. Educational brochure produced by Portage SWCD for distribution in County, City and Township locations (e.g. libraries, municipal buildings, special events).
6. Portage SWCD will distribute educational materials on the storm water management program at SWCD events (e.g. Portage County Fair, Farm-City Tour, clinics and workshops).
7. Use of educational materials from Portage County Health District on proper operation and maintenance of home sewage treatment systems.
8. Storm Water Task Force will directly contact key commercial businesses.
9. Portage SWCD will directly contact homeowners' associations and civic groups.
10. Portage SWCD will deliver comprehensive storm water and non-point source pollution education program to the school systems serving the permit communities that utilizes educational materials, the Enviroscope Model, groundwater model and the streamulator.
11. Portage SWCD will hold at least one teacher workshop on an annual basis that addresses storm water issues.
12. Portage SWCD will hold two training workshops at local demonstration sites on road ditching BMPs for Township road maintenance crews.
13. Portage SWCD will utilize an annual storm water theme as a tool to educate the public. At least one of these themes over each permit period will be directed toward the development community.

Portage County and its co-permittees will use the following methods to evaluate the success of this MCM#1:

1. The Portage SWCD will develop public opinion and awareness surveys to be conducted by the participating communities with the goal of evaluating the state of public knowledge and awareness of storm water issues and to what extent the public has adopted appropriate BMPs.
2. Each year, the progress on the SWMP will be evaluated. Items used to measure progress may include:
  - a. Number of meetings with key commercial property owners to evaluate progress
  - b. Number of meetings with homeowners' associations.
  - c. Review of print materials and number many copies distributed.
  - d. Number of storm water web site link hits and feedback.
  - e. Number of schools and students participating in education program.
  - f. Review of educational workshop attendance and evaluation of workshops.
  - g. Review of public meeting attendance and evaluation of meetings held.



## **B. Public Participation & Involvement (MCM #2)**

The goal of this measure is to increase the public's understanding of and involvement in storm water management. Citizen participation in the storm water management program will result in broader public support, shorter implementation schedules, and volunteer labor. This portion of the program will also serve as a conduit to other programs.

### **Strategies**

The Portage SWCD will be responsible for the overall management and implementation of the public participation and involvement program.

All of the meetings where the SWMP has been discussed have been open to the public. There also has been newspaper coverage of the development of the SWMP and the opinions of local citizens have been considered in its formulation. The Storm Water Task Force continues to seek the support and involvement of residents in the participating communities.

Portage County and the participating communities plan to actively involve the public in the development and implementation of the SWMP by using the following techniques:

1. All meetings of the Storm Water Task Force are open to the public. Interested persons will be encouraged to attend and to offer ideas and participate.
2. Meetings will be held to recruit volunteers to implement a number of activities under the plan.
3. The web site will be used to seek opinions on the program from the public.
4. The Portage SWCD will conduct a survey to gauge public opinion and awareness and will help the communities to tailor the plan to the needs of the public. The survey will be repeated in 2008 to evaluate the impact of program activities.
5. The advice of private citizens with expertise in issues related to the program, as well as the advice of important commercial establishments, will be sought directly by individual contact with the appropriate people.
6. All developmental activities under the program, such as research and recommendations on zoning changes related to setbacks, erosion control, or other matters will be held in public meetings.
7. Newspapers will be informed through regular press releases and discussions at public meetings.
8. There will be regular articles on storm water management that appear in the Portage SWCD newsletter.
9. Informational and educational brochures will be available to the participating communities for distribution.
10. Two public meetings will be held to explain the status of Portage County storm water management plan and the purpose of the EPA Phase II program.

11. Volunteers will be recruited to use the Portage SWCD storm drain stenciling equipment to stencil storm drains in their communities for public awareness purposes.
12. There will be at least five public involvement/participation programs conducted over the course of a permit term.

Portage County and its co-permittees will use the following methods to evaluate the success of this MCM#2:

1. The Portage SWCD will develop public opinion and awareness surveys in to be conducted by the participating communities with the goal of evaluating the state of public knowledge and awareness of storm water issues and to what extent the public has adopted appropriate BMPs.
2. Each year, progress on the SWMP will be evaluated. Items used to measure progress may include:
  - a. Number of meetings with key commercial property owners to evaluate progress
  - b. Number of meetings with homeowners' associations.
  - c. Review of print materials and number many copies distributed.
  - d. Number of storm water web site link hits and feedback.
  - e. Review of workshop attendance and evaluation of workshops.
  - f. Review of public meeting attendance and evaluation of meetings held.
  - g. Number of volunteers recruited to assist with SWMP implementation.
  - h. Number of communities that participate in storm drain stenciling activities.

### **C. Illicit Discharge Detection and Elimination (MCM #3)**

The goal of this measure is to eliminate "...any discharge to an MS4 that is not composed entirely of storm water..." with the exception of NPDES-permitted activities and fire fighting activities.

#### **Strategies**

Each individual community (co-permittee) will be responsible for the overall implementation of the minimum control measure for illicit discharge detection and elimination. On behalf of the unincorporated areas of the County, the Portage County Board of Commissioners contracts with the Portage County Health District for this service. Technical assistance and resources are provided by the Portage SWCD and members of the Storm Water Task Force to assist communities in successful implementation of the measure.

Portage County has implemented a county-wide GIS system. The Portage County Health District prepared storm water system maps for the unincorporated MS4 communities showing the location and condition of all outfalls. Eventually, the Storm Water Task Force will play an advisory role to develop a standard symbol for outfalls in the County.

Originally, the local road and service department crews identified outfalls to be mapped and began the process of detecting illicit discharges as they performed their normal ditch maintenance program. When discharges are located, the road department will document it using the outfall and illicit discharge detection form and will add the location to the community's list and/or map.

Dry weather inspections are performed by the Portage County Health District to detect illicit discharges from industrial sources, general permit sources, and household sewage treatment systems. The Storm Water Task Force will assist the communities in the development of a process to address reports of dry-weather discharges into the MS4. The Storm Water Task Force can work towards the development of a storm water quality monitoring program to determine what sources of pollution are entering the MS4 and to address those pollutants. Such a program may include stream monitoring for turbidity and macroinvertebrates, chemical testing at outfalls, and QHEI for streams.

Each community will also develop a plan to address illicit discharges into the MS4, including discharges from illegal dumping and spills and from on-site sewage disposal systems that discharge directly into the MS4. Each community will periodically review the procedures for illicit discharge detection to make sure that the most reliable and efficient detection system is employed.

Through its contract with the Portage County Board of Commissioners, the Portage County Health District developed a comprehensive storm system map showing the location of outfalls and the names and location of all surface waters of the state that receive discharges from those outfalls. The comprehensive storm system map includes

Portage County's MS4 system (owned and operated by the co-permittees), including catch basins, pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs, and private post-construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water General Permit and/or the County's local post-construction water quality BMP requirements. These comprehensive storm water aps are updated annually.

Portage County and its co-permittees worked to develop an enforcement mechanism for addressing and correcting illicit discharges into the MS4s. The Storm Water Task Force reviewed model ordinances and model zoning regulations from other regulated MS4 communities in the surrounding area. In addition to the Portage County Subdivision Regulations, Resolution No. 09-0836 "Exhibit A" Portage County Illicit Discharge and Storm Water Rules has been adopted. This resolution addresses objectives to regulate the contribution of pollutants to the MS4 by storm water discharges by any use, to prohibit illicit connections and discharges to the MS4, and to establish legal authority to carry out all inspections, surveillance, and monitoring procedures necessary to ensure compliance with the regulations. This resolution will be reviewed and updated, as needed. If revised, the Portage County Prosecutor's Office will review the changes to determine if the participating communities would have the authority to implement and enforce it. Portage County and each of its co-permittees will be responsible for ensuring that such an ordinance or enforcement mechanism is both adopted and implemented. Effectiveness of the illicit discharge detection and elimination program will be measured by the number of discharges detected, mapped and eliminated in each community.

Portage County and its co-permittees plan to inform public employees, businesses, and the general public of the hazards associated with illegal discharges and improper disposal of waste. This will be accomplished by coordinating with the minimum control measures #1 & #2 for public education and involvement.

The following specific measures will also be implemented:

1. Applicable public employees and road department crews will attend a training session that focuses on the identification and detection of illicit discharges in a MS4.
2. The general public will be informed of all the BMPs used in the public education program. Specific material may include handouts, mailings, newsletters, and other techniques of communication.
3. The Portage County Health District will educate homeowners about proper operation and maintenance of home sewage treatment systems.
4. The Portage County Solid Waste District provides information on the services offered for household hazardous waste disposal and recycling.

The Portage County Health District will develop and implement a plan to detect and eliminate non-storm water discharges, including illegal storm water discharges to the MS4 system. The plan to detect and eliminate non-storm water discharges encompasses: outfall dry weather screening, investigation of reported illegal dumping to the storm

water system, wastewater nuisance complaints, voluntary property transfer evaluations, and random inspections of household sewage treatment systems (HSTSs).

The Portage County Health District works in collaboration with public officials and agencies such as: Portage County Board of Commissioners, Northeast Ohio Four County Regional Planning and Development Organization (NEFCO), village and township road departments, and other appropriate entities to identify and eliminate illicit discharges.

The Portage County Health District actively investigates the source(s) of contamination in outfalls identified during the dry weather screening process. During the outfall dry weather screening evaluations, any illegal dumping activities are referred to the appropriate agency, usually the Portage County Health District wastewater program staff or the Ohio EPA Surface Water Division staff, for enforcement and elimination.

The semi-public wastewater activities are managed under Ohio Revised Code (ORC) 6111 and House Bill (HB 110 in collaboration with the Ohio EPA Surface Water Division. The Portage County Health District contracts with the Ohio EPA for routine inspection of these systems.

The HSTS activities are governed by ORC Chapter 3718 and Ohio Administrative Code (OAC) Chapter 3701 and other applicable State and local laws and/or regulations. The HSTS portion of the plan includes, at a minimum, the identification of residences with existing individual discharging HSTSs that can be legally, feasibly, and economically connected to sanitary sewers when available and accessible. The Portage County Health District operation and maintenance permit program educates the homeowner about the proper process of a HSTS.

When the contamination source has been identified as a discharging HSTS that is not operating as designed and intended, the Portage County Health District will work with the affected homeowner to determine the proper course of action to eliminate the public nuisance. In accordance with the OAC regulations, the public nuisance is eliminated by connecting to a sanitary sewer when available and accessible or by repair or replacement of the HSTS with either a soil absorption system or a discharging HSTS with coverage under an appropriate Ohio EPA NPDES General Permit.

Finally, the Portage County Health District works with the Portage County Water Resources Department, Portage County Regional Planning Commission, NEFCO, and/or other appropriate agencies to evaluate and prioritize potential future installation of sewers for areas that contain high densities of discharging HSTSs in the county.

### **Performance Standards:**

Through its contract with the Board of Commissioners, the Portage County Health District storm water IDDE program includes an annual dry-weather screening of all identified MS4 storm water outfalls over the permit term through field inspection and outfall point effluent testing sampling, when necessary. The Portage County Health

District will screen 100% of the identified outfalls during the permit period by striving to investigate an average of 20% of the outfalls per year over the 5-year permit term.

**Summary:**

As previously discussed, the Portage County Health District's specific goals for the long-term, system-wide surveillance of Portage County's MS4 system prioritizes areas of suspected illicit discharges, the investigations of outfalls, and the evaluation of the tributary surface water. The Portage County Health District will evaluate and prioritize data collected each year and revise goals annually. The comprehensive storm sewer system maps will be updated annually as information from field inspection and other sources becomes available. More frequent updates may be performed as deemed necessary by the Portage County Health District.

#### **D. Construction Site Storm Water Runoff Control (MCM #4)**

The goal of this measure is to reduce or eliminate sediment runoff from construction sites due to the long-term physical, chemical and biological harm to aquatic habits resulting from sedimentation.

##### **Strategies**

The Portage SWCD will be responsible for the overall development and implementation of the Construction Site Runoff Control minimum control measure, with the exception of the City of Streetsboro, where the City Engineering Department will be the responsible party, and the City of Ravenna, where the City Engineering Department will be the responsible party.

Portage County currently has erosion and sediment control regulations in place as part of the County Subdivision Regulations. The regulations also include enforcement capabilities that include bonding requirements and stop work orders via the Portage County Engineer's Office. The subdivision regulations will be reviewed and amended if necessary to include the use of the Rainwater and Land Development Manual, temporary stabilization of disturbed areas within 7 days if inactive for 21 days or longer, permanent stabilization of disturbed areas within 7 days of reaching final grade, stabilization of disturbed areas within 50 feet of a stream within 2 days of last disturbance or reaching final grade, all perimeter sediment barriers and sediment ponds installed within 7 days of first grubbing, centralized sediment ponds for common drainage areas of 10 acres or more, and inspections of BMPs by operator at least once every 7 days and within 24 hours of 0.5-inch or greater rainfall. In cooperation with the Portage County Regional Planning Commission, the Portage SWCD and the participating communities, the County Subdivision Regulations will be amended to include areas of development greater than one acre. In addition to the County Subdivision Regulations, Resolution No. 09-0836 "Exhibit B" Portage County Construction Site Sediment, Erosion, and Storm Water Management Rules has been adopted. This document addresses requirements for construction site storm water runoff control and shall remain equivalent with the technical requirements set forth in the Ohio EPA NPDES General Storm Water Permit for Construction Activities applicable to the permit area for which the permit was issued.

The Portage County Regional Planning Commission receives and authorizes preliminary development plans. Each plan goes through a site plan review process that involves a number of County agencies. The Portage SWCD, Portage County Engineer's Office, and Portage County Regional Planning Commission meet on site with the developer and contractor prior to the beginning of earth moving activities. The Portage SWCD performs a review of SWPPPs for all commercial, residential and industrial developments, greater than one acre, submitted to the District and provides written comments regarding soil limitations, wetlands, riparian and other natural resource information pertinent to the site. The Portage SWCD will review and approve Storm Water Pollution Prevention Plans (SWPPPs) for all commercial, industrial and residential developments, greater than one

acre, in the Townships and Villages at their request. The City of Streetsboro Engineering Department and the City of Ravenna Engineering Department will review SWPPPs for their respective communities. The SWCD will also conduct regular inspections of these development sites (at least once per month) and keep the communities informed of construction site SWPPP compliance. Inspections will also be conducted on construction sites in response to written or verbal complaints from the public.

The success of this minimum control measure will be evaluated according to the following criteria:

1. Number of pre-construction meetings
2. Number of developments disturbing one acre or more.
3. Number of erosion and sediment control plans and SWPPPs submitted and approved.
4. Number of violations.
5. Number of developers attending BMP workshops.
6. Storm Water Task Force will review the program and recommend changes in the regulations or procedures.

This evaluation will be made annually and submitted in the annual report to the Ohio EPA.



## **E. Post-Construction Storm Water Management in New Development & Redevelopment (MCM #5)**

The goals of this measure are to reduce the adverse effects from new development and redevelopment projects on water quality and quantity. The oil, grease, pesticides, herbicides, heavy metals and nutrients produced by our daily lives impair water quality. Increased peak runoff from rooftops, streets and parking lots results in downstream flooding problems.

### **Strategies**

Each co-permittee will be responsible for the overall management and implementation of this Post-Construction Storm Water Management minimum control measure. Technical assistance and resources will be provided by the Portage SWCD and members of the Storm Water Task Force to assist the communities in successful implementation of the measure.

Portage County and its participating communities will use a combination of planning activities, education, and non-structural and structural practices to address storm water runoff from new development and redevelopment projects. Portage County is a mix of urban areas, suburban communities and agricultural land. Water quality concerns are those related to increases in storm water runoff as impervious cover increases and include sedimentation due to stream bank erosion, increased flooding due to increases in storm water volume, higher temperatures due to increases in storm water temperature in detention facilities, and habitat loss as riparian and wetland areas are impacted by development.

The regulated communities in Portage County will continue to successfully implement this minimum control measure for Post-Construction Storm Water Management. In July of 2003, the Portage SWCD began requesting the addition of post-construction BMPs during the SWPPP review process for all new development sites. The selection of BMPs for each site is considered on a case-by-case basis and is customized according to site conditions. Engineers and developers are directed to the Ohio Department of Natural Resources (ODNR) *Rainwater & Land Development Manual* for guidance on the design and installation of these BMPs. The Storm Water Task Force and the Portage SWCD are currently working with the Portage County Regional Planning Commission to update the subdivision regulations. Both structural and non-structural BMPs for post-construction storm water management will be included in the new regulations.

Portage County has passed Resolution No. 09-0836 "Exhibit B" Portage County Construction Site Sediment, Erosion, and Storm Water Management Rules has been adopted. This document addresses requirements for post construction storm water management in new development and redevelopment and shall remain equivalent with the technical requirements set forth in the Ohio EPA NPDES General Storm Water

Permit for Construction Activities applicable to the permit area for which the permit was issued.

Because these BMPs represent significant changes in storm water management in Northeast Ohio, education for landowners, developers, planners, engineers, and others is necessary to support their implementation. BMP workshops for developers will be held as well as educational workshops for homeowners on non-structural BMPs and landscaping techniques to control runoff.

The success of this minimum control measure will be evaluated according to the following criteria:

1. Number of educational workshops conducted on post-construction storm water management and BMPs
2. Number of engineers, developers, and/or contractors in attendance at post-construction educational workshops
3. Additions to the Portage County Subdivision Regulations that address post-construction storm water management in new development
4. The adoption of regulatory mechanisms to address post-construction storm water management in new and existing developments
5. Storm Water Task Force will review the program and recommend changes in the regulations or procedures.

This evaluation will be made annually and submitted in the annual report to the Ohio EPA.

## **F. Pollution Prevention / Good Housekeeping for Community Operations (MCM #6)**

The goal of this measure is to ensure that the people in charge of the MS4s are doing their part, along with the public, to keep pollutants out of storm water. This work is currently being done by Portage County and its co-permittees.

### **Strategies**

Each co-permittee will be responsible for the overall management and implementation of the Pollution Prevention/Good Housekeeping minimum control measure. Specifically, the co-permittee representative to the Storm Water Task Force will be the responsible party. Technical assistance and resources will be provided by the Portage SWCD and members of the Storm Water Task Force to assist the communities in successful implementation of the measure.

Portage County, the City of Streetsboro, the City of Ravenna, Villages and Townships will use available training materials from EPA, OSHA, and ODOT. Training sessions for the Road & Maintenance Departments and other applicable employees will be required annually at a minimum. The Portage SWCD will provide assistance, if requested, to the communities with the training sessions. Training sessions will be held at the community road department headquarters and will include but not be limited to the following areas:

- Maintenance activities, maintenance schedules and inspection programs to reduce pollutants entering the MS4
- Controls for reducing the discharge of pollutants from streets, roads, parking lots, maintenance areas, and salt storage locations operated by the community
- Development of procedures for the proper disposal of waste removed from the community's MS4 and municipal operations
- Development of procedures to detect and map outfalls and illicit discharges
- Review of BMPs currently being used by the entity and review of possible BMPs to add to the entity's pollution prevention plan

The communities will compile annual training reports and submit them to the Portage SWCD. These reports will be included in the annual EPA Phase II report. Training materials will be incorporated in newsletters, press releases, and web site pages for dissemination to the general public.

Upon request, the Portage SWCD and the members of the Storm Water Task Force will assist the participating communities in choosing the most suitable BMPs to use, as each community will have unique problems, issues and priorities. A review of existing good housekeeping procedures of participating communities will be conducted at the training sessions and the Portage SWCD and Storm water Task Force members will assist the communities in developing new programs and procedures (i.e. salt storage, waste disposal, flood management).

Two road ditching BMP demonstration sites in Portage County will be used to train road

crews on improved ditch maintenance procedures and workers will participate in training workshops on road ditching BMPs.

BMPs will be selected from materials provided by local and state agencies and from recommendations of Road and Maintenance Superintendents. All BMPs will be discussed by the Storm Water Task Force and presented in public meetings. BMPs will be chosen based upon applicability to community operations, feasibility, and impact on water quality protection. BMPs that will be addressed include: outdoor storage of materials, salt storage, snow removal, street sweeping, waste station maintenance, ditch cleaning and maintenance, hazardous materials disposal, parking lot cleaning, pesticide usage, yard materials recycling, and vehicle washing. BMPs that are chosen by each co-permittee will be included in the Annual Report to the EPA.

The County will maintain and include a list of all industrial facilities that are owned and operated by the County that are subject to the Ohio EPA's Industrial Storm Water General Permit or individual NPDES permits for discharges of storm water associated with industrial activity that ultimately discharge to the MS4. This list will include the Ohio EPA permit number or a copy of the Industrial NOI form for each facility. For municipally owned facilities that are not required to obtain Industrial Storm Water General Permit coverage, including vehicle maintenance facilities, bus terminals, composting facilities, impoundment lots and waste transfer stations, an SWPPP shall be developed and implemented in accordance with the SWPPP requirements of the Ohio EPA's Industrial Storm Water General Permit.

The success of this minimum control measure will be evaluated according to the following criteria:

1. Number of training sessions for community employees conducted on good housekeeping, pollution prevention and applicable BMPs
2. Number of employees in attendance at training sessions
3. Number of existing BMPs used by the co-permittees
4. Number of new BMPs added to the pollution prevention plans of co-permittees
5. Storm Water Task Force will review the program and recommend changes in the policies or procedures.

This evaluation will be made annually and submitted in the annual report to the Ohio EPA.

## **VIII. Shared Responsibility, Monitoring, Recordkeeping, and Reporting**

### **A. Shared Responsibility**

Portage County and its co-permittees retain a shared responsibility for the storm water program development under the permit. However, each co-permittee is ultimately responsible for compliance with the permit conditions within their respective MS4 boundary. Co-permittees may implement the BMP's assigned to each MCM on their own, where they have legal authority to do so, or they may contract with other communities or public agencies to provide such services.

Portage County SWCD continues to play a vital role in assisting the communities implement multiple MCMs. Portage County SWCD provides assistance in the implementation of MCMs # 1 & 2 by providing written materials, training, and workshops. SWCD staff also assists in the implementation of MCM #4 by conducting pre-construction meetings with developers, reviewing site plans, and following up on enforcement upon the request of the Townships. SWCD staff also advise the Townships on MCM #5, in developing zoning regulations and other BMPs to control post-construction storm water runoff. The Portage County SWCD will also receive any applicable records and reports from the permittees and will use this information to write and submit the annual report to Ohio EPA.

### **B. Monitoring**

Monitoring will be performed in accordance with Part V of the Permit.

### **C. Record Keeping**

All records will be kept in accordance with Part IV of the Permit.

### **D. Reporting**

Reports will be submitted annually starting one year after the date of general permit coverage. Reports will contain the information required in Part IV of the Permit.

## **IX. Appendices**

### Appendices to the Storm Water Management Program

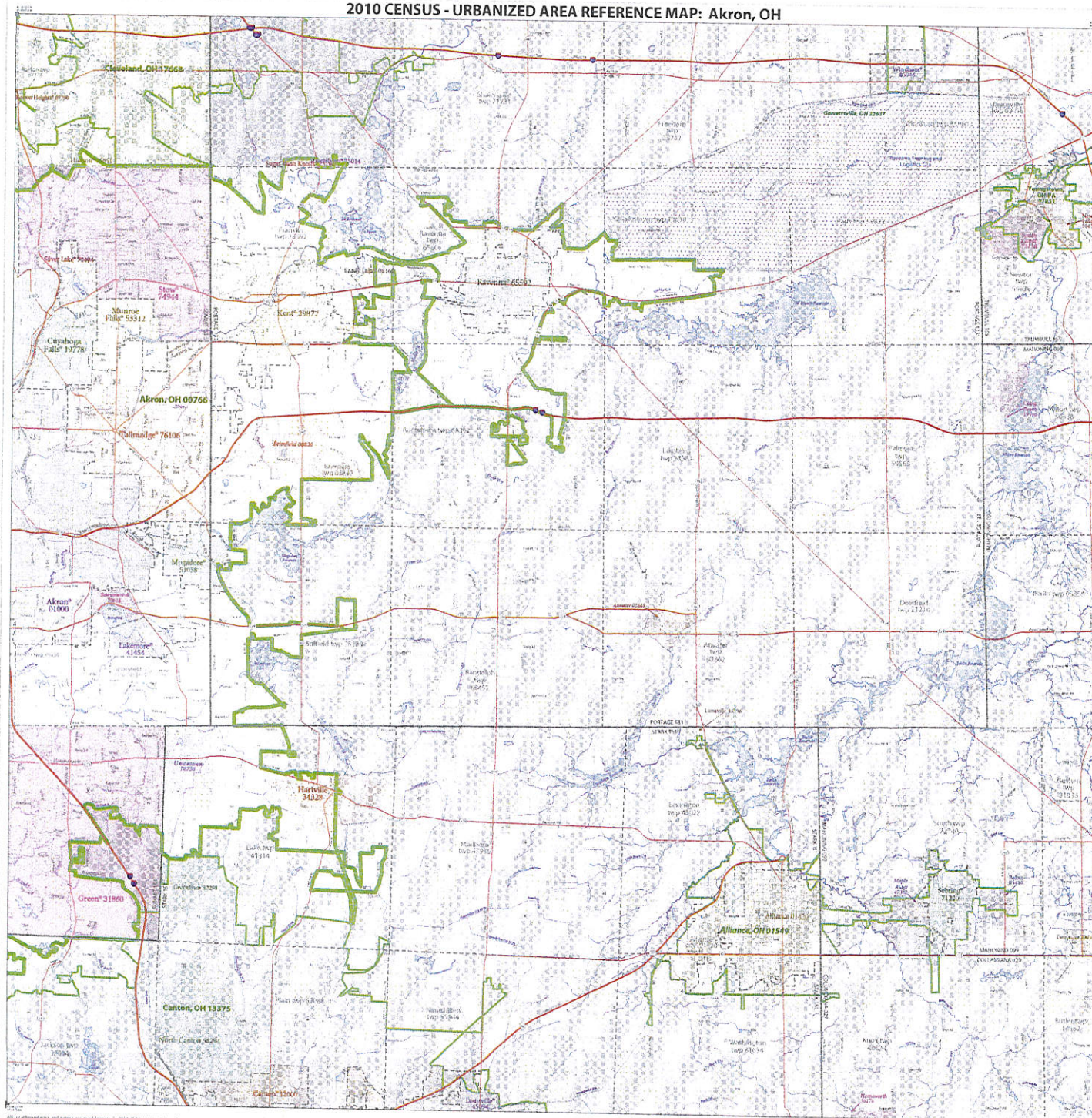
- A. Urbanized Area Maps of Portage County
- B. MS4 Outfall Maps
- C. MS4 HSTS Maps
- D. List of Ohio EPA Industrial Storm Water General Permit and individual NPDES permits held by Portage County
- E. IDDE and Storm Water Control Resolutions
- F. SWMP Tables of Organization
- G. TMDL Information

## **Appendix A**

Urbanized Area Maps of Portage County



# 2010 CENSUS - URBANIZED AREA REFERENCE MAP: Akron, OH



SYMBOL DESCRIPTION	SYMBOL	LEGEND
International	—	ARABIAN
United States	—	CANADA
United States	—	L'ANSE RES 1880
United States	—	T1880
United States	—	Dover, DE 24580
United States	—	Tooele, UT 84057
United States	—	NEW YORK 36
United States	—	BR 207
United States	—	Berlin, DE 10555
United States	—	MILFORD 47500
United States	—	Davis 18100
United States	—	Indian Village 35200

SYMBOL DESCRIPTION	SYMBOL	LEGEND
Interstate	—	Interstate
U.S. Highway	—	U.S. Highway
State Highway	—	State Highway
County Road	—	County Road
Local Road	—	Local Road
Waterway	—	Waterway
Canal	—	Canal
Drainage	—	Drainage
Other	—	Other

Where urbanized area, county, and/or MSA boundaries coincide, the map shows the boundary for the highest ranking of those boundaries.

1. A 1/4" horizontal line on the map denotes a 1/4" MSA. A 1/4" horizontal line on the map denotes a 1/4" MSA. A 1/4" horizontal line on the map denotes a 1/4" MSA.

2. MSA boundaries are shown in the following states which cover all MSA's:

Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. (Note that Alaska and Hawaii have some counties covered by metropolitan areas.)

\* Place label color corresponds to the place label color.

Legend: Urban County Data Data Data

SUBJECT AREA COUNTIES ON MAP SHEET

AKRON 01000

AKRON 01000

AKRON 01000

ALL data shown on this map are as of January 1, 2010. Data are based on the 2010 Census. The boundary shown on this map are for the Census Bureau's definition of the urbanized area. The boundary shown on this map are for the Census Bureau's definition of the urbanized area. The boundary shown on this map are for the Census Bureau's definition of the urbanized area.

Source: U.S. Census Bureau, Census 2010

U.S. Census Bureau

Source: U.S. Census Bureau, Census 2010

U.S. Census Bureau

Source: U.S. Census Bureau, Census 2010

U.S. Census Bureau

Source: U.S. Census Bureau, Census 2010

U.S. Census Bureau

Source: U.S. Census Bureau, Census 2010

U.S. Census Bureau

Source: U.S. Census Bureau, Census 2010

U.S. Census Bureau



## **Appendix B**

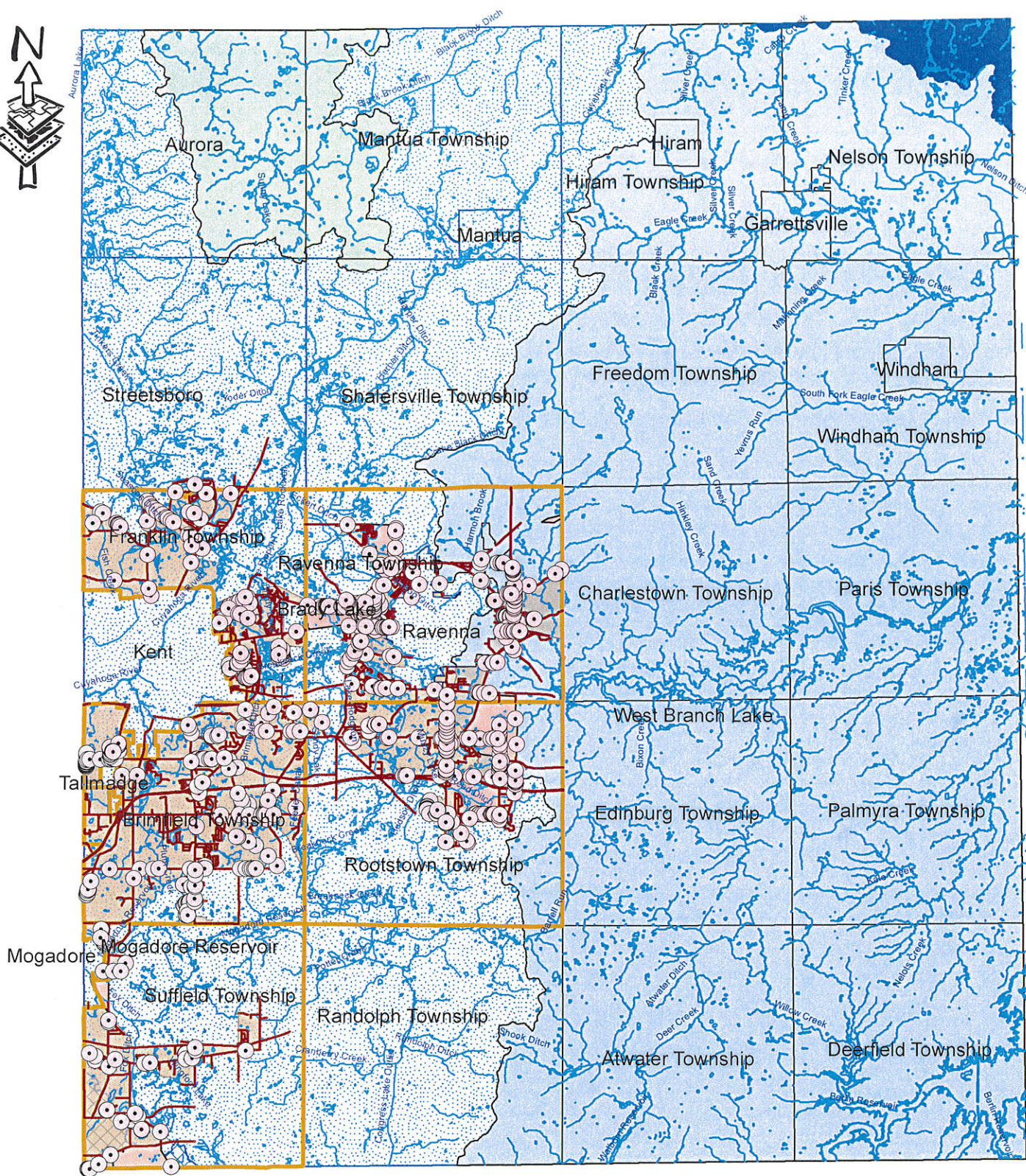
MS4 Outfall Maps



## **Appendix C**

MS4 HSTS Maps





## PORTAGE STORMWATER URBANIZED (MS4) AREA SUSPECTED ILLICIT DISCHARGING STS

- Portage Stormwater MS4 Outfall
- Stormwater Conveyance Lines
- Stormwater MS4 Townships & Villages Boundary
- Cuyahoga Watershed
- Tuscarawas Watershed
- Chagrin Ashtabula Watershed
- Mahoning Watershed
- Grand Watershed
- Stormwater District 2000 MS4 Area
- Stormwater District 2010 MS4 Area

0 1.25 2.5 5 Miles

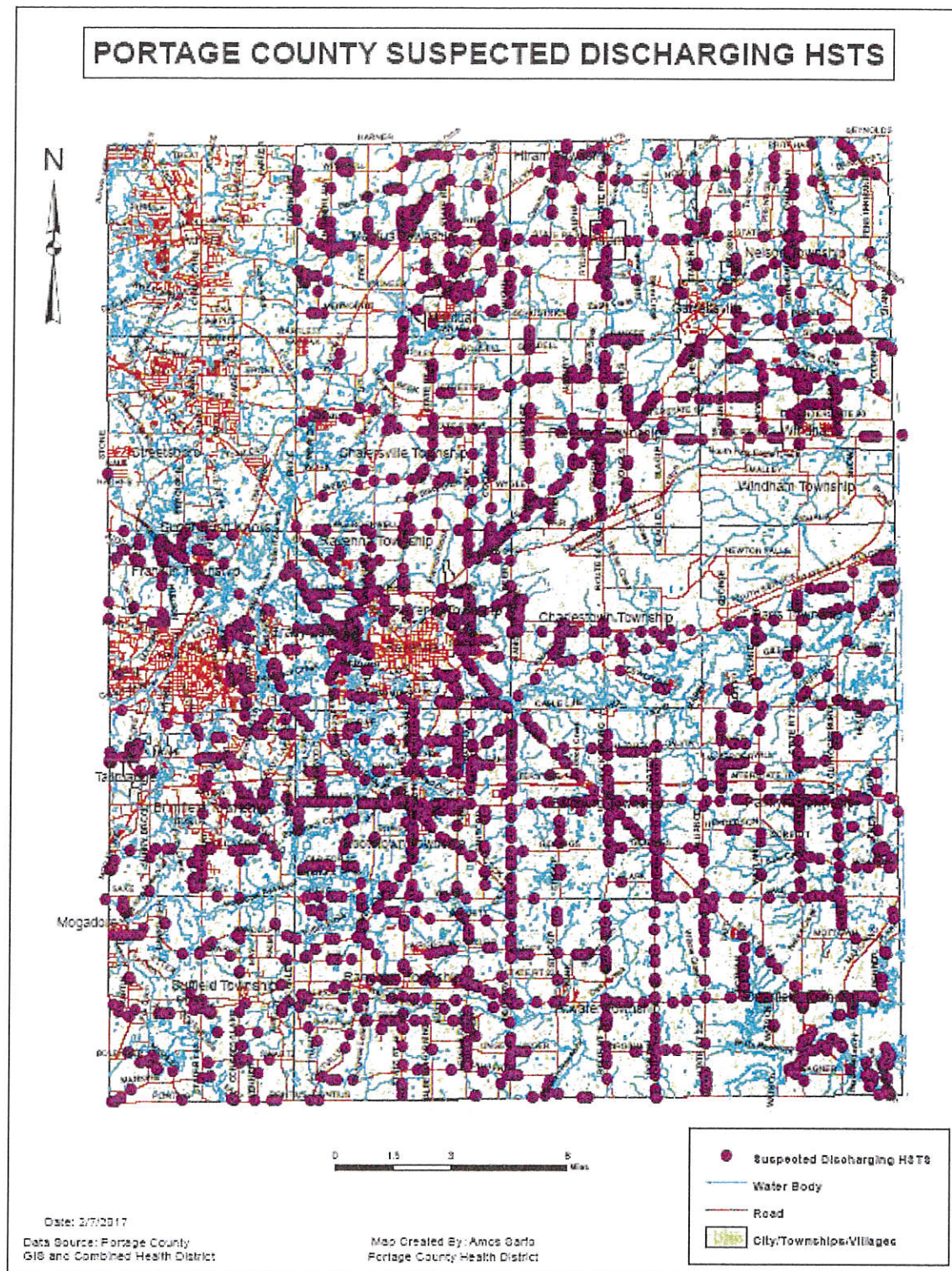
Date: 3/29/2017

Data Source: Portage County  
GIS and Combined Health District

By Amos Sarfo  
Portage County Health District



Figure 2: Spatial Distribution of 2016 Suspected Illicit Discharging HSTS Database



## **Appendix D**

List of Ohio EPA Industrial Storm Water General Permit and individual NPDES permits  
held by Portage County

## **Ohio EPA Division of Surface Water**

### **Individual NPDES Permits Held by Portage County**

3PH00033*ID	Atwater WWTP
3PH00035*ID	Bolingbrook WWTP
3IY00151*ED	Brimfield WTP
3PG00120*HD	Countryside Estates WWTP
3PG00096*ID	Fairlane WWTP
3PK00015*GD	Franklin Hills WWTP
3PH00059*CD	Randolph WWTP
3PH00037*JD	Red Fox WWTP
3PG00127*HD	Rivermoor WWTP
3IY00153*DD	Shalersville WTP
3PK00014*HD	Streetsboro WWTP
3PH00038*JD	Twin Lakes WWTP
3PG00120*DD	Western Reserve WWTP

## **Appendix E**

IDDE and Storm Water Control Resolutions



**Resolution No. 09-0836**  
**"Exhibit A"**

**PORTAGE COUNTY ILLICIT DISCHARGE AND STORM WATER RULES**

**I. PURPOSE and INTENT**

The purpose of these rules is to provide for the health, safety, and general welfare of the citizens of Portage County through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. These rules establish methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process.

The objectives of these rules are:

- (1) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by storm water discharges by any user
- (2) To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system
- (3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with these rules

**II. EFFECTIVE DATE**

These rules shall become effective on January 1, 2010.

**III. APPLICABILITY**

These rules shall apply to all water entering the storm drain system generated on any lands unless explicitly exempted by the Portage County Board of Commissioners.

**IV. RESPONSIBILITY FOR ADMINISTRATION**

The Portage County Board of Commissioners shall administer, implement, and enforce the provisions of these rules. Any powers granted or duties imposed upon the Portage County Board of Commissioners may be delegated in writing by the Portage County Board of Commissioners to persons or entities acting in the beneficial interest of or in the employ of the Portage County Board of Commissioners.

**V. SEVERABILITY**

The provisions of these rules are hereby declared to be severable. If any provision, clause, sentence, or paragraph of these rules or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of these rules.

**VI. ULTIMATE RESPONSIBILITY**

The standards set forth herein and promulgated pursuant to these rules are minimum standards; therefore these rules do not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

**VII. DISCHARGE PROHIBITIONS**

**A. Prohibition of Illegal Discharges.**

No person shall discharge or cause to be discharged into the storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

1. The following discharges are exempt from discharge prohibitions established by these rules:
  - a. Water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, swimming pools (if dechlorinated - typically less than one PPM chlorine), fire fighting activities, and any other water source not containing pollutants.
  - b. Discharges specified in writing by the Portage County Board of Commissioners as being necessary to protect public health and safety.
2. The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

**B. Prohibition of Illicit Connections**

1. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
2. A person is considered to be in violation of these rules if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

**VIII. SUSPENSION OF MS4 ACCESS**

**A. Suspension due to Illicit Discharges in Emergency Situations**

The Portage County Board of Commissioners may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Portage County Board of Commissioners may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

**B. Suspension due to the Detection of Illicit Discharge**

Any person discharging to the MS4 in violation of these rules may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The Portage County Board of Commissioners will notify a violator of the proposed termination of its MS4 access.

A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the Portage County Board of Commissioners.

**IX. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES**

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Portage County Board of Commissioners prior to the allowing of discharges to the MS4.

## **X. MONITORING OF DISCHARGES**

### **A. Applicability**

This section applies to all facilities that have storm water discharges associated with industrial activity, including construction activity.

### **B. Access to Facilities**

1. The Portage County Board of Commissioners may, upon identification to the owner or person in charge of a facility, enter any premises upon obtaining an agreement with the owner, tenant, or manager of the land in order to determine whether there is compliance with these rules.
2. If the Portage County Board of Commissioners is unable to obtain such an agreement, the Portage County Board of Commissioners may apply for, and a judge of the Portage County Court of Common Pleas may issue, an appropriate inspection warrant as necessary to achieve the purposes of these rules. The Portage County Board of Commissioners, if it is able to demonstrate probable cause to believe that there may be a violation of these rules or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with these rules or any order issued hereunder, or to protect the overall public health, safety, and welfare of citizens; may seek, as part of the inspection warrant:
  - a. Access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.
  - b. Permission to set up on any NPDES permitted facility such devices as are necessary in the opinion of the Portage County Board of Commissioners to conduct monitoring and/or sampling of the facility's storm water discharge.
  - c. Removal of any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled with the costs of clearing such access borne by the owner, tenant, or manager of the property.

## **XI. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES**

The Portage County Board of Commissioners will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a storm water pollution prevention plan (SWP3) as necessary for compliance with requirements of the NPDES permit.

## **XII. WATERCOURSE PROTECTION**

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation,

and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

### **XIII. NOTIFICATION OF SPILLS**

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or waters of the State, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the Portage County Board of Commissioners in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Portage County Board of Commissioners within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

### **XIV. ENFORCEMENT**

- A. Whenever the Portage County Board of Commissioners finds that a person has violated a prohibition or failed to meet a requirement of these rules in conjunction with a failure to obtain any federal, state, or local permit necessary for sediment and erosion control, earth movement, clearing, or cut and fill activity; the Portage County Board of Commissioners may issue a stop work order to the responsible person.
- B. Notwithstanding the provisions of Paragraph A of this Section, whenever the Portage County Board of Commissioners finds that a person has violated any prohibition or failed to meet any requirement of these rules, the Portage County Board of Commissioners may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:
  - 1. The performance of monitoring, analyses, and reporting;
  - 2. The elimination of illicit connections or discharges;
  - 3. That violating discharges, practices, or operations shall cease and desist;
  - 4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
  - 5. Payment of a fine to cover administrative and remediation costs; and
  - 6. The implementation of source control or treatment BMPs.
- C. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the Portage County Board of Commissioners may seek to have the work done by a designated governmental agency or a contractor, and the expenses charged to the violator.
- D. If, after a period of not less than thirty days has elapsed following the issuance of the notice of violation, the violation continues, the Portage County Board of Commissioners may issue a second notice of violation, including any relevant updated information.

E. If, after a period of not less than fifteen days has elapsed following the issuance of the second notice of violation, the violation continues, the *Portage County Board of Commissioners* may issue a stop work order in accordance with R.C. 307.79.

1. In the case of any issuance of a stop work order, the *Portage County Board of Commissioners* shall request, in writing, the *Portage County Prosecuting Attorney* to seek an injunction or other appropriate relief in the court of common pleas, in accordance with Section XV of these rules.
2. The person to whom a stop work order is issued under this section may appeal the order to the *Portage County Court of Common Pleas*.

#### **XV. INJUNCTIVE RELIEF**

Notwithstanding the provisions of Section XIV of these rules, if a person has violated or continues to violate the provisions of these rules, the *Portage County Board of Commissioners* may request in writing that the *Portage County Prosecutor's Office* petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation. Each day of violation of any of these rules shall be considered a separate violation subject to a civil fine.

#### **XVI. COMPENSATORY ACTION**

In lieu of enforcement proceedings, penalties, and remedies authorized by these rules, the RESPONSIBLE LOCAL JURISDICTION may impose upon a violator alternative compensatory action, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc. The RESPONSIBLE LOCAL JURISDICTION may recover all attorneys' fees court costs and other expenses associated with enforcement of these rules, including sampling and monitoring expenses.

#### **XVII. REMEDIES NOT EXCLUSIVE**

The remedies listed in these rules are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the *Portage County Board of Commissioners* to seek cumulative remedies.

#### **XVIII. DEFINITIONS**

For the purposes of these rules, the following shall mean:

Authorized Enforcement Agency: The *Portage County Board of Commissioners*, its authorized employees, or its designees, including without limitation other County departments, boards, etc. not under the direct authority of the *Portage County Board of Commissioners*.

Best Management Practices (BMPs): schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. ' 1251 et seq.), and any subsequent amendments thereto.



Construction Activity. Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of 1 acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge. Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section VII of these rules.

Illicit Connections. An illicit connection is defined as either of the following:

Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an Authorized Enforcement Agency or,

Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an Authorized Enforcement Agency.

Illicit Discharge. Any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

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) that are:

- (a) Owned or operated by the federal government, state, municipality, township, county, district, or other public body (created by or pursuant to state or federal law) including special district under state law such as a sewer district, flood control district or drainage districts, or similar entity, or a designated and approved management agency under section 208 of the act that discharges into surface waters of the state; and
- (b) Designed or used for collecting or conveying solely storm water,
- (c) Which is not a combined sewer, and
- (d) Which is not a part of a publicly owned treatment works.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC ' 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge. Any discharge to the storm drain system that is not composed entirely of storm water.

Person : means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Drainage System. Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm Water. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Storm Water Pollution Prevention Plan: A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Storm water, Storm water Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

Surface Waters of the State means all streams, lakes, reservoirs, ponds, marshes, wetlands, or other waterways which are situated wholly or partly within the boundaries of the State, except those private waters which do not combine or affect a junction with a surface water. Waters defined as sewerage systems, treatment works, or disposal systems in Section 6111.01 of the ORC are not included.

Wastewater means any water or other liquid, other than uncontaminated storm water, discharged from a facility.

Resolution No. 09-0836  
"Exhibit B"

PORTAGE COUNTY CONSTRUCTION SITE SEDIMENT, EROSION, AND STORM WATER  
MANAGEMENT RULES

**RECITALS**

Flooding and streambank erosion in PORTAGE COUNTY are a significant threat to public health and safety and public and private property, and storm water quantity control slows runoff and reduces its erosive force, and flood damage.

Insufficient control of storm water quantity can result in significant damage to receiving water resources, impairing the capacity of these resources to sustain aquatic systems and their associated aquatic life use designations.

Soil is most vulnerable to erosion by wind and water during soil disturbing activities and this eroded soil necessitates repair of sewers and ditches and dredging of rivers, harbors, and lakes; accelerates downstream bank erosion and damage to public and private property; endangers water resources by reducing water quality; and causes the siltation of aquatic habitat.

There is a regional effort to reduce the flooding, erosion and sedimentation within various watersheds and PORTAGE COUNTY and to protect and enhance the water resources of PORTAGE COUNTY, and PORTAGE COUNTY recognizes its obligation as a part of a watershed and the region to reduce flooding and erosion and to protect water quality by controlling runoff within its borders.

PORTAGE COUNTY has experienced and continues to experience significant costs associated with inadequate erosion and sediment control including legal fees, engineering services, and increased state and federal regulation.

To promote public health and safety and sound economic development in PORTAGE COUNTY, it is important to provide homebuilders, developers, and landowners with consistent, technically feasible, and operationally practical standards for storm water management and soil erosion and sediment control.

Title 40 Code of Federal Regulations (C.F.R.) Parts 9, 122, 123, and 124, referred to as NPDES Storm Water Phase II, require designated communities, including PORTAGE COUNTY, to develop a Storm Water Management Program to address among other components, erosion, sedimentation, and the quality of storm water runoff during and after soil disturbing activities.

**I. PURPOSE**

The intent of these rules is to establish consistent technically feasible and operationally practical standards to achieve a level of storm water management, and erosion and sediment control that will minimize damage to public and private property and the degradation of water resources, and will promote and maintain the health, safety, and welfare of the residents of PORTAGE COUNTY.



These rules further intend, without limitation, to:

1. Allow development while minimizing increases in downstream flooding, erosion, and sedimentation.
2. Reduce damage to receiving water resources and drainage systems that are caused by new development or redevelopment activities.
3. Control storm water runoff resulting from soil disturbing activities.
4. Assure that development site owners control the volume and rate of storm water runoff originating from their property so that surface water and ground water are protected, soil erosion is controlled, and flooding potential is not increased.
5. Preserve to the maximum extent practicable the natural drainage characteristics of the building site and minimize the need to construct, repair, and replace enclosed storm drain systems.
6. Preserve to the maximum extent practicable natural infiltration and groundwater recharge, and maintain subsurface flow that replenishes water resources, wetlands, and wells.
7. Assure that storm water controls are incorporated into site planning and design at the earliest possible stage.
8. Prevent unnecessary stripping of vegetation and loss of soil, especially adjacent to water resources and wetlands.
9. Reduce the need for costly maintenance and repairs to roads, embankments, sewage systems, ditches, water resources, wetlands, and storm water management practices that are the result of inadequate soil erosion, sediment and storm water control.
10. Reduce the long-term expense of remedial projects needed to address problems caused by inadequate storm water, erosion and sediment control.
11. Require the construction of storm water management practices that serve multiple purposes including flood control, soil erosion and sediment control, and require water quality protection; and encourage such practices that promote recreation and habitat preservation.
12. Ensure that all storm water management, soil erosion and sediment control practices are properly designed, constructed, and maintained.

## **II. DISCLAIMER OF LIABILITY**

Neither submission of a plan under the provisions herein, nor compliance with the provisions of these regulations, shall relieve any person or entity from responsibility for damage to any person or property that is otherwise imposed by law.

## **III. CONFLICTS, SEVERABILITY, NUISANCES & RESPONSIBILITY**

- A. Where these rules imposes a greater restriction upon land than is imposed or required by other PORTAGE COUNTY regulations, the provisions of these rules shall prevail.

- B. If a court of competent jurisdiction declares any clause, section, or provision of these rules invalid or unconstitutional, the validity of the remainder shall not be affected thereby.
- C. These rules shall not be construed as authorizing any person to maintain a private or public nuisance on their property. Compliance with the provisions of these rules shall not be a defense in any action to abate such nuisance.
- D. Failure of PORTAGE COUNTY to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the owner from the responsibility for the condition or damage resulting there from, and shall not result in PORTAGE COUNTY, its officers, employees, or agents being responsible for any condition or damage resulting there from.

#### **IV. EFFECTIVE DATE**

These rules shall become effective on January 1, 2010.

#### **V. SCOPE**

These rules apply to all developments, unless specifically exempted, that have a larger common plan of development equal to or larger than one (1) acre in size of disturbed area.

Applicants for non-commercial sites with less than five (5) acres of disturbed area should contact the Portage County Board of Commissioners prior to Storm Water Pollution Prevention Plan (SWP3) submittal. The Portage County Board of Commissioners reserves the right to waive or amend, in writing, individual SWP3 submission requirements for such sites.

These rules do not apply to:

Land disturbing activities related to producing agricultural crops or Silviculture operations regulated by the Ohio Agricultural Sediment Pollution Abatement Rules (1501: 15-3-01 to 1501: 15-3-09 of the Ohio Administrative Code) and existing at the time of passage of this regulation.

Coal surface mining operations regulated by Chapter 1513 of the Ohio Revised Code and existing at the time of passage of this regulation.

Other surface mining operations regulated by Chapter 1514 of the Ohio Revised Code and existing at the time of passage of this regulation.

#### **VI. STORM WATER POLLUTION PREVENTION PLAN**

In order to control storm water damage and pollution of water resources, wetlands, riparian areas, and other natural areas, the owner of each development area shall be responsible for developing a comprehensive Storm Water Pollution Prevention Plan (SWP3). The SWP3 must address all minimum components of the current Ohio EPA NPDES Construction General Permit and conform to the specifications of the current edition of the Ohio Rain Water and Land Development Manual. The SWP3 must make use of the practices that preserve the existing natural condition to the maximum extent practicable.

##### **A. Narrative Description of Site**

1. A description of the nature and type of construction activity (e.g., low density residential, shopping mall, highway, etc.).
2. A description of the total area of the site and the area of the site that is expected to be disturbed (i.e., grubbing, clearing, excavating, filling or grading, including off-site borrow, fill or spoil areas and off-site utility installation areas).
3. A description of the prior land uses of the site.

4. An estimate of the impervious area and percent imperviousness created by the construction activity.
5. The name and/or location of the immediate receiving stream or surface water(s) and the first subsequent named receiving water and the major river watersheds in which it is located.
6. All pertinent permit information, including but not limited to NPDES and wetland permit numbers.
7. A description of the overall erosion and sediment control and water quality scheme for the site.

- B. Vicinity Map: Location map showing the larger common plan of development or sale in relation to surrounding area. Include location of receiving streams, wetlands and other surface waters.
- C. Clearing Limits & Grading Plan: Indicate limits and show acreage of earth disturbing activity, including excavations, filling, grading, and clearing of all areas and sublots. The entire subplot area shall be included. Show all borrow, spoil, and topsoil stockpile areas. Include existing and proposed topography shown in one (1) foot contours. Delineate drainage watersheds before, during and after major grading activities indicating the acreage of each area. Drainage maps for both pre-construction and post-construction conditions must also include flow paths used to determine time of concentration.
- D. Existing Development: Show locations of all prior land uses, existing and proposed buildings, roads, utilities, parking facilities, etc.
- E. Natural Feature & Surface Water Location: All pertinent surrounding natural features within 200 feet of the development site including, but not limited to:
1. Boundaries of wetlands and stream channels the owner intends to fill or relocate for which the applicant is seeking approval from the US Army Corps of Engineers and/or Ohio EPA. Wetland permit number(s) must be indicated on the cover page of the engineering drawings.
  2. Water resources such as wetlands, springs, lakes, ponds, rivers and streams (including intermittent streams with a defined bed and bank). The wetland class, as determined by the Ohio Rapid Assessment Method (ORAM), must be included.
  3. Conservation Easements
  4. Other sensitive natural features including, but not limited to, steep slopes and designated natural areas
- F. Soils Information: The types of soils within, or affected by, the development area, and the location of all highly erodible or unstable soils as determined by the most current edition of the Natural Resources Conservation Service (NRCS) soil survey of the county. An onsite, detailed Soils Engineering Report must be included if required by the Portage County Board of Commissioners and/or the Portage County Combined General Health District.
- G. Storm Water Runoff Considerations: Show the pre- and post-construction runoff coefficients including information such as the method used to calculate runoff. Include a narrative describing post-construction storm water management BMPs, the rationale for their selection, and long-term maintenance provisions. Refer to Ohio EPA NPDES Construction General Permit.
- H. Best Management Practices (BMPs): Show locations of all structural and non-structural erosion and sediment control, storm water management and post-construction water quality best management practices (BMPs). All structural and nonstructural BMPs must be drawn to scale. The size, detail

drawings, maintenance requirements and design calculations for all BMPs shall also be included. Settling ponds will be identified with basic dimensions and the calculations for size and volume.

- I. Schedule of Construction Activity: An implementation schedule which describes the sequence of major construction operations (i.e., grubbing, excavating, grading, utilities and infrastructure installation) and the installation of erosion, sediment and storm water management practices or facilities to be employed during each operation of the sequence.
- J. Sediment Trap Efficiency: All sediment basins and traps must maintain a minimum 75% trapping efficiency throughout the construction period as determined by engineering calculations.
- K. Off-Site Sediment Tracking: Minimize such tracking of sediments by vehicles by using gravel construction entrances and regularly-scheduled street sweeping. Show location of construction entrances and maintenance schedules for sweeping, if applicable.
- L. Individual Lots: For developments where the overall plan does not call for centralized sediment control capable of controlling multiple individual lots, a detail drawing of a project specific typical individual lot showing standard individual lot soil erosion and sediment control practices and the sequence and timing of BMP installation for the individual lots. This does not remove or eliminate the responsibility to designate and install specific soil erosion and sediment control practices for the storm water discharges.
- M. Maintenance & Inspections: For the construction phase of the development, include maintenance inspection requirements and schedules for all BMPs. For the post-construction phase of the development, include long-term maintenance requirements, appropriate legal agreements and/or easements, and schedules of all BMPs.
- N. Post-Construction Storm Water Quality: All sites five (5) or more acres in size must provide both structural and non-structural BMPs for water quality that capture and treat the Water Quality Volume. Refer to Ohio EPA NPDES Construction General Permit for design methodology. There can be no direct discharge of storm water from the site.
  - 1. The post-construction storm water quality component of the SWP3 must also include a long-term maintenance agreement, maintenance schedule, responsible party, and a funding mechanism to ensure the long-term function of the water quality structures, easements, and practices.
  - 2. Exemptions: Projects identified as exempt in Part III.G.2.e of the Ohio EPA NPDES Construction General Permit shall not need to comply with Post-Construction Storm Water Quality requirements.
  - 3. Off-site Mitigation: Post-Construction Storm Water Quality requirements may be satisfied through off-site mitigation per Part III.G.2.e of the Ohio EPA NPDES Construction General Permit with the following additional conditions:
    - a. Mitigation must be provided within Portage County, Ohio, as practicable.
    - b. Modifications to an existing storm water control facility shall not reduce flood control benefits provided by the facility for rainfall events of all recurrence intervals up to and including the 100-year event in association with Portage County regulations.
- O. Compliance With Other Rules & Regulations:
  - 1. NPDES Permits: The provisions of the National Pollutant Discharge Elimination System (NPDES) Permits, issued by the Ohio EPA, shall be followed. Proof of compliance shall be, but is not limited to, a copy of the Ohio EPA NPDES Permit number or a letter from the site owner

explaining why the NPDES Permit is not applicable. The written proof must be submitted with the SWP3.

2. Federal And State Wetland Permits: The provisions of the U.S. Army Corps of Engineers dredge and fill permits for federally-protected wetlands shall be followed. The provisions of Ohio EPA's Isolated Wetlands Permits shall also be followed. Wetlands and other waters of the United States shall be delineated on the entire site by protocols accepted by the U.S. Army Corps of Engineers and the Ohio EPA at the time of the application of these regulations. Written proof of compliance with both permit programs must be submitted with the SWP3.

Proof of compliance shall be, but is not limited to, the following:

- a. A copy of the permit(s), if required for the project, showing project approval and any restrictions that apply to site activities; **or**
  - b. A site plan showing that any proposed fill of waters of the United States conforms to the general and specific conditions specified in the applicable permit; **or**
  - c. A letter from the applicant verifying that a qualified professional has surveyed the site and found no wetlands or other waters of the United States; **or**
  - d. A letter of "no impact", or equivalent, from the permitting agency.
3. Ohio Dam Safety Laws: The provisions of the Ohio Dam Safety Laws shall be followed. Proof of compliance with the Ohio Dam Safety Law administered by the ODNR Division of Water shall be, but is not limited to, a copy of the ODNR Division of Water permit number or a copy of the project approval letter from the ODNR Division of Water or a letter from the site owner explaining why the Ohio Dam Safety Law is not applicable. The written proof must be submitted with the SWP3.

## VII. PERFORMANCE STANDARDS

The SWP3 must contain a description, location and sequence of all BMPs for each construction operation.

Within seven (7) days of the start of clearing and grubbing the applicant must implement such controls. All BMPs must meet the criteria in the Ohio EPA Construction General Permit, NRCS Field Office Technical Guide, or the Ohio Rainwater and Land Development Manual, whichever is most stringent.

No project subject to this regulation shall commence without a SWP3 approved by the Portage County Board of Commissioners.

Upon receipt of SWP3 approval from the Portage County Board of Commissioners, the project owner shall erect weatherproof signage at locations selected by the Portage County Board of Commissioners that is clearly legible from the adjoining public rights-of-way and that states the following information:

Project Name

Project Owner Name

**General Contractor Name**

Project Purpose

Phone Number for Portage County Board of Commissioners preceded by "REPORT SOIL EROSION AND SEDIMENT CONTROL VIOLATIONS BY CALLING:"

The Portage County Board of Commissioners shall investigate public complaints and utilize enforcement measures included in these rules. The signage shall be in place before commencement of soil disturbance through final site stabilization and submittal of the Ohio EPA NPDES Construction General Permit Notice of Termination (NOT) paperwork. The Portage County Board of Commissioners is the sole entity with authority to judge whether signage is adequately legible according to the terms of these rules.



No project subject to these rules shall commence without a pre-construction meeting being held with the Portage County Board of Commissioners. It is the responsibility of the developer or landowner to contact the Portage County Board of Commissioners to arrange this meeting.

The controls shall include the following minimum components:

A. DURING ACTIVE CONSTRUCTION

1. NON-STRUCTURAL PRESERVATION MEASURES: The applicant must make use of practices that preserve the existing natural conditions to the maximum extent practicable. Such practices may include: maintaining wetland and riparian setbacks, preserving existing vegetation and vegetative buffer strips, phasing of construction operations to minimize the amount of disturbed land at any one time, and designation of tree preservation areas or other protective clearing and grubbing practices.
2. EROSION CONTROL PRACTICES: The applicant must make use of erosion controls that are capable of providing cover over disturbed soils. A description of practices designed to restabilize disturbed areas after grading or construction shall be included in the SWP3. The SWP3 must provide specifications for stabilization of all disturbed areas of the site and provide guidance as to which method of stabilization will be employed for any time of the year. Such practices may include: temporary seeding, permanent seeding, mulching, matting, sod stabilization, vegetative buffer strips, phasing of construction activities, and alternative groundcover.
3. SEDIMENT CONTROL PRACTICES: The applicant must install structural practices that shall store runoff, allowing sediments to settle and/or divert flows away from exposed soils or otherwise limit runoff from exposed areas. Structural practices shall be used to control erosion and trap sediment from a site remaining disturbed for more than fourteen (14) days. Control practices shall be installed prior to grading and within seven (7) days from the start of grubbing. Practices may include: sediment settling ponds, silt fences, storm drain inlet protection, and earth diversion dikes or channels which direct runoff to a sediment settling pond. All sediment control practices must be capable of ponding runoff in order to be considered functional. Earth diversion dikes or channels alone are not considered a sediment control practice unless used in conjunction with a sediment settling pond.
4. RUNOFF CONTROL PRACTICES: The applicant must make use of measures that control the flow of runoff from disturbed areas and steep slopes so as to prevent erosion. Such practices may include: rock check dams, pipe slope drains, diversions to direct flow away from exposed soils, and protective grading practices that incorporate ground water infiltration.
5. NON-SEDIMENT POLLUTANT CONTROLS: The applicant must implement appropriate BMPs to prevent toxic materials, hazardous materials, or other debris from entering water resources or wetlands. No solid or liquid waste, including building materials, shall be discharged in storm water runoff.
6. TRENCH AND GROUND WATER CONTROL: There shall be no sediment-laden discharges to water resources or wetlands resulting from dewatering activities. If trench or groundwater contains sediment, it must pass through a sediment settling pond or other equally effective sediment control device prior to being discharged from the construction site. Ground water dewatering which does not contain sediment or other pollutants is not required to be treated

prior to discharge. However, care must be taken when discharging to ensure that it does not become pollutant-laden by traversing over disturbed soils or other pollutant sources.

7. **COMPLIANCE WITH OTHER REQUIREMENTS:** The SWP3 shall be consistent with applicable State and/or local waste disposal, sanitary sewer, or home sewage treatment system regulations, including provisions prohibiting waste disposal by open burning, and shall provide for the proper disposal of contaminated soils located within the development area.
8. **INTERNAL INSPECTIONS:** All controls must be inspected by the applicant or a qualified agent of the applicant at least once every seven (7) calendar days and within 24 hours after any storm event greater than one-half inch of rain per 24-hour period. The purpose of the inspection is to ensure that the control practices are functional and to evaluate whether the SWP3 is adequate, or whether additional control measures are required. Inspection logs must be maintained according to the current Ohio EPA NPDES Construction General Permit, and must be made available upon request.
9. **MAINTENANCE:** The SWP3 shall be designed to minimize maintenance requirements. All control practices shall be maintained and repaired as needed to ensure continued performance of their function until final stabilization.

When inspections reveal the need for repair, replacement or installation of erosion and sediment control BMPs, the following procedures shall be followed:

- a. When practices require repair or maintenance: If an inspection reveals that a control practice is in need of repair or maintenance, with the exception of a sediment settling pond, it must be repaired or maintained within three (3) days of the inspection. Sediment settling ponds must be repaired or maintained within ten (10) days of the inspection.
- b. When practices fail to provide their intended function: If an inspection reveals that a control practice fails to perform its intended function as detailed in the SWP3, and that another, more appropriate control practice is required, the SWP3 must be amended and the new control practice must be installed within ten (10) days of the inspection.
- c. When practices depicted on the SWP3 are not installed: If an inspection reveals that a control practice has not been implemented in accordance with the schedule, the control practice must be implemented within ten (10) days from the date of the inspection. If the internal inspection reveals that the planned control practice is not needed, the record must contain a statement of explanation as to why the control practice is not needed.

10. **PRE-WINTER STABILIZATION:** If the development area will, or is planned to, remain active through the winter months, the owner of the development area shall hold a Pre-Winter Stabilization Meeting. The meeting will be held before October 1<sup>st</sup>. The applicant shall invite the operator, developer, engineer, contractor, and Portage County Board of Commissioners.
11. **FINAL STABILIZATION:** Final stabilization is reached when 75% of the disturbed area has been protected from erosion by permanent vegetation, clean stone, pavement or other acceptable means.

#### B. POST-CONSTRUCTION WATER QUALITY PRACTICES

1. **NON-STRUCTURAL WATER QUALITY PRACTICES:** Non-structural post-construction best management practices include preservation, planning or procedures that protect sensitive natural areas, direct development away from water resources, and limit the creation of

impervious surfaces. Examples of such practices include: conservation easements, riparian and wetland setbacks, conservation subdivision design, and low impact development design.

- a. All non-structural water quality practices must be protected from disturbance through the construction phase of the project.
- b. All non-structural water quality practices must be protected in perpetuity through the use of appropriate legal tools. All easement or conservation areas must appear on the final plat and be disclosed to potential buyers.
- c. All non-structural post-construction water quality practices must have a maintenance agreement with an inspection schedule that details the maintenance types and methods to be used. The agreement must also identify the responsible party and include a detailed funding mechanism.

2. **STRUCTURAL WATER QUALITY PRACTICES:** Structural post-construction practices are permanent features designed and constructed to provide treatment of storm water runoff either through storage, infiltration, or filtration. They must be capable of treating the Water Quality Volume with target drain times as defined in Ohio EPA's Construction General permit for all sites greater than or equal to 5 acres. Examples of such practices include: wet detention ponds, dry extended detention ponds, constructed wetlands, sand and organic filters, bioretention cells, water quality swales, vegetative filter strips, and infiltration trenches or basins.

- a. All structural water quality practices must be installed prior to the completion of the project. Structural water quality practices should be made functional once the disturbed areas on site are stabilized. If detention/retention facilities were used for sediment control during development, sediments must be removed prior to the basin being used for post-construction storm water quality.
- b. All structural post-construction water quality practices must have a maintenance agreement with an inspection schedule that details the maintenance types and methods to be used. The agreement must also identify the responsible party and include a detailed funding mechanism.

These performance standards are general guidelines and shall not limit the right of the Portage County Board of Commissioners to impose in the future additional, more stringent requirements, nor shall the standards limit the right of the Portage County Board of Commissioners to waive, in writing, individual requirements.

#### **VIII. EASEMENTS**

Future access to floodplains, flood control facilities, runoff drainage ditches and channels, runoff storage facilities, storm sewers and other drainage ways and structures, as required by the Portage County Board of Commissioners, shall be secured by means of easements.

- A. The easements shall be recorded in the name of the Portage County Board of Commissioners and, in single-family residential developments, the homeowners association.
- B. Such easements shall be not less than thirty (30) feet in width, in addition to the width of the ditch, channel, or other facility it is to serve. Access easements of this type shall be provided on one (1) side of the flood control or storm drainage ditch, channel, or similar type facility.
- C. Access adjacent to storm water facilities shall consist of a minimum thirty (30) foot easement in the case of detention (dry) basins, and a minimum thirty (30) foot easement with a minimum thirty (30) foot level bench in the case of retention (wet) basins, measured from the top of the bank, and shall include the storage facility itself.



- D. Easements for the emergency flow ways shall be a minimum of thirty (30) feet in width, or larger if required by the Portage County Board of Commissioners.
- E. Flood control or storm drainage easements containing underground facilities shall have a minimum width of thirty (30) feet.
- F. The easements shall be restricted against the planting within said easement of trees, shrubbery or plantings with woody growth characteristics that would impede the flow of water, and against the construction therein of buildings, accessory buildings, fences, walls or any other obstructions to the free flow of storm water and the movement of inspectors and maintenance equipment and also restricted against the changing of final grade from that described by the grading plan.
- G. The easements shall connect to a public right-of-way with a minimum thirty (30) foot frontage along said public right-of-way.

#### **IX. CONSTRUCTION AND MAINTENANCE GUARANTEE**

All permanent storm water, soil erosion, other wastes control, and water quality practices not specifically waived by Portage County Board of Commissioners shall be constructed prior to the granting of the final plat approval.

The owner will provide a maintenance guarantee for all permanent improvements, and soil erosion, wastes controls, and water quality practices.

The Portage County Board of Commissioners shall require a Security Bond, Escrow Account, Certified Check or Cash to guarantee that the planned temporary and permanent soil erosion, sediment, and other wastes controls and water quality practices will be constructed and removed in a timely manner, as determined by the Portage County Board of Commissioners.

- A. The Guarantee: The guarantee of both performance and maintenance will be in the form of a Security Bond, Escrow Account, Certified Check, or Letter of Credit. The Security Bond, Escrow Account, Certified Check, or Letter of Credit will be used by PORTAGE COUNTY to complete any guaranteed construction or removal of improvements or temporary and permanent soil erosion, sediment, and other wastes control practices that are not adequately completed, maintained or removed by the owner in a timely manner, as determined by the Portage County Board of Commissioners. The Security Bond, Escrow Account, Certified Check, or Letter of Credit will be in the total amount of both the performance guarantee and the maintenance guarantee.
  - 1. Security Bond, Escrow Account, Certified Check, or Letter of Credit shall be deposited with Portage County Board of Commissioners prior to review by the Portage County Board of Commissioners and/or its consultants to cover professional services of the Portage County Board of Commissioners Building Commissioner, Zoning Inspector and/or other experts required by the Portage County Board of Commissioners.
  - 2. No soil disturbing activities shall be permitted until a Security Bond, Escrow Account, Certified Check, or Letter of Credit has been posted to the satisfaction of the Portage County Board of Commissioners sufficient for Portage County Board of Commissioners to perform the obligations otherwise to be performed by the owner or person responsible for the development area as stated in this regulation, and to allow all work to be performed as needed in the event that the owner or person responsible for the development area fails to comply with the provisions of this regulation. The Security Bond, Escrow Account, Certified Check, or Letter of Credit shall be released only after all work required by this regulation has been completed to the satisfaction of

the Portage County Board of Commissioners and all permit and inspection fees required by these regulations have been paid in full.

- B. Performance Guarantee: The furnishing of a performance guarantee will be maintained in an amount of not less than 120% of the estimate approved by the Portage County Board of Commissioners, of installation of the deferred improvements.
- C. Maintenance Guarantee: The maintenance guarantee shall be maintained for a period of not less than two (2) years after final acceptance of the storm water, soil erosion, sediment, and other wastes control practices in an amount equal to 20% of the estimate approved by the Portage County Board of Commissioners for the construction and, where necessary, removal of such practices.
- D. Time Extension: The Portage County Board of Commissioners may extend for cause the time allowed for the installation of the improvements for which the performance guarantee has been provided with the receipt of a written request from the owner.
- E. Completion: Upon completion of the construction of improvements or temporary and/or permanent, soil erosion, sediment, and other wastes control practices and the removal of the temporary soil erosion, sediment, and other wastes control practices for which the performance guarantee has been provided the owner shall notify the Portage County Board of Commissioners of this fact.
- F. Inspection: The Portage County Board of Commissioners will not release the Security Bond, Escrow Account, Certified Check, or Letter of Credit guarantee until the Portage County Board of Commissioners has inspected the site to ensure that the guaranteed item(s) have been completed and/or removed.
- G. Slow Release Devices: Performance and maintenance guarantees will be maintained on the temporary sediment removal slow release devices installed in detention and retention basins until the entire site has reached final soil stabilization. Final stabilization in single-family residential developments is when 90% of the homes are constructed with their lawns completely installed and any remaining unbuilt lots having been permanently stabilized with a uniform ground cover at a growth density of 80% or better.
- H. Release: The Construction Maintenance Guarantee shall not be released by Portage County Board of Commissioners until all temporary soil erosion and sediment control practices that are no longer needed have been removed, properly disposed of and any trapped sediment has been stabilized.

#### **X. VIOLATIONS AND PENALTIES**

- A. No person shall violate, or cause, or knowingly permit to be violated, any of the provisions of these rules, or fail to comply with any such provisions or with any lawful requirements of any public authority made pursuant to these rules, or knowingly use or cause or permit the use of any lands in violation of these rules or in violation of any permit granted under these rules.
- B. Whenever the Portage County Board of Commissioners finds that a person has violated a prohibition or failed to meet a requirement of these rules in conjunction with a failure to obtain any federal, state, or local permit necessary for sediment and erosion control, earth movement, clearing, or cut and fill activity; the Portage County Board of Commissioners may issue a stop work order to the responsible person. Upon receipt from the Portage County Board of Commissioners, of such a stop work order, such work shall immediately stop. The order shall be in writing and shall be given to the owner or person responsible for the development area, or person performing the work, and

shall state the conditions under which such work may be resumed; provided, however, in instances where immediate action is deemed necessary for public safety or the public interest, the Portage County Board of Commissioners may require that work be stopped upon verbal order pending issuance of the written order.

C. Notwithstanding the provisions of Paragraph B of this Section, whenever the Portage County Board of Commissioners finds that a person has violated any prohibition or failed to meet any requirement of these rules, the Portage County Board of Commissioners may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

1. That violating practices or operations shall cease and desist;
2. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
3. Payment of a fine to cover administrative and remediation costs; and
4. The implementation of source control or treatment BMPs.

E. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the Portage County Board of Commissioners may seek to have the work done by a designated governmental agency or a contractor, and the expenses charged to the violator.

F. If, after a period of not less than thirty days has elapsed following the issuance of the notice of violation, the violation continues, the Portage County Board of Commissioners may issue a second notice of violation, including any relevant updated information.

F. If, after a period of not less than fifteen days has elapsed following the issuance of the second notice of violation, the violation continues, the Portage County Board of Commissioners may issue a stop work order in accordance with R.C. 307.79. The conditions of the issuance of such stop work order shall be the same as those set forth in Paragraph B of this Section.

1. In the case of any issuance of a stop work order under this section, the Portage County Board of Commissioners shall request, in writing, the Portage County Prosecuting Attorney to seek an injunction or other appropriate relief in the court of common pleas, in accordance with Section XI of these rules.

2. The person to whom a stop work order is issued under this section may appeal the order to the Portage County Court of Common Pleas.

#### **XI. INJUNCTIVE RELIEF**

Notwithstanding the provisions of Section X of these rules, if a person has violated or continues to violate the provisions of these rules, the Portage County Board of Commissioners may request in writing that the Portage County Prosecutor's Office petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation. Each day of violation of any of these rules shall be considered a separate violation subject to a civil fine.

#### **XII. APPLICATION PROCEDURES FOR STORM WATER POLLUTION PREVENTION PLANS:**

A. Five (5) sets of the SWP3 and necessary data required by this regulation shall be submitted to the

Portage County Board of Commissioners with text material being submitted on 8.5 by 11 inch paper and drawings on no larger than 24 by 36 inch sized paper. The SWP3 shall be prepared and signed by a professional in soil and erosion control. Acceptable examples include a Professional Engineer licensed to practice in the State of Ohio or a Certified Professional in Erosion and Sediment Control (CPESC).

- B. The application must include a letter or report from the Portage Soil and Water Conservation District that states that the SWP3 has been reviewed for consistency with Ohio EPA and local regulations.
- C. The SWP3 developed by the site owners and approved by Portage County Board of Commissioners in accordance with this regulation do not relieve the site owner of responsibility for obtaining and complying with all other necessary permits and/or approvals from federal, state, county, and local agencies and departments. If requirements vary, the most stringent requirement shall be followed.
- D. The Portage County Board of Commissioners shall review the SWP3 and supporting data, and shall approve or return these with comments and recommendations for revisions within thirty (30) working days after receipt of the SWP3 as described above. A SWP3 rejected because of deficiencies shall receive a report stating specific problems. At the time of receipt of a revised SWP3, another thirty (30) day review period shall begin.
- E. Approved plans shall remain valid for two (2) years from the date of approval. After two (2) years the plan(s) approval automatically expires
- F. No soil disturbing activity shall begin before the SWP3 has been approved by the Portage County Board of Commissioners, or before all necessary local, county, state and federal permits have been granted to the owner or operator.
- G. The Portage County Board of Commissioners will perform site inspections until the site reaches final stabilization as determined by the Portage County Board of Commissioners.
- H. The Portage County Board of Commissioners shall assess fees for site and storm water plan reviews, as well as site inspections as follows:

Plan Review: \$125/hr  
Inspection: \$85/hr

### **XIII. DEFINITIONS, as used in these rules:**

**BEST MANAGEMENT PRACTICE (BMP):** Any practice or combination of practices that is determined to be the most effective, practicable (including technological, economic, and institutional considerations) means of preventing or reducing the amount of pollution generated by nonpoint sources of pollution to a level compatible with water quality goals. BMPs may include structural practices, conservation practices and operation and maintenance procedures.

**CHANNEL:** A natural stream that conveys water, or a ditch or channel excavated for the natural flow of water.

**CONSERVATION:** The wise use and management of natural resources.

**DETENTION BASIN:** A storm water management pond that remains dry between storm events. Storm water management ponds include a properly engineered/designed volume which is dedicated to the temporary storage and slow release of runoff waters.

**DEVELOPMENT AREA:** Any tract, lot, or parcel of land, or combination of tracts, lots or parcels of land, which are in one ownership, or are contiguous and in diverse ownership, where earth-disturbing activity is to be performed.

**DISTURBED AREA:** An area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.

**DITCH:** An excavation, either dug or natural, for the purpose of drainage or irrigation, and having intermittent flow.

**EARTH DISTURBING ACTIVITY:** Any grading, excavating, filling, or other alteration of the earth's surface where natural or man-made ground cover is destroyed.

**EARTH MATERIAL:** Soil, sediment, rock, sand, gravel, and organic material or residue associated with or attached to the soil.

**EROSION:** The process by which the land surface is worn away by the action of water, wind, ice or gravity.

**EXISTING:** In existence at the time of the passage of these regulations.

**FINAL STABILIZATION:** All soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of at least 70% coverage for the area has been established or equivalent stabilization measures, such as the use of mulches or geotextiles, have been employed.

**GRADING:** Earth disturbing activity such as excavation, stripping, cutting, filling, stockpiling, or any combination thereof.

**GRUBBING:** Removing, clearing or scalping material such as roots, stumps or sod.

**LARGER COMMON PLAN OF DEVELOPMENT OR SALE:** A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

**LANDSLIDE:** The rapid mass movement of soil and rock material downhill under the influence of gravity in which the movement of the soil mass occurs along an interior surface of sliding.

**MAXIMUM EXTENT PRACTICABLE:** The level of pollutant reduction that site owners of small MS4s regulated under the NPDES Phase II permit program.

**NATURAL RESOURCES CONSERVATION SERVICE (NRCS):** An agency of the United States Department of Agriculture, formerly known as the Soil Conservation Service (SCS).

**NPDES PERMIT:** A National Pollutant Discharge Elimination System Permit issued by Ohio EPA under the authority of the USEPA, and derived from the Federal Clean Water Act.

**OHIO EPA:** The Ohio Environmental Protection Agency.



**OHIO RAINWATER & LAND DEVELOPMENT MANUAL:** Ohio's standards for storm water management, land development, and urban stream protection. The most current edition of these standards shall be used with this regulation.

**PERSON:** Any individual, corporation, partnership, firm, trust, commission, board, joint venture, agency, unincorporated association, municipal corporation, township, county, state agency, the federal government, other legal entity, or an agent thereof.

**PORTAGE COUNTY BOARD OF COMMISSIONERS:** The board consisting of the duly elected commissioners of Portage County, or the Board's authorized representative or delegate, by direct employment or by contract.

**REDEVELOPMENT:** The demolition or removal of existing structures or land uses and construction of new ones.

**RETENTION BASIN:** A storm water management pond that maintains a permanent pool of water. These storm water management ponds include a properly engineered/designed volume dedicated to the temporary storage and slow release of runoff waters.

**RIPARIAN AREA:** Naturally vegetated land adjacent to watercourses which, if appropriately sized, helps to stabilize streambanks, limit erosion, reduce flood flows, and/or filter and settle out runoff pollutants, or which performs other functions consistent with the purposes of these regulations.

**RIPARIAN SETBACK:** Those vegetated lands which are alongside streams where earth disturbing activities will not take place and natural vegetation will not be removed.

**SEDIMENT:** Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, gravity or ice, and has come to rest on the earth's surface either on dry land or in a body of water.

**SEDIMENT SETTLING POND:** A temporary sediment pond that releases runoff at a controlled rate. It is designed to slowly release runoff, detaining it long enough to allow most of the sediment to settle out of the water. The outlet structure is usually a designed pipe riser and barrel. The entire structure is removed after construction. Permanent storm water detention structures can be modified to function as temporary sediment basins.

**SEDIMENT CONTROL:** The limiting of sediment being transported by controlling erosion or detaining sediment-laden water and, allowing the sediment to settle out.

**SEDIMENT POLLUTION:** A failure to use management or conservation practices to control wind or water erosion of the soil and to minimize the degradation of water resources by soil sediment in conjunction with land grading, excavating, filling, or other soil disturbing activities on land used or being developed for commercial, industrial, residential, or other purposes.

**SENSITIVE NATURAL AREA:** An area or water resource that requires special management because of its susceptibility to sediment pollution, or because of its importance to the well-being of the surrounding communities, region, or the state. It may also be referred to as a critical natural area.

**SETTLING POND:** A runoff detention structure, such as a sediment basin or sediment trap, which detains sediment-laden runoff, allowing sediment to settle out.

**SOIL:** Unconsolidated erodible earth material consisting of minerals and/or organics.

**SOIL EROSION AND SEDIMENT CONTROL PRACTICES:** Conservation measures used to control sediment pollution and including structural practices, vegetative practices and management techniques.

**SOIL STABILIZATION:** Vegetative or structural soil cover that controls erosion, and includes permanent and temporary seeding, mulch, sod, pavement, etc.

**SOIL SURVEY:** The official soil survey produced by the Natural Resources Conservation Service, USDA in cooperation with the Division of Soil and Water Conservation, ODNR and the local Board of County Commissioners.

**STORM WATER CONVEYANCE:** All storm sewers, channels, streams, ponds, lakes, etc., used for conveying concentrated storm water runoff, or for storing storm water runoff.

**STORM WATER POLLUTION PREVENTION PLAN (SWP3):** The plan required by Ohio EPA to meet the requirements of its National Pollutant Discharge Elimination System (NPDES) Permit program for construction activities.

**STREAM:** A body of water running or flowing on the earth's surface, or a channel with a defined bed and banks in which such flow occurs. Flow may be seasonally intermittent.

**SWCD:** Soil & Water Conservation District.

**UNSTABLE SOIL:** A portion of land surface or area which is prone to slipping, sloughing or landslides, or is identified by Natural Resources Conservation Service methodology as having a low soil strength.

**USEPA:** The United States Environmental Protection Agency.

**WASTEWATER:** Any water that is contaminated with gasoline, fuel oil, hydrocarbon based chemicals, paint, paint washing liquids or other paint wastes, sanitary wastes, or any other Ohio EPA regulated contaminants.

**WATERCOURSE:** Any natural, perennial, or intermittent channel with a defined bed and banks, stream, river or brook.

**WATER RESOURCES:** All streams, lakes, ponds, wetlands, water courses, waterways, drainage systems, and all other bodies or accumulations of surface water, either natural or artificial, which are situated wholly or partly within, or border upon this state, or are within its jurisdiction, except those private waters which do not combine or affect a junction with natural surface waters.

**WETLAND:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. (40 Codified Federal Register (CFR) 232, as amended). Wetlands shall be delineated by a site survey approved by PORTAGE COUNTY using delineation protocols accepted by the U.S. Army Corps of Engineers and the Ohio EPA at the time of application of this regulation. If a conflict exists between the delineation protocols of these two agencies, the delineation protocol that results in the most inclusive area of wetlands shall apply.

**WETLAND SETBACK:** Those lands adjacent to wetlands where earth disturbing activities will not take place and natural vegetation will not be removed.

**WINTER:** October 1<sup>st</sup> to April 1<sup>st</sup> of each year.

## **Appendix F**

SWMP Tables of Organization

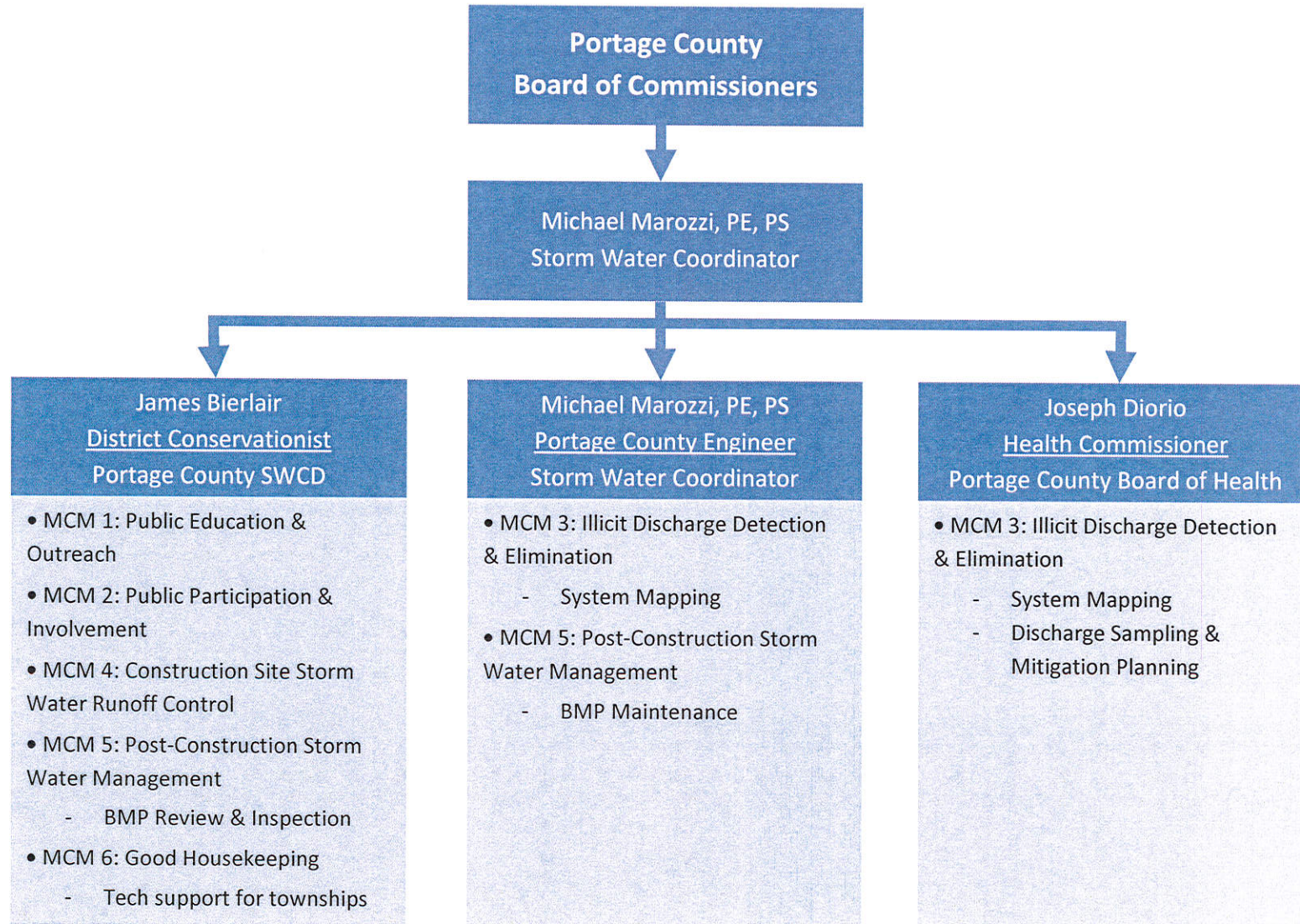


**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
Master Table of Organization  
2017**

Portage County and Townships	<ul style="list-style-type: none"><li>• Lead: Portage County Board of Commissioners</li><li>• Contact: Michael Marozzi, PE, PS, Storm Water Coordinator, (330) 296-6411</li></ul>
City of Ravenna	<ul style="list-style-type: none"><li>• Lead: Mayor Frank Seman</li><li>• Contact: Patrick Jeffers, City of Ravenna Asst. Engineer (330) 296-5666</li></ul>
City of Streetsboro	<ul style="list-style-type: none"><li>• Lead: Mayor Glenn Broska</li><li>• Contact: John Cieszkowski, Planning &amp; Zoning Director (330) 626-4942 Ext. 128</li></ul>
Brady Lake Village	<ul style="list-style-type: none"><li>• Lead: Mayor Hal Lehman (330) 673-5998</li></ul>
Village of Sugar Bush Knolls	<ul style="list-style-type: none"><li>• Lead: Mayor John Guidubaldi (330) 626-9651</li></ul>

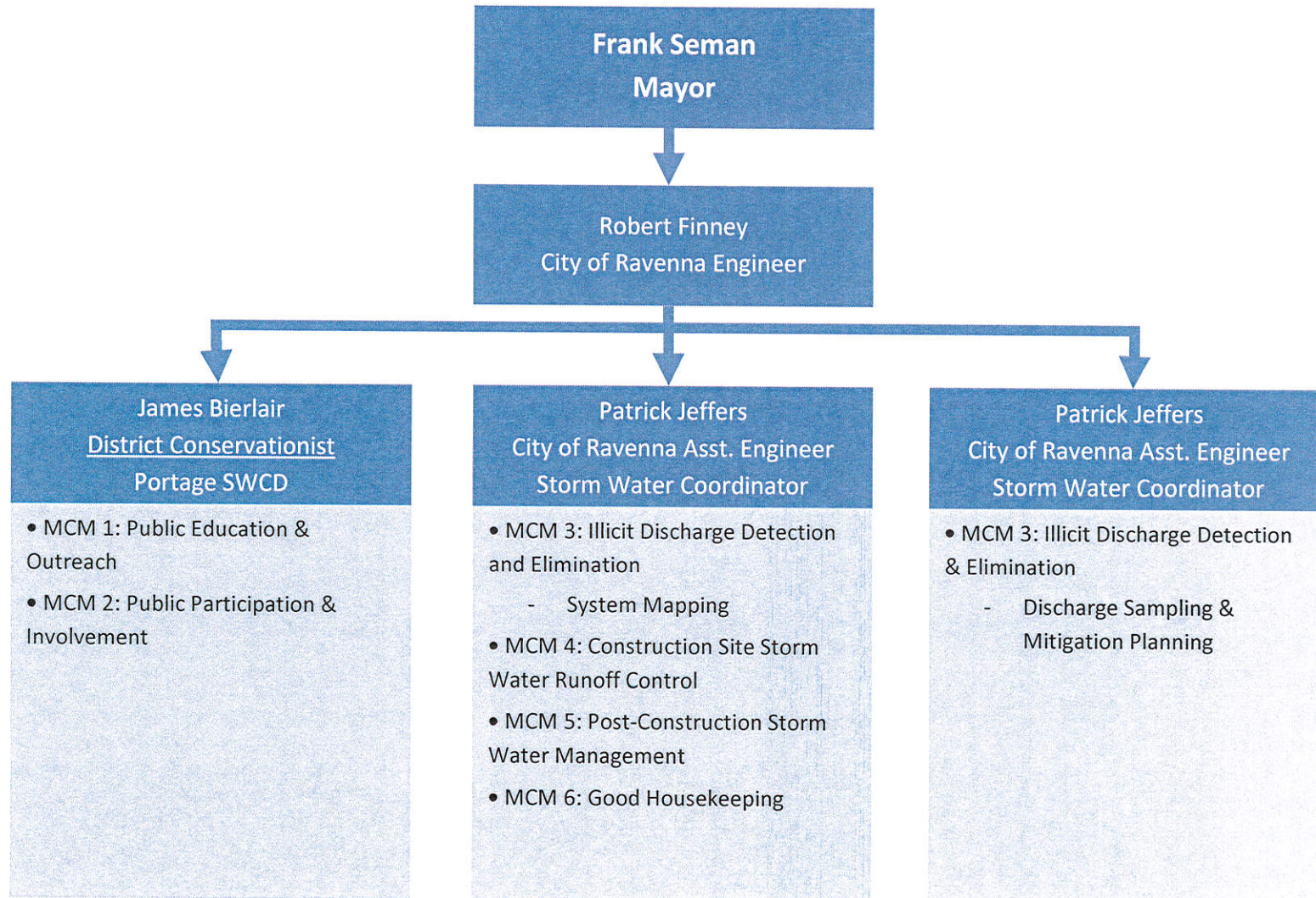


**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
Portage County and Townships Detailed Table of Organization**



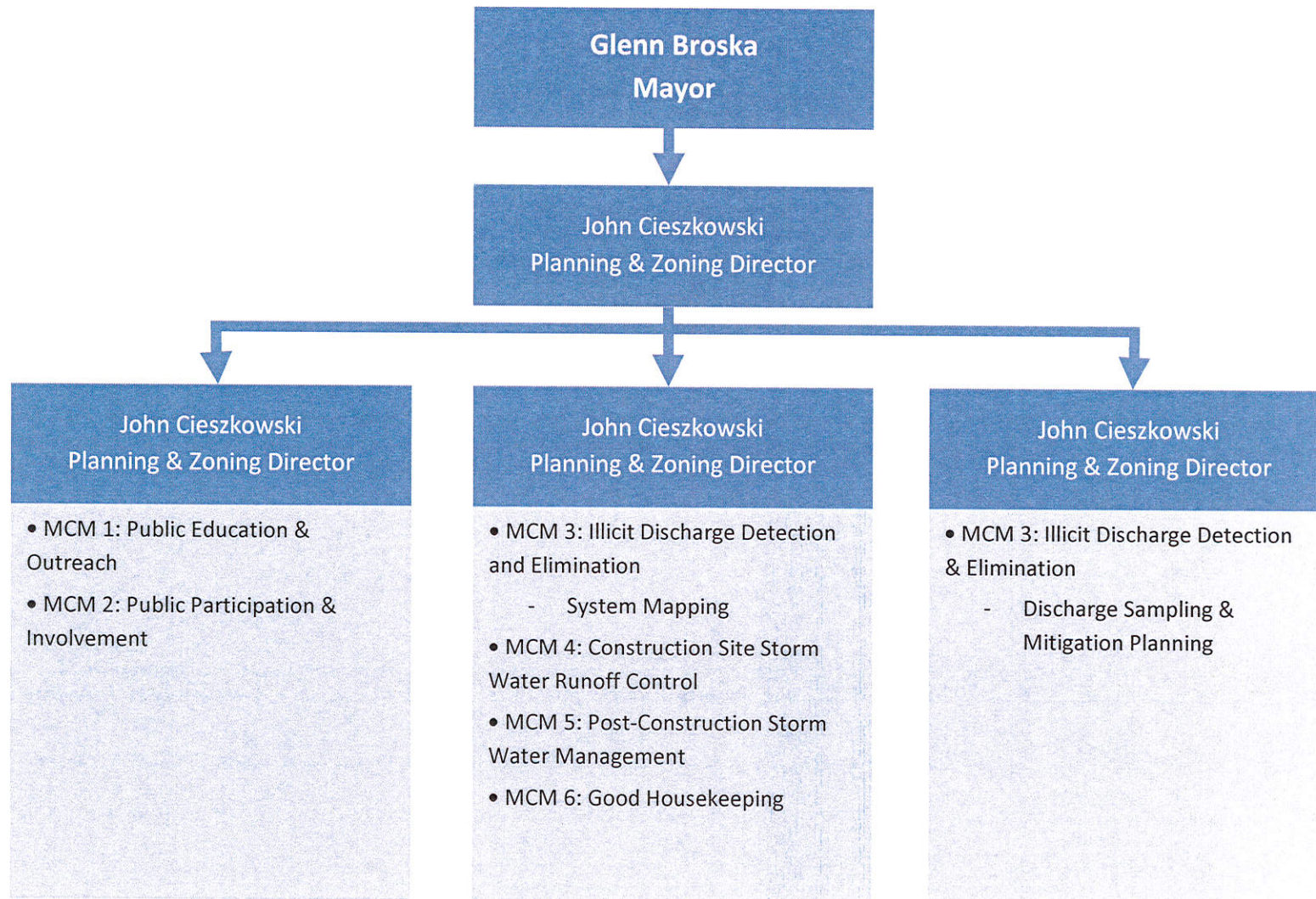


**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
City of Ravenna Detailed Table of Organization**



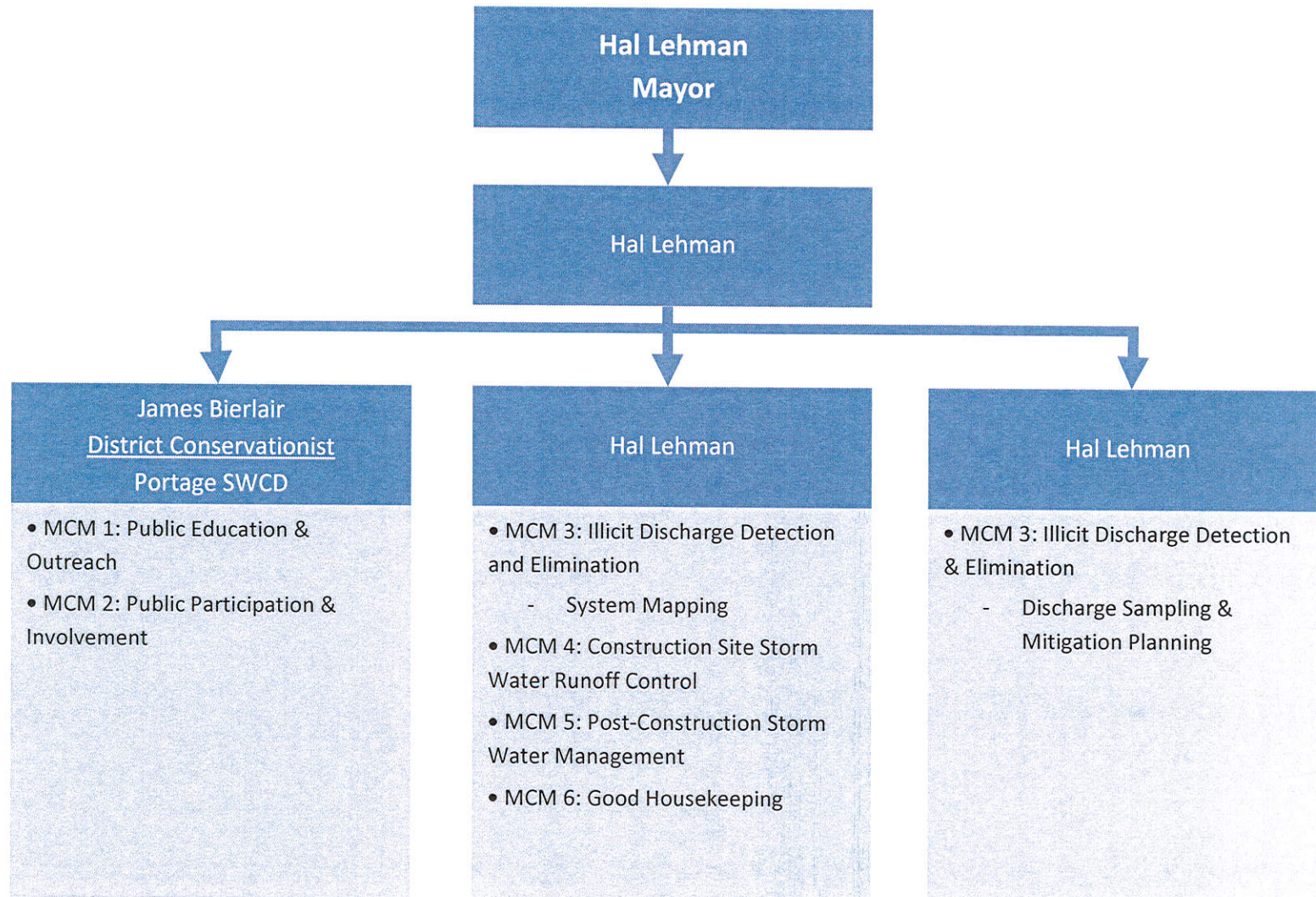


**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
City of Streetsboro Detailed Table of Organization**



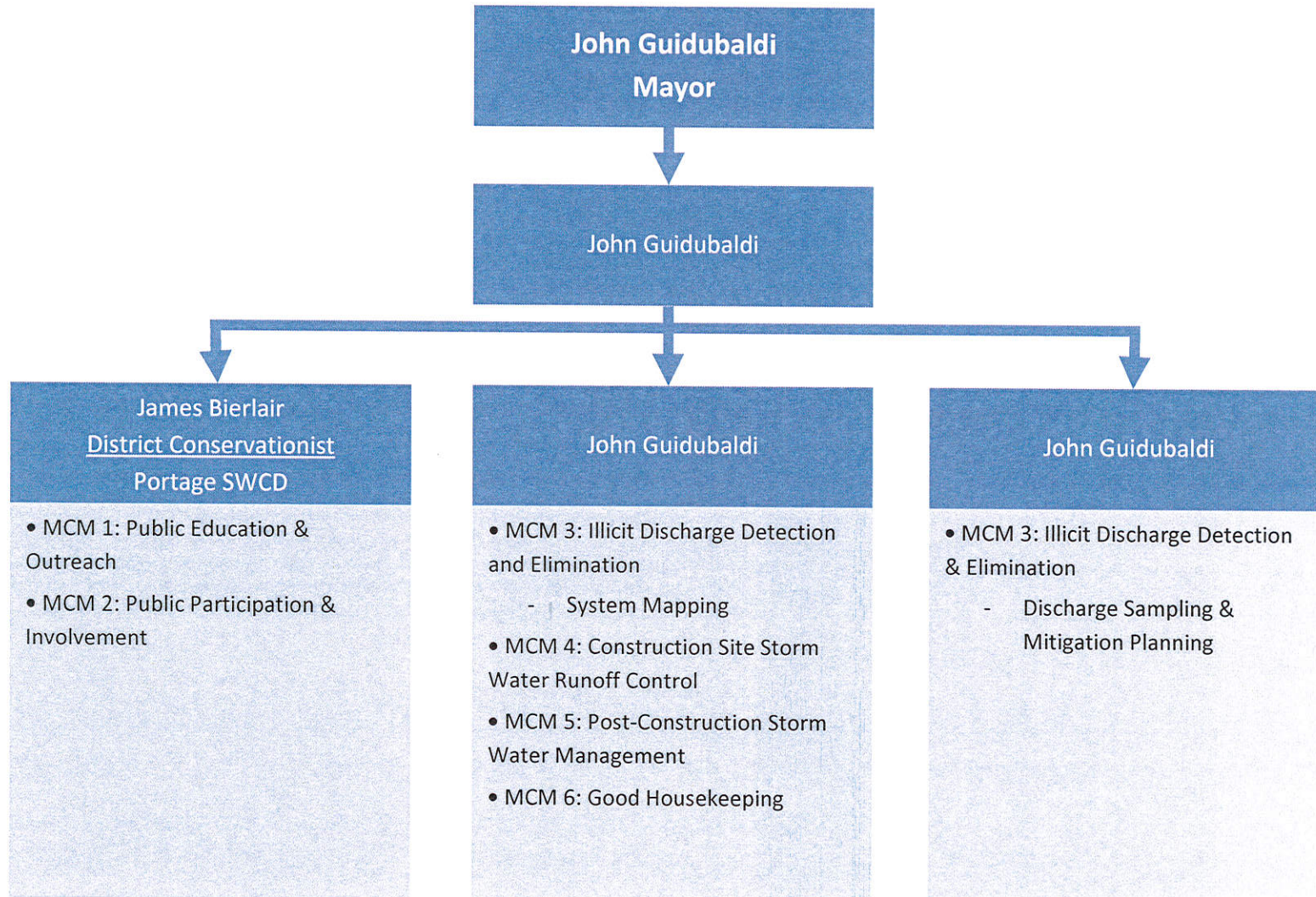


**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
Village of Brady Lake Detailed Table of Organization**





**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
Village of Sugar Bush Knolls Detailed Table of Organization**

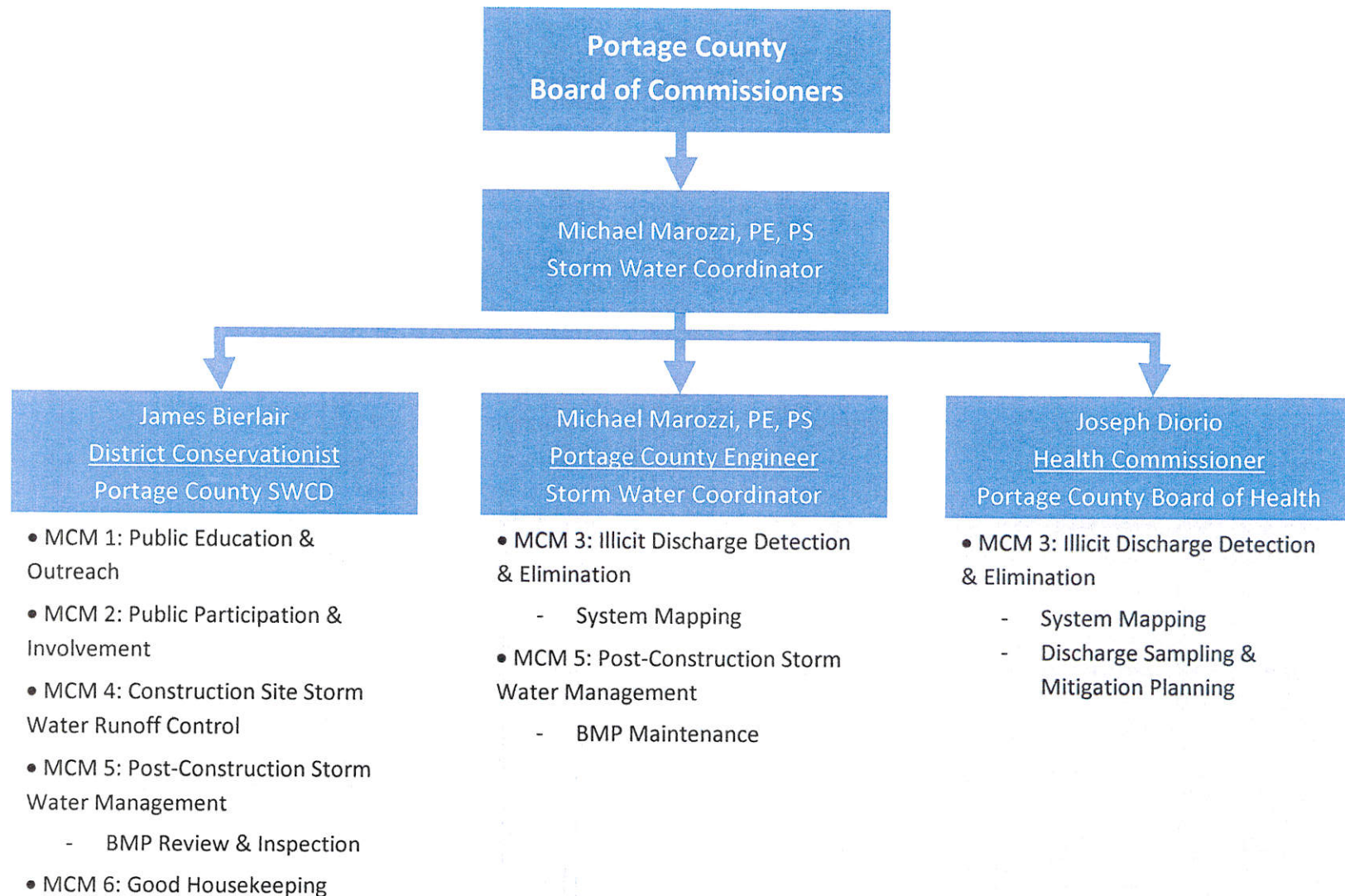




**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
Master Table of Organization  
2016**

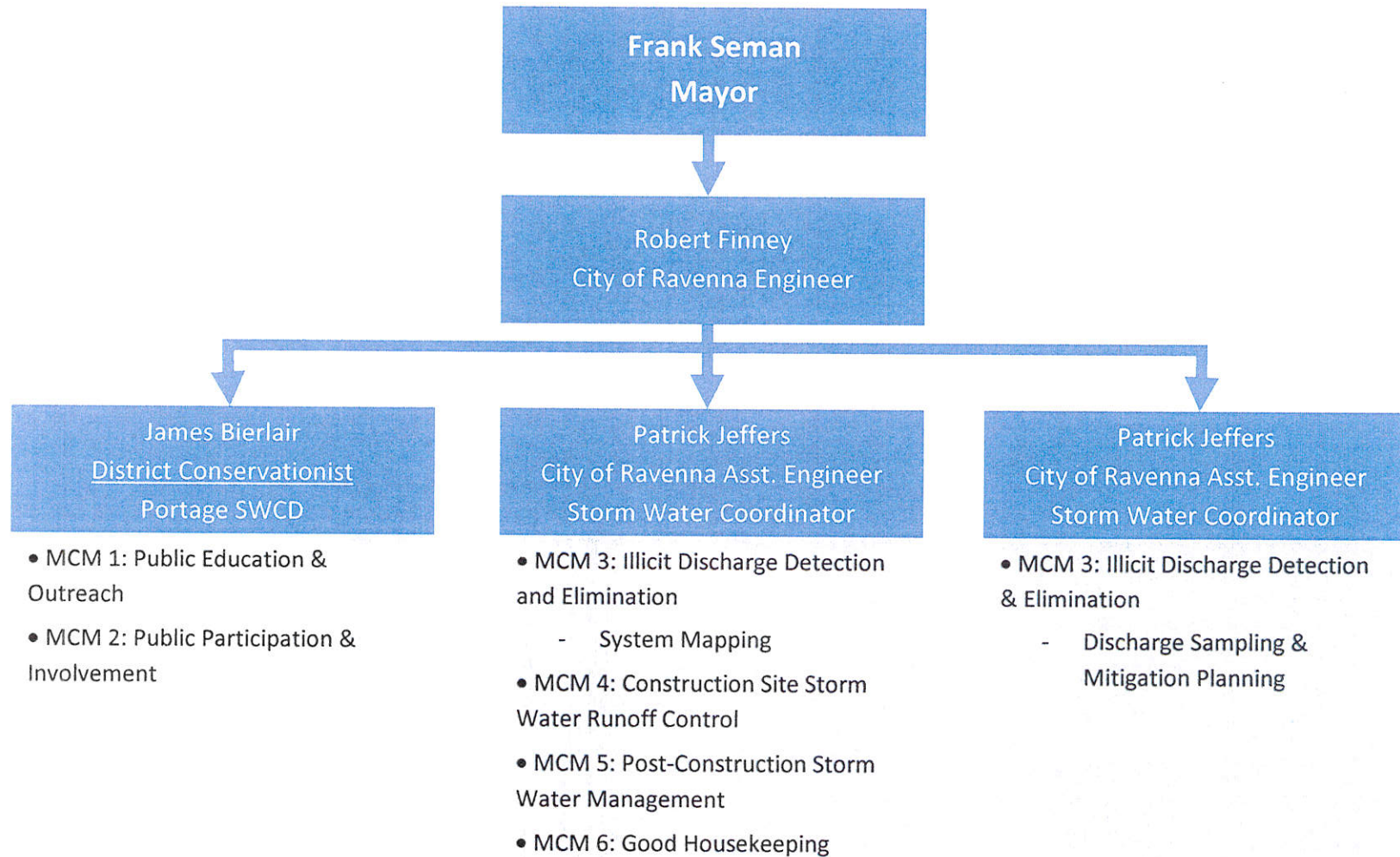
Portage County and Townships	<ul style="list-style-type: none"><li>• Lead: Portage County Board of Commissioners</li><li>• Contact: Michael Marozzi, PE, PS, Storm Water Coordinator, (330) 296-6411</li></ul>
City of Ravenna	<ul style="list-style-type: none"><li>• Lead: Mayor Frank Seman</li><li>• Contact: Patrick Jeffers, City of Ravenna Asst. Engineer (330) 296-5666</li></ul>
City of Streetsboro	<ul style="list-style-type: none"><li>• Lead: Mayor Glenn Broska</li><li>• Contact: John Cieszkowski, Planning &amp; Zoning Director (330) 626-4942 Ext. 128</li></ul>
Brady Lake Village	<ul style="list-style-type: none"><li>• Lead: Mayor Hal Lehman (330) 673-5998</li></ul>
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**Portage County and Co-Permittees**  
**NPDES Phase II Storm Water Program**  
**Portage County and Townships Detailed Table of Organization**

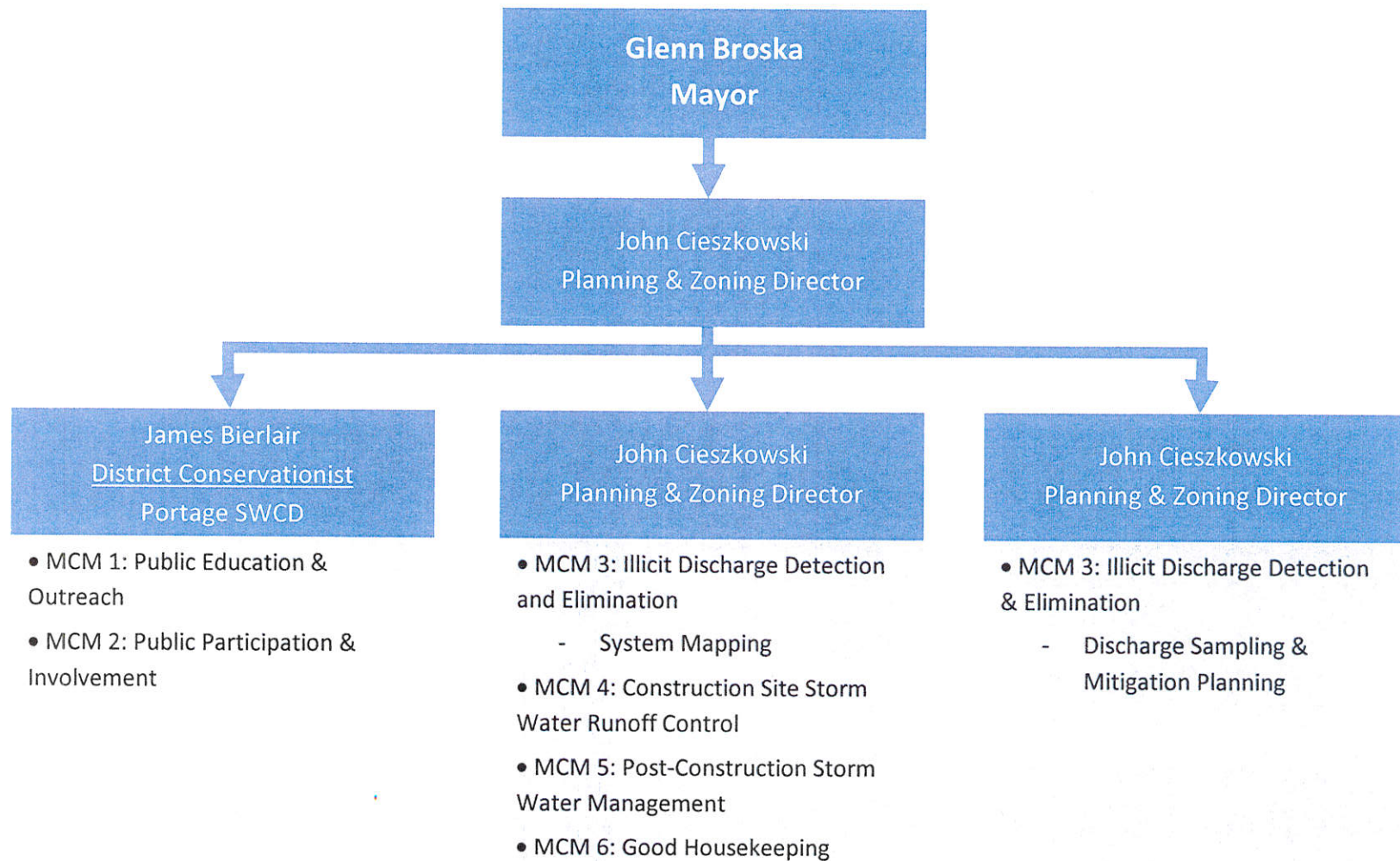




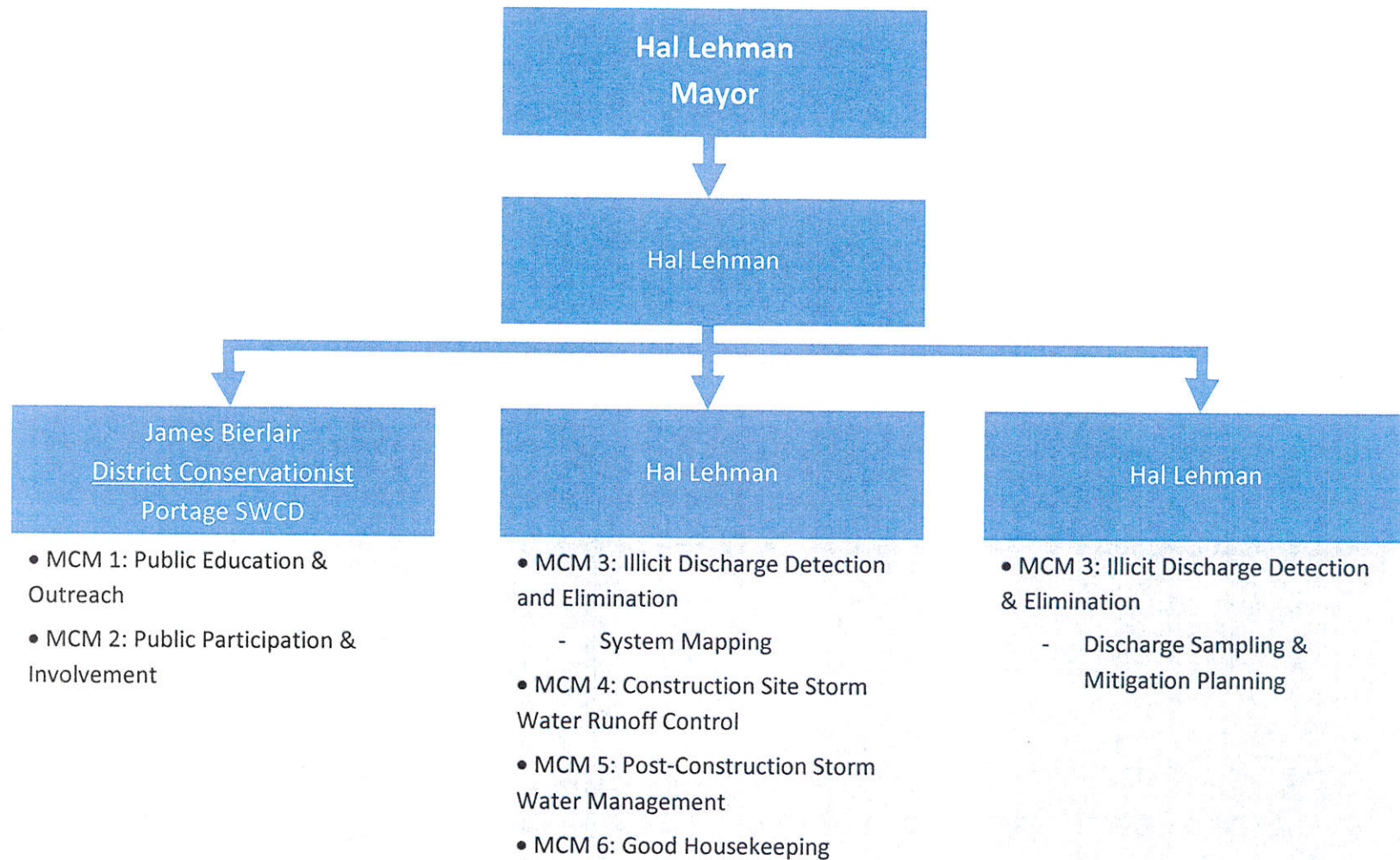
**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
City of Ravenna Detailed Table of Organization**



**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
City of Streetsboro Detailed Table of Organization**

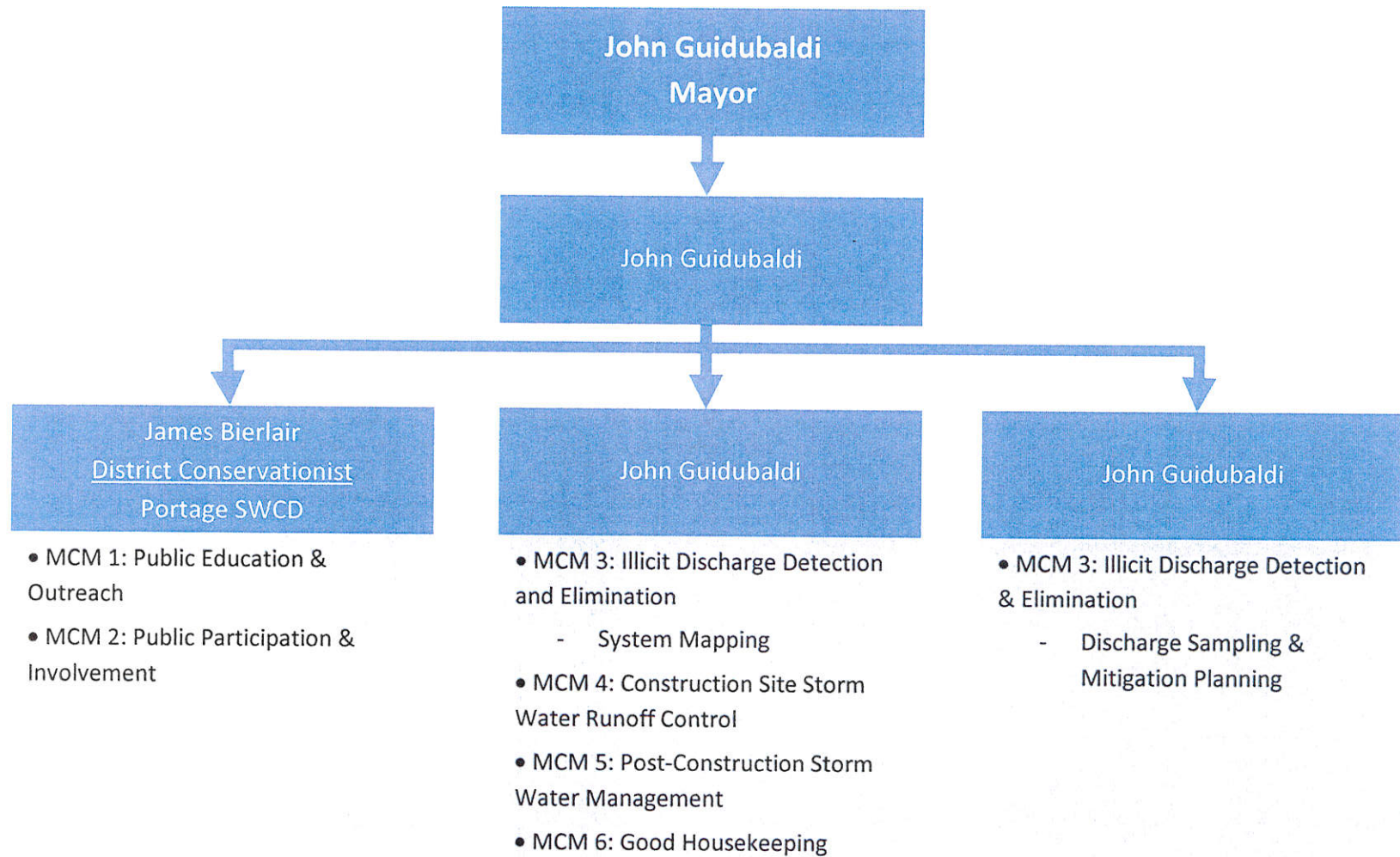


**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
Village of Brady Lake Detailed Table of Organization**





**Portage County and Co-Permittees  
NPDES Phase II Storm Water Program  
Village of Sugar Bush Knolls Detailed Table of Organization**





## **Appendix G**

TMDL Information

						NUTRIENT			HABITAT	BACTERIA	TSS	DO/OE	Flow
						Phosphorus TMDL	Nitrogen TMDL	Ammonia TMDL	Habitat TMDL	Bacteria TMDL	Sediment/Total Suspended Solids TMDL	Dissolved Oxygen (DO)/Organic Enrichment (OE)	Flow
Community	Watershed	Subwatershed Names (HU 12 NAME)	TMDL	TMDL Status	TMDL Loads								
Brady Lake Village	Cuyahoga, Middle	Feeder Canal-Breakneck Creek	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Brady Lake Village	Cuyahoga, Middle	Lake Rockwell-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Brimfield Township	Cuyahoga, Middle	Feeder Canal-Breakneck Creek	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Brimfield Township	Cuyahoga, Middle	Fish Creek-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Brimfield Township	Cuyahoga, Middle	Mogadore Reservoir-Little Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Brimfield Township	Cuyahoga, Middle	Plum Creek-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Brimfield Township	Cuyahoga, Middle	Wingfoot Lake outlet-Little Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Franklin Township	Cuyahoga, Lower	Tinkers Creek	Cuyahoga, Lower	Approved	phosphorus, nitrogen, habitat, bacteria, DO	X	X		X	X		X	
Franklin Township	Cuyahoga, Middle	Feeder Canal-Breakneck Creek	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Franklin Township	Cuyahoga, Middle	Fish Creek-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Franklin Township	Cuyahoga, Middle	Lake Rockwell-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Ravenna City	Cuyahoga, Middle	Feeder Canal-Breakneck Creek	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Ravenna City	Cuyahoga, Middle	Lake Rockwell-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Ravenna City	Mahoning, Upper	Headwaters West Branch Mahoning River	Mahoning, Upper	Approved	phosphorus, habitat, bacteria, TSS	X			X	X	X		
Ravenna Township	Cuyahoga, Middle	Feeder Canal-Breakneck Creek	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Ravenna Township	Cuyahoga, Middle	Lake Rockwell-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Ravenna Township	Mahoning, Upper	Headwaters West Branch Mahoning River	Mahoning, Upper	Approved	phosphorus, habitat, bacteria, TSS	X			X	X	X		
Rootstown Township	Cuyahoga, middle	Feeder Canal-Breakneck Creek	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Rootstown Township	Mahoning, Upper	Headwaters West Branch Mahoning River	Mahoning, Upper	Approved	phosphorus, habitat, bacteria, TSS	X			X	X	X		
Streetsboro City	Chagrin	Headwaters Aurora Branch	Chagrin	Approved	phosphorus, nitrogen, habitat, bacteria, TSS	X	X		X	X	X		
Streetsboro City	Cuyahoga, Lower	Tinkers Creek	Cuyahoga, Lower	Approved	phosphorus, nitrogen, habitat, bacteria, DO	X	X		X	X		X	
Streetsboro City	Cuyahoga, Middle	Lake Rockwell-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Suffield Township	Cuyahoga, Middle	Mogadore Reservoir-Little Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Suffield Township	Cuyahoga, Middle	Potter Creek-Breakneck Creek	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Suffield Township	Cuyahoga, Middle	Wingfoot Lake outlet-Little Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Suffield Township	Tuscarawas	Headwaters Tuscarawas River	Tuscarawas	Approved	phosphorus, habitat, bacteria, TSS	X			X	X	X		
Sugar Bush Knolls Village	Cuyahoga, Middle	Fish Creek-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X
Sugar Bush Knolls Village	Cuyahoga, Middle	Lake Rockwell-Cuyahoga River	Cuyahoga, Middle	Approved	phosphorus, ammonia, TSS, DO, flow	X		X			X	X	X