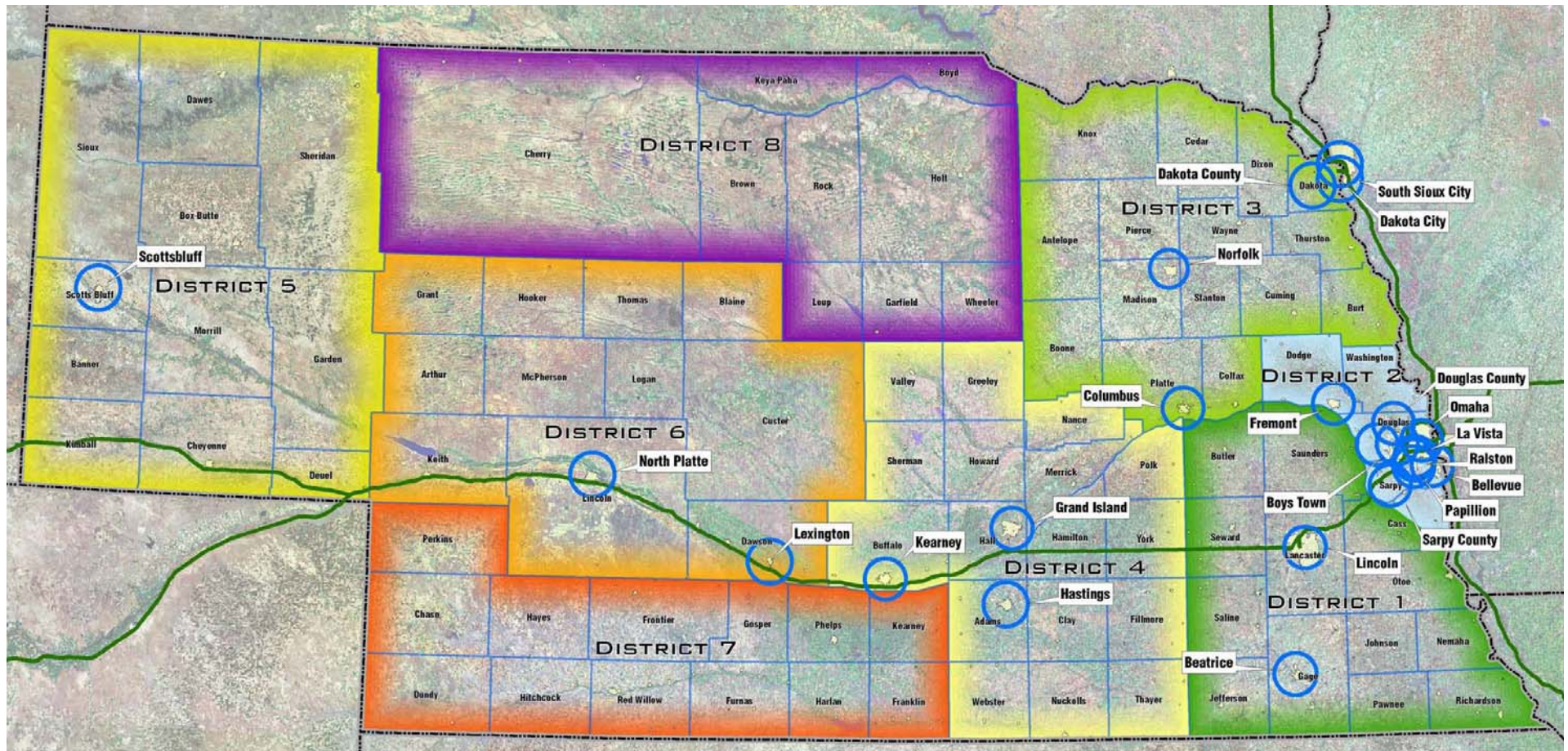




**Municipal Separate Storm Sewer System (MS4)
NDEQ Permit No: NE0134015
January 1, 2007 – December 31, 2007**



March 26, 2008

Nebraska Department of Environmental Quality
Wastewater Section
1200 N Street, Ste. 400
PO Box 98922
Lincoln, NE 68509-8922

ATTN: Mary Schroer, Stormwater Program Coordinator

RE: Nebraska Department of Roads Municipal Stormwater Permit [NE0134015]

Dear Mary:

Per Part IV.A of the Nebraska Department of Roads (NDOR) Municipal Stormwater Permit [NPDES Permit NE0134015], NDOR is submitting the attached, signed and certified Annual Report for Permit Year *One (January 1, 2007 – December 31, 2007)*.

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."


Signed: 
Printed Name: JOHN R. JACOBSEN
Title: DEPUTY DIRECTOR
Date: 3-27-08

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Executive Summary of Program Activity

- ▶ The State-wide Storm Water Management Program (SWMP) was developed by the Nebraska Department of Roads (NDOR) in 2006 to comply with Municipal Separate Storm Sewer System (MS4) Permit application requirements. Public notice of the draft SWMP was sent to over 500 individuals, groups, agencies and other stakeholders for review and comment. After completing the public notice period, the Nebraska Department of Environmental Quality (NDEQ) approved the permit application to discharge stormwater to the MS4 system and authorized NDOR to implement the State-wide SWMP on January 19, 2007. The areas of MS4 Permit coverage are displayed in Figure 1-1.
- ▶ This Annual Report documents MS4 Permit compliance efforts made during 2007 (January 1, 2007 and December 31, 2007).
- ▶ NDOR made many substantial accomplishments during 2007.
 1. Funding was approved for a new position within NDOR that will be responsible for coordinating MS4 Permit compliance efforts as a Highway Environmental Compliance Specialist. The position is expected to be filled early in 2008.
 2. Compliance Technical Advisory Group (CTAG) Participants were identified (See Figure 1-2). CTAG Program Leads are responsible for working with CTAG Participants to ensure that implementation of the SWMP does not fall on the shoulders of one individual or group. NDOR understands that broad and deep implementation efforts must be made across the agency in order to comply with the MS4 Permit and protect water quality from stormwater pollution.
 3. A new Stormwater Page was added to the NDOR web-site. NDOR has provided a wealth of environmental information in the past, but the creation of the Stormwater Page will facilitate the distribution of information and education that specifically relates to the SWMP and MS4 Permit compliance efforts.
 4. NDOR targeted erosion and sediment control education as the highest priority for 2007. A strategic partnership was developed between NDOR, Local Technical Assistance Program (LTAP) at the University of Nebraska, and Nebraska H₂O. Two courses are planned to educate the public about erosion and sediment control requirements. The course for Erosion and Sediment Control: Design Basics has been developed and is scheduled for the first offering in January of 2008. The outline for Erosion and Sediment Control: Inspection has been developed and the course is scheduled for the first offering in April of 2008.
 5. NDOR worked closely with the Association of General Contractors (AGC) to communicate upcoming changes to NDOR procedures and requirements that would result from the new NPDES General Construction Stormwater Permit in 2008.
 6. As required by Part III.C of the MS4 Permit, NDOR developed an Evaluation and Assessment Plan. The Plan will direct NDOR in the evaluation of program compliance, appropriateness of identified BMPs, and progress toward measurable goals. The Plan is a modification of the State-wide SWMP and is included with this Annual Report as Attachment 1.

7. An Education and Outreach Strategy was created to direct efforts to educate the public and comply with the MS4 Permit requirements. The Strategy defines the target audience, education methodology, evaluation structure, implementation methods, and current available resources. NDOR will use the Strategy when creating new stormwater education efforts.
8. A comprehensive review of State Statutes, Agreements, Policies, Manuals, and other relevant guidance was conducted. Information from the review was drafted into an Enforceable Authority Technical Report that describes how NDOR currently complies with Part II.A of the MS4 Permit. This Technical Report is under review for accuracy and completeness. In general, the findings of the Report are that NDOR has enforceable authority to: Control contribution of pollutants to the state highway system; Regulate erosion and sediment controls; Enforce a program that addresses stormwater runoff quality after construction.
9. Facility Runoff Control Plans were developed for maintenance facilities in Kearney, Grand Island, Lexington, and North Platte. These individualized plans were created using a template developed specifically for NDOR. The template allows NDOR to provide information to the target audience about target pollution and pollution sources. Monthly facility inspections and corrective actions are now conducted at these facilities to reduce the risk of causing stormwater pollution.
10. A Municipal Maintenance Survey was distributed to clarify the types of maintenance activities that Operations conduct within the MS4 boundaries across Nebraska. The survey provided a description of many specific maintenance actions and asked facility superintendents if they were responsible for sending staff out to complete those actions inside the MS4 boundary that they oversee. Facility superintendents were also asked if a contractor was responsible or if the Adjacent MS4 takes the responsibility for those activities.

Figure 1-1 NDOR State-wide MS4 Areas

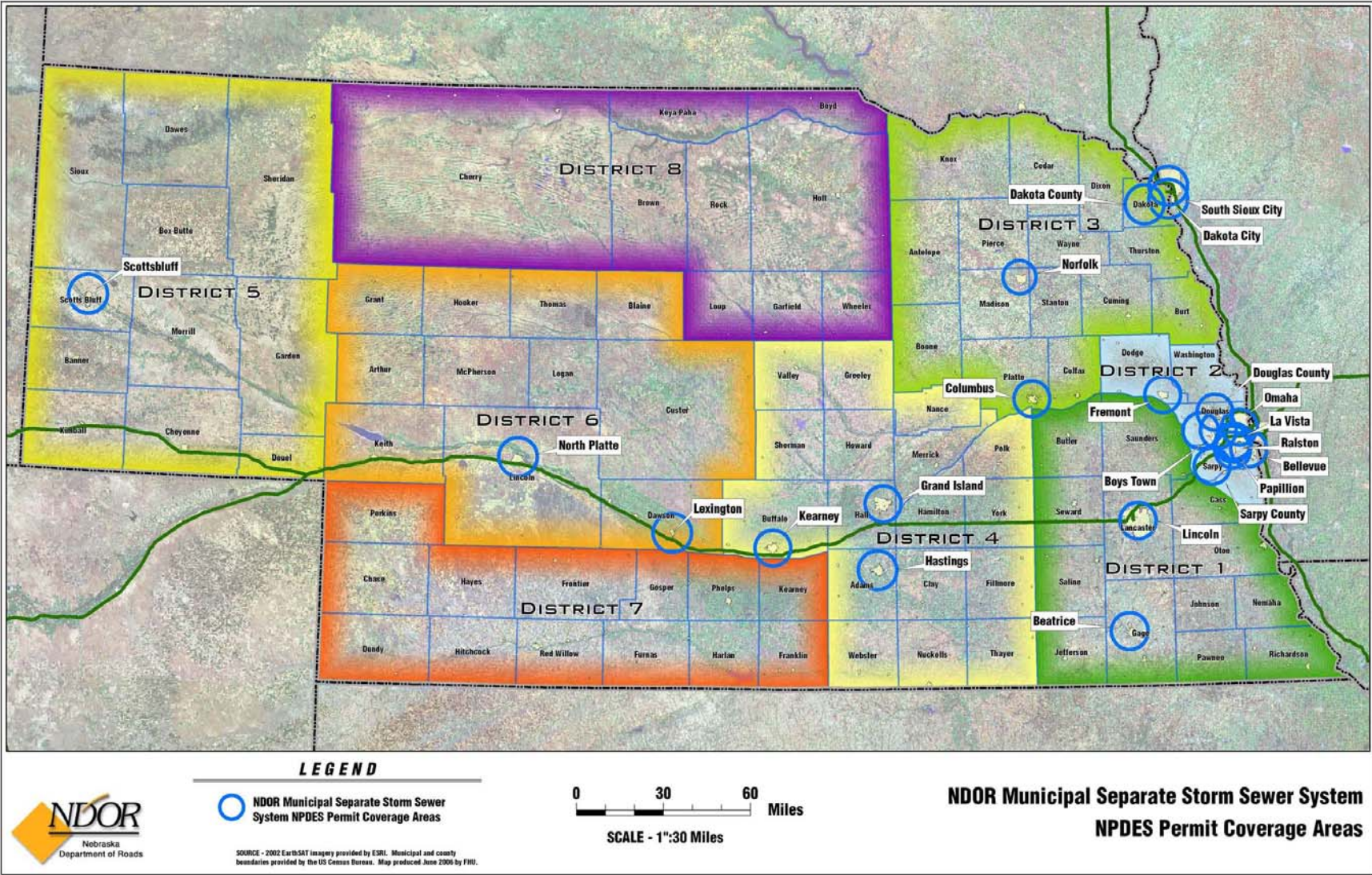
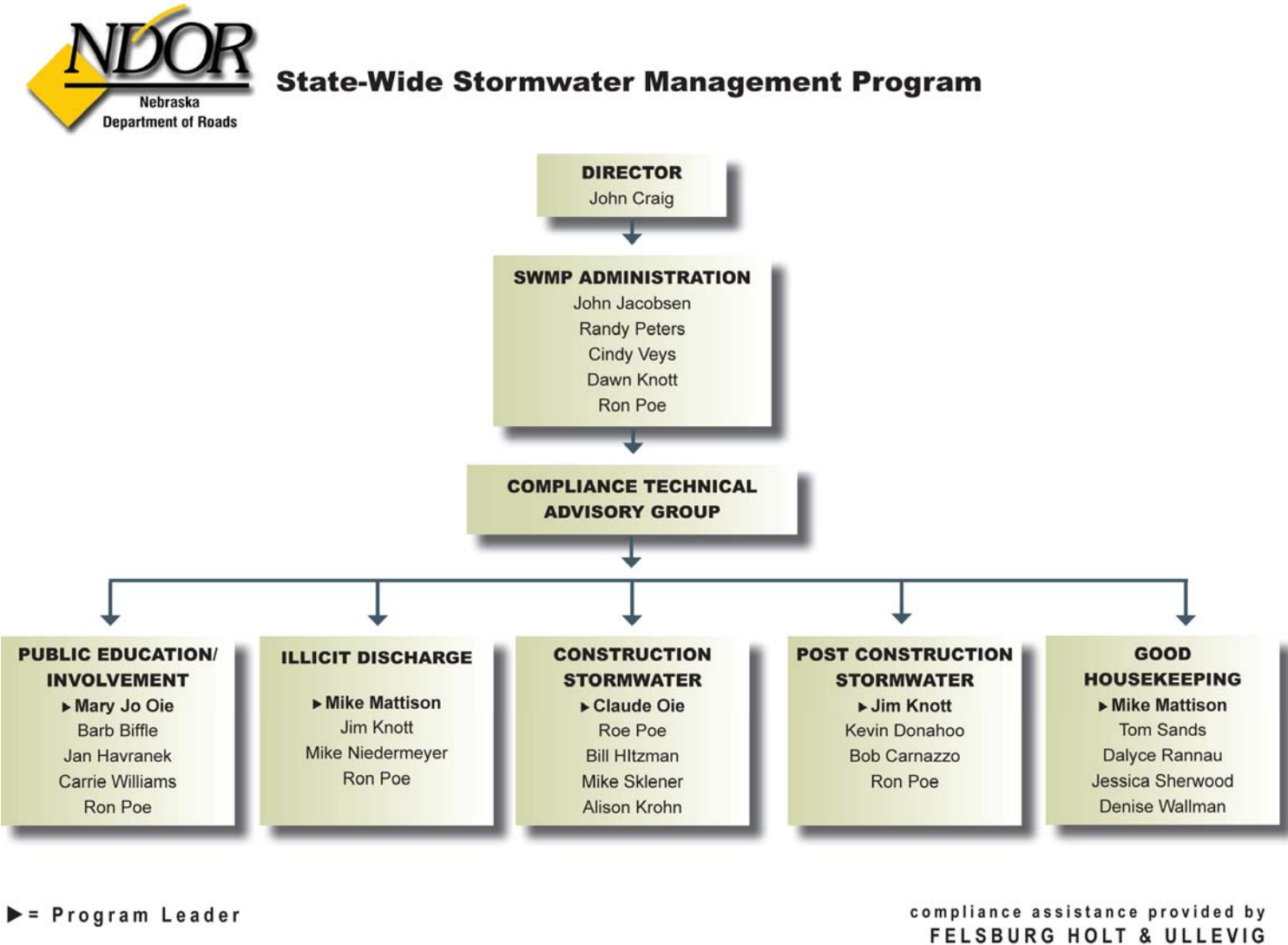


Figure 1-2 NDOR Compliance Technical Advisory Group



1.0 Public Education and Outreach

- ▶ Public Education is not a new concept to NDOR. As a public agency – responsible for cooperating with public and private organizations to provide and maintain a safe, reliable, affordable, environmentally compatible and coordinated statewide transportation system for the movement of people and goods – public education is a core principle of what NDOR does everyday. On the other hand, providing education about stormwater and protection of stormwater quality to the public is a new requirement and somewhat of a new concept to NDOR.
- ▶ Much of the Public Education Program efforts in 2007 were focused on documenting how existing NDOR education resources can be used to meet the requirements and the goals of this new stormwater program. Interestingly, without a regulatory requirement to provide stormwater education NDOR was already communicating some of the water quality goals using various guides, manuals, policies, newsletters and trainings.
- ▶ Additional Public Education Program effort in 2007 was focused on implementing new education tools where MS4 Permit compliance and implementation gaps were already known. Improving erosion and sediment control on construction projects represents the greatest opportunity for NDOR to protect water quality. Public education will play an important role in realizing this opportunity. Educating all stakeholders about erosion and sediment control will be the highest priority for NDOR under this first MS4 Permit term. NDOR began the process of developing an Erosion and Sediment Control Certification Program by creating two core classes designed for Design and Inspection of construction stormwater Best Management Practices.
- ▶ Providing education for all of the SWMP requirements and goals will be accomplished according to the NDOR Stormwater Education and Outreach Strategy which was drafted in 2007. This Strategy will direct NDOR in the improvement and/or development of stormwater education resources. The most important function of this Strategy is that the unique target audience and education strategies are defined so that education efforts can be structured according to the specific needs of NDOR. The target audience and education strategies for NDOR are not the same as those for traditional MS4s.

1.1 Summary of Implementation and Program Compliance

Table 1-1 Annual Public Education and Outreach Activities

Measurable Goal	Is Measurable Goal On-Track		Summary of Implementation
	Yes	No	
1.1 (a) Develop guidance materials on reducing storm water impacts to water bodies.	X		<ul style="list-style-type: none"> ▶ NDOR education materials that focus on stormwater quality impacts have been summarized in the Draft Stormwater Education and Outreach Strategy. ▶ Education provided in 2007 is summarized in Table 2-1. ▶ Additional materials will be necessary to target the goals of the MS4 Permit and the SWMP. ▶ From MCM 1.1(c): NDOR has updated the website to include stormwater information (www.nebraskatransportation.org). A link on the home page takes visitors to “Environmental Info” and from there a link is provided to “Stormwater.” This site is updated as new information is developed. ▶ From MCM 1.1(c): NDOR developed a new standard detail for stamped storm drain inlets that say “no dumping – drains to stream.” The detail will be specified for use on all future urban projects.
1.1 (b) Provide training on reducing storm water impacts to water bodies.	X		<ul style="list-style-type: none"> ▶ Training provided in 2007 is summarized in Table 2-1. ▶ All training opportunities that are available to NDOR have been summarized in the Draft Stormwater Education and Outreach Strategy. ▶ Additional training will be necessary to address the goals of the MS4 Permit and the State-wide Stormwater Management Program. ▶ NDOR targeted Erosion and Sediment Control as the highest priority for Public Education and Outreach. The first courses; <i>Erosion and Sediment Control: Design Basics</i> is ready for teaching in January of 2008. The second course; <i>Erosion and Sediment Control: Inspection</i> will be ready for teaching in April 2008. These courses have been developed in order to comply with the MS4 Permit as well as expected requirements for “Qualified” SWPPP Designers and Inspectors under the 2008 General Construction Stormwater Permit.
1.1 (c) Participate in local and regional outreach efforts.	X		<ul style="list-style-type: none"> ▶ NDOR partnered with Nebraska H₂O to promote and fund the Erosion and Sediment Control training efforts. This group will continue to be a significant partner for education and outreach in Nebraska. ▶ NDOR has partnered with Nebraska Local Technical Assistance Program (LTAP) to administer the Erosion and Sediment Control courses and certification process. This partnership has worked well for NDOR in the past and will benefit the SWMP training requirements as well.

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			<p>▶ NDOR held two formal meetings with the Storm Water Awareness Network (SWAN). Potential program overlapping and distribution inefficiencies have been avoided because of these efforts which will continue into next year. Each group has communicated what their education and training goals and target audiences are. SWAN will be an important stakeholder in Nebraska and each group expects to strategically support each other.</p>
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Table 1-2 Number and Nature of Education Programs

Education Provided or Information Distributed	Strategy Tier ¹	Target Audience	Attendance/ Number Distributed	Special Notes	Public Education Program Addressed ²					
					Water Quality	IDDE	CSW	PCSW	PP/GH	
February 21: Omaha Erosion and Sediment Control Seminar	Awareness, Knowledge	Project Managers, Design Engineers, Contractors, Consultants, Builders	66 NDOR employees, unknown number of MS4s, contractors and consultants	Free Seminar Sponsored by City of Omaha, PMNRD, NRCS, PCWP, MOBA., NSHBA, USACE, NDEQ and the UNL Extension in Douglas/Sarpy Counties	X		X	X		
March 15: NDOR Project Managers Conference	Awareness	District Project Managers, District Construction Engineers, Assistant Construction Engineers	Approximately 275 NDOR Employees	Awards given to Contractor, Project Manager, Construction Engineer, and Inspectors for Project with Best Demonstration of Environmental Compliance	X		X			
April/May: Roadrunner Articles	Awareness	All NDOR Employees, Various State Agencies, and Citizens	3,629 copies and publication on NDOR Website	Description of Environmental Awards presented for Dickens East Project and selection criteria			X			
April 28: Great Nebraska Trash-off	Awareness, Knowledge	All NDOR Employees, Community Groups, Citizens	223 Groups and 3,528 Volunteers State-wide and nearly 2,600 orange trash bags filled	Education through participation in cleaning up trash along the State Highway System and stream crossings.	X	X				

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April 19: International Erosion Control Association 2007 Spring Workshop	Knowledge, Skills	Project Managers, Design Engineers, Contractors, Consultants	55 NDOR employees, unknown number of MS4s, contractors and consultants	Seminar Sponsored by International Erosion Control Association	X		X			
April 26: NDOR Interagency Environmental Meeting	Awareness	Regulatory Agencies, General Contractors, Stakeholder Agencies	30 total attendees from 12 Federal/State agencies and associations	Work Platforms over Waterways, Stormwater Permitting Efforts, and Environmental Compliance Streamlining	X		X			
May 17: NDOR Operations and Maintenance Conference	Awareness	District Engineers, District Operation and Maintenance Managers, and Maintenance Superintendents, Supervisors and Mechanics	204 NDOR employees, Nebraska State Patrol, Guest Speakers. Also 92 Vendors	Improving Roadside Vegetation Management, Stormwater Compliance Responsibilities at the District Operation and Maintenance Level, Facility Runoff Control Plans, NDOR Asset Management, Environmental Liability and Documentation	X	X	X	X	X	
May/November: NDOR Maintenance Facility Stormwater Awareness Education	Awareness, Knowledge	District Operation and Maintenance Facility Staff	40 NDOR District 4 O&M employees and 37 NDOR District 6 O&M employees	Stormwater quality awareness and introduction of Maintenance Facility Runoff Control Plan concept	X					X
June/November: NDOR Facility Runoff Control Plan Implementation	Awareness, Knowledge, Skills	District Operation and Maintenance Facility Staff	12 NDOR District 4 O&M employees and 11 NDOR District 6 O&M employees	Qualify individuals to conduct FRCP monthly inspections	X					X
June/July: Roadrunner Articles	Awareness	All NDOR Employees, Various State Agencies, and Citizens	3,629 copies and publication on NDOR Website	Erosion and Sediment Control Needs for Projects, Great Nebraska Trash-Off	X	X	X	X		
June 29: Nebraska State Highway Commission Meeting	Awareness	State Highway Commissioners and General Public	8 Highway Commissioners, 10 NDOR Staff, 10 General Public	Municipal Stormwater Permit Compliance Requirements and Efforts to Date	X	X	X	X	X	
October: NDOR/AGC Partnership Construction	Awareness, Knowledge	Project Managers, Inspectors and Contractors,	191 individuals attended sessions given a 6 locations	NDOR partnered with Association of General Contractors, LTAP, and	X		X			

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Stormwater Education		Municipal Stormwater Representatives	across the state	Vendors						
Ongoing: Basic Wetland Delineation Training	Knowledge, Skills	Environmental Permitting Staff	3 individuals attended 40-hour training	Certification provided for wetland delineation	X					
Ongoing: Biologist-on-Parade	Awareness, Knowledge	Middle School and High School Students	48 Lincoln North Star and 55 Schuyler Students	Classroom/Field education of wetland biology, soils, and hydrology	X					
Ongoing: Spill Prevention Control and Countermeasure (SPCC)	Knowledge, Skills	NDOR Employees responsible for handling oils and fuels	352 NDOR O&M Employees completed the on-line course	Course is provided to comply with SPCC education requirements for employees that handle oil and fuels	X					X
Ongoing: Additional Good Housekeeping Web-based training courses	Knowledge, Skills	NDOR Employees	141 individuals completed one of the 4 on-line courses	"Cleaning up Small Chemical Spills", "Flammable and Combustible Liquids", "Housekeeping on the Job", and "Materials Handling and Storage"	X	X				X
Ongoing: Pesticide Application Certification Recertification	Knowledge, Skills	NDOR O&M Employees	14 individuals attended classes offered state-wide	Course offered by the Department of Agriculture and University of Nebraska	X					X
Ongoing: NDOR Website	Awareness	All NDOR employees and the general public	1529 visits to the Environmental Site and 373 visits to the Stormwater Site	MS4 Permit, SWMP Work Plan, and Educational Slide Shows added in 2007	X	X	X	X	X	X
Ongoing: "No Dumping" inlets	Awareness	The General Public	New detail created	For use in urban projects	X	X				
<p>1 – Strategy Tiers are focused on Raising Awareness, Elevating Knowledge, and/or Developing Skills of the Target Audience. The rationale is described in the Stormwater Education and Outreach Strategy.</p> <p>2 – "General": General Stormwater Quality, "IDDE": Illicit Discharge Detection and Elimination, "CSW": Construction Stormwater, "PCSW": Post-Construction Stormwater, "GH/PP": Good Housekeeping/Pollution Prevention</p>										

1.2 Activities Scheduled for Next Year

Table 1-3 Summary of Planned Education and Outreach Activities for Next Year

Measurable Goal	Summary of Planned Activity
1.1 (a)	<ul style="list-style-type: none"> ▶ NDOR will finalize the Stormwater Education and Outreach Strategy which will direct targeted education efforts in the future. ▶ A Pocket Guide will be developed to educate field personnel about erosion and sediment control. The guide will be provided with course materials for Erosion and Sediment Control: Inspection and Design Basics. The guide will also be made available to the public. 1,000 copies will be made for the first printing and a copy will be available for download on the NDOR website. ▶ A Pocket Guide will be drafted to educate field personnel about good housekeeping, pollution prevention, and illicit discharge detection and elimination. ▶ NDOR will specify installation of curb inlets with the “No Dumping” stamp on all urban project plans and specifications. ▶ NDOR will update the stormwater information available on the internet as it becomes available.
1.1 (b)	<ul style="list-style-type: none"> ▶ NDOR will finalize the Stormwater Education and Outreach Strategy which will direct targeted training efforts in the future. ▶ NDOR will provide multiple offerings of the two Erosion and Sediment Control courses. ▶ NDOR will train personnel within Districts 1 and 3 about Facility Runoff Control Plans (FRCP) and inspection requirements.
1.1 (c)	<ul style="list-style-type: none"> ▶ NDOR will continue to collaborate with LTAP to administer Erosion and Sediment Control courses. ▶ NDOR will continue to collaborate with Nebraska H₂O to promote stormwater education. ▶ NDOR will continue to collaborate with Storm Water Awareness Network (SWAN) to provide efficiencies in erosion and sediment control education. ▶ NDOR will seek additional opportunities to participate in local and regional outreach efforts with Lincoln, Omaha, and the Papio-Partnership of small MS4s.

2.0 Public Participation and Involvement

- ▶ Efforts made to implement the Public Education Program are generally supported by the Public Involvement Program because efforts to involve the public are congruous with needing to educate the public about something – stormwater in this case. These two Programs will continue to support each other during the first MS4 Permit term.
- ▶ Similar to public education, providing opportunities for public involvement is a core element of the NDOR mission. NDOR maintains a Public Participation Opportunities document. Opportunities for public involvement are provided through a wide range of resources.
- ▶ The Compliance Technical Advisory Group (CTAG) was formed to distribute the efforts of implementing the SWMP to the various NDOR divisions responsible for taking action. Figure 1-2 displays the structure of the CTAG. This group works with other NDOR employees to identify the best methods for accomplishing SWMP compliance efforts. This strategy is proving very effective for identifying the most appropriate ways for NDOR to comply with the MS4 Permit and implement the SWMP.
- ▶ The Public Education and Outreach Strategy described in Section 1.0 will also support the Public Involvement Program.

2.1 Summary of Implementation and Program Compliance

Table 2-1 Annual Public Participation and Involvement Activities

Measurable Goal	Is Measurable Goal On-Track		Summary of Implementation
	Yes	No	
2.1 (a) Continue to follow established public participation policies and procedures for NDOR projects.	X		<ul style="list-style-type: none"> ▶ NDOR sent public notice of the draft MS4 permit and the State-wide SWMP to over 500 individuals, agencies, associations, and other stakeholders. ▶ Public involvement was provided for all major construction projects according to the NDOR Public Participation Policy. ▶ The Compliance Technical Advisory Group (CTAG) held 3 formal meetings to review the current MS4 Permit and SWMP compliance efforts. An informal meeting was held in coordination with a presentation of MS4 information to the State Highway Commissioners. A total of 4 CTAG meetings were held in 2007.
2.1 (b) Engage public in environmental stewardship programs such as Adopt-A-Highway and Wetlands Bank Education.	X		<ul style="list-style-type: none"> ▶ Environmental stewardship programs are summarized in Table 1-2. ▶ Adopt-A-Highway, Biologist-on-Parade, and the Awards for Environmental Compliance for Construction were all beneficial in promoting the protection of water quality.

<p>2.1 (c) Develop a process for tracking public involvement in environmental stewardship programs.</p>	<p>X</p>		<ul style="list-style-type: none"> ▶ Public participation does not have a formal tracking mechanism at this time. All information for this Annual Report was pulled from the individuals responsible for providing the participation opportunities. ▶ NDOR is aware that a hotline or web-link is needed to allow the public to report illicit discharges or problems with erosion and sediment control on construction sites.
<p>2.1 (d) Amend standard language for Engineering Statements to reference erosion control plans for distribution at public hearings.</p>	<p>X</p>		<ul style="list-style-type: none"> ▶ Currently, standard language is included in Engineering Statements to reference the fact that erosion control measures will be taken to minimize impacts on the surrounding environment and that exposed soil areas will be permanently seeded with suitable grasses. This language can be improved by describing the purpose and benefit of water quality BMPs included in the project design.

2.2 Activities Scheduled for Next Year

Table 2-2 Summary of Public Participation and Involvement Activities for Next Year

<p>Measurable Goal</p>	<p>Summary of Planned Activity</p>
<p>2.1 (a)</p>	<ul style="list-style-type: none"> ▶ Continue to administer Public Participation Policies and Procedures for NDOR which is published for distribution in English and Spanish. ▶ Hold at least 3 CTAG meetings to discuss compliance with the MS4 permit and implementation of the SWMP.
<p>2.1 (b)</p>	<ul style="list-style-type: none"> ▶ Administer programs such as Adopt-A-Highway, Biologist-on-Parade, and the Awards for Environmental Compliance for Construction to promote the protection of water quality.
<p>2.1 (c)</p>	<ul style="list-style-type: none"> ▶ Develop a hotline or a contact link on the NDOR Website – Stormwater Page to allow the public to report stormwater problems such as illicit discharges or construction stormwater problems.
<p>2.1 (d)</p>	<ul style="list-style-type: none"> ▶ Amend standard language that can be used in Engineering Statements to include the benefits and purpose of any water quality BMPs included in a project design. Information will be based on the Water Quality Design Technical Report developed for 2008.

3.0 Illicit Discharge Detection and Elimination

- ▶ NDOR set aside the first two years of the first MS4 Permit term to develop an Illicit Discharge Detection and Elimination (IDDE) Plan. This was to allow NDOR to implement the Illicit Discharge Program in stages.
- ▶ The primary Illicit Discharge Program goal for 2007 was to determine how the MS4 Permit requirements for enforceable authority are being met. To clarify the goals of the Illicit Discharge Program, enforcement targets were described as illicit connections, illicit discharges, illegal dumping, and spills. NDOR currently maintains adequate enforceable authority to prevent and remove each of these potential pollution sources.
- ▶ The responsibility for maintenance by communities of a certain class was also explored. The term “maintenance” has various meanings within Nebraska State Statute. Maintenance can include pavement maintenance for cracks and potholes, but can also include mowing ditches or cleaning culverts along highway right-of-way. Communities are reimbursed for the cost of maintaining these roadways and associated right-of-way under the terms of a Municipal Maintenance Agreement (MMA) that is renewed annually. The implications of these MMAs for controlling illicit connections, illicit discharges, illegal dumping, and spills must be determined and communicated to any community adjacent to the NDOR MS4 coverage area.
- ▶ The second year of the MS4 Permit will be used to document the outfall information collection and problem response routines that make up the rest of the IDDE Plan.

3.1 Summary of Implementation and Program Compliance

Table 3-1 Annual Illicit Discharge Detection and Elimination Activities

Measurable Goal	Is Measurable Goal On-Track		Summary of Implementation
	Yes	No	
3.1 (a) Develop map showing the location of all outfalls and the names and location of all waters of the state that receive discharges from those outfalls.	X		Outfall Information <ul style="list-style-type: none"> ▶ Information about stormwater outfalls is maintained by NDOR with project plans on the Falcon database. Information about assets (including outfalls) is referenced by mile post number in order to direct maintenance crews to the right location when maintenance is needed. ▶ An outfall information request form has been drafted for distribution to Adjacent MS4s to facilitate consistent collection of data available from other sources. NDOR will only request outfall information that is available in a Geographic Information System format. This information will supplement outfall mapping

		<p>efforts by NDOR in 2009-2011.</p> <p>Prioritization</p> <ul style="list-style-type: none"> ▶ The formal prioritization criteria will be documented in the IDDE Plan. ▶ All outfalls along freeways within MS4s will be the highest priority for NDOR because Adjacent MS4s are responsible for maintenance of all other portions of the State Highways System within their boundary. ▶ MS4 areas will be targeted for outfall mapping in the following order: Lincoln, Omaha Region, followed by all other MS4 areas.
<p>3.2 (a) Develop specification to prohibit non-stormwater discharges to NDOR MS4.</p>	<p>X</p>	<ul style="list-style-type: none"> ▶ NDOR controls contributions of pollutants to the State Highway System using the following authority and enforcement structure: <ul style="list-style-type: none"> ▪ Illicit Connections and Discharges are regulated by State Statute Section 39-1360, 1361, 1362, 81-2005(3), Encroachment Permits, Right-of-Way Permits, and Municipal Maintenance Agreements. ▪ Illegal Dumping and Spills are regulated by State Statute Section 39-310, 311, 81-2005(3), 28-523, and Municipal Maintenance Agreements. ▶ No additional enforceable authority is required to regulate polluted stormwater discharges to the storm drain system.
<p>3.2 (b) Develop a process to coordinate with adjacent MS4 communities to remove illicit discharges that flow through an NDOR outfall, but are not the result of an NDOR activity.</p>	<p>X</p>	<ul style="list-style-type: none"> ▶ State Statute Section 39-1339 places liability for cost of surface maintenance of the traveled way of the State Highway System on NDOR. The details maintenance requirements for Adjacent MS4s and reimbursement rates are described in Municipal Maintenance Agreements that are amended annually. ▶ The procedures for addressing and removing polluted stormwater discharges along roadways that Adjacent MS4s are responsible for maintaining will be documented in the IDDE Plan.
<p>3.3 (a) Develop Illicit Discharge Detection and Elimination Plan.</p>	<p>X</p>	<ul style="list-style-type: none"> ▶ A draft IDDE Plan outline was developed and all national reference resources on developing an IDDE plan were reviewed. Information in the IDDE Plan will address: <ul style="list-style-type: none"> ▪ Description of Illicit Discharges ▪ Mapping and Inventory of Outfalls ▪ Prioritization Criteria ▪ Field Screening ▪ Source Tracing ▪ Source Elimination ▪ Education ▶ The priority for NDOR is to document approved procedures for the Illicit Discharge Program in the IDDE Plan. Development of an elaborate manual is beyond the scope of the current MS4 Permit compliance efforts since a variety of good IDDE guidance manuals already exist and can be used as a reference

			by NDOR.
3.4 (a) Evaluate need to update and implement adequate NDOR internal policy, guidance, and manuals.	X		<ul style="list-style-type: none"> ▶ Education provided by NDOR for the Illicit Discharge Program is described in Table 1-2. ▶ Recommendations for IDDE Education will be included in the IDDE Plan. ▶ NDOR may find strategic opportunities to coordinate Illicit Discharge Program education efforts with the City of Lincoln, the Papio-Partnership, and Nebraska H₂O. The target audiences and target pollutant sources for these groups are generally different than that of NDOR.

3.2 Inspections and Enforcement Actions

Table 3-2 Summary of Illicit Discharge Detection and Elimination Inspections and Enforcement Actions

Activity	Summary of Activity
Dry Weather Inspections	▶ The IDDE Plan is not in place and Dry Weather Monitoring Inspections were not conducted.
Wet Weather Inspections	▶ The IDDE Plan is not in place and Wet Weather Monitoring Inspections were not conducted.
Illicit Discharges Identified	▶ The IDDE Plan is not in place and Illicit Discharges were not identified.
Illicit Discharge Enforcement Actions	▶ No enforcement actions were made for Illicit Discharges.

3.3 Activities Scheduled for Next Year

Table 3-3 Summary of Illicit Discharge Detection and Elimination Activities for Next Year

Measurable Goal	Summary of Planned Activity
3.1 (a)	<ul style="list-style-type: none"> ▶ Distribute request for geographically referenced outfall information from Adjacent MS4s. ▶ Document the geographic information system field data collection framework and incorporate it into the IDDE Plan. ▶ Field test data collection protocols along portions of the State Highway System in Lincoln.
3.2 (a)	<ul style="list-style-type: none"> ▶ State Statutes are currently sufficient to enforce the Illicit Discharge Program. No amendments are required. ▶ Policy and Guidance are also in place to enforce the Illicit Discharge Program. No amendments are required. ▶ Policy and Guidance can be clarified to specifically address the target pollutants and pollution sources. Recommendations for future improvements will be made in the IDDE Plan.
3.2 (b)	<ul style="list-style-type: none"> ▶ Recommend modifications to the text of Municipal Maintenance Agreements or provide supplemental clarification to Adjacent MS4s about their responsibility to detect and/or eliminate illicit discharges along the State Highway System within their Permit boundary. Adjacent MS4s should anticipate implementing their Illicit Discharge Program along these roadways the same as the rest of their MS4.
3.3 (a)	<ul style="list-style-type: none"> ▶ The Illicit Discharge Program committee of the CTAG will develop and distribute the IDDE Plan as an amendment to the Work Plan.
3.4 (a)	<ul style="list-style-type: none"> ▶ Incorporate Illicit Discharge Program information into the Pocket Guide being drafted for MCM 6.1(e). ▶ Field train NDOR Operations staff to collect outfall information using data collection protocols. ▶ The IDDE Plan will be an education resource for NDOR.

4.0 Construction Site Runoff Control

- ▶ A total of 29 NDOR construction projects were active within the MS4 boundary that disturbed an acre of soil or greater during 2007. Each project was managed in a manner to comply with the General Construction Stormwater Permit issued by NDEQ. Table 4-1 provides information about each project. Efforts to comply with the MS4 Permit and Construction Stormwater Program are expected to improve compliance of all NDOR construction projects in Nebraska.
- ▶ Significant progress was made in the Construction Stormwater Program by evaluating the current efforts to comply with the General Construction Stormwater Permit. Opportunities to improve the current Construction Stormwater Program are communicated in Table 4-2 as “Issues Identified” that can be improved during the first MS4 Permit term.
- ▶ NDOR continues to work with a wide variety of stakeholders across the state. These stakeholders can include regulators, commissioners, municipalities, county officials, engineers, general contractors, specialty contractors, vendors, and others. Any change in construction practices, standards, and requirements must be communicated within this group.
- ▶ NDOR continues to fund and participate in erosion and sediment control research at the Texas Transportation Institute/Texas Department of Transportation Hydraulics, Sedimentation, and Erosion Control Laboratory to research the use of various erosion and sediment control measures.

4.1 Summary of Implementation and Program Compliance

Table 4-1 NPDES Permitted Construction Projects within MS4 Boundary

District ¹	Project Number - Name	Discharge Authorization Number ²	Project Status
District 1	▶ 77-2(157) - Warlick Interchange Grading	▶ NER104546	▶ Complete
	▶ 77-2(1021) - K & L Interchange	▶ NER101588	▶ Establishment Period
	▶ 77-2(1055) - Lincoln South (NB)	▶ NER101588	▶ Complete
	▶ 77-2(1058) - K&L Excess Borrow	▶ NER104872	▶ Complete
	▶ 80-9(552) - Oak Creek Bridges	▶ NER101588	▶ Construction
	▶ 80-9(553) – Bridges over US 77, Lincoln	▶ NER101588	▶ Construction
	▶ 80-9(853) - Little Salt Creek Bridge (W.B.)	▶ NER104474	▶ Complete
	▶ 80-9(854) - Little Salt Creek Bridge (E.B.)	▶ NER104922	▶ Construction
	▶ 80-9(856) - I-180 - 56th Street, Lincoln	▶ NER104922	▶ Construction
	▶ 80-9(859) - I-80 over Cornhusker Hwy and BNSF Railway	▶ NER101588	▶ Complete

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	<ul style="list-style-type: none"> ▶ 80-9(861) - US-77 South Interchange to I-180, Lincoln ▶ 80-9(865) - Arbor Road Bridge 	<ul style="list-style-type: none"> ▶ NER101588 ▶ NER101588 	<ul style="list-style-type: none"> ▶ Complete ▶ Complete
District 2	<ul style="list-style-type: none"> ▶ 6-7(153) - Dodge St., 174th to 198th ▶ 6-7(157) - Gretna - Q Street ▶ 31-2(108) - In Elkhorn ▶ 31-2(1007) - Elkhorn South ▶ 80-9(892) - Expand I-80 EB & Kennedy SB ▶ 275-6(1029) - Fremont East Bypass ▶ 275-7(184) (185) (186) - So. Omaha Bridge, Nebr. ▶ 275-7(187) (188) - So. Omaha Bridge, Iowa ▶ 480-9 (773) (774) (779) (781) - Harney St - 24th St (EB) ▶ 680-9(102) - Fort Street Noisewall ▶ 680-9(877) - Pacific Street Bridge ▶ 680-9(878) - Pacific Street Bridge ▶ 680-9(900) - Blondo Street Noisewall 	<ul style="list-style-type: none"> ▶ NER101588 ▶ NER104633 ▶ NER104796 ▶ NER101588 ▶ NER104965 ▶ NER101588 ▶ NER105538 ▶ Iowa Project ▶ NER105518 ▶ NER105135 ▶ NER110003 ▶ NER104875 ▶ NER105135 	<ul style="list-style-type: none"> ▶ Complete ▶ Construction ▶ Construction ▶ Establishment Period ▶ Construction ▶ Construction ▶ Construction ▶ Construction ▶ Construction ▶ Establishment Period ▶ Construction ▶ Establishment Period ▶ Establishment Period
District 4	<ul style="list-style-type: none"> ▶ 6-4(121) - Kearney/Adams County Line East ▶ 30-4(103) - Grant St - Greenwich St, Grand Island ▶ 44-2(1008) - L-50A - 11th Street, Kearney ▶ 80-5(67) - Kearney West 	<ul style="list-style-type: none"> ▶ NER105631 ▶ NER105519 ▶ NER105267 ▶ NER105388 	<ul style="list-style-type: none"> ▶ Construction ▶ Construction ▶ Construction ▶ Construction
<p>1 - In Districts 3, 5, 6, 7 and 8, no NPDES Permits were required for construction projects occurring within the MS4 boundary. 2 - Discharge Authorization Number NER101588 is under the old permitting system when one authorization was given for all planned projects.</p>			

Table 4-2 Annual Construction Site Runoff Control Activities

Measurable Goal	Is Measurable Goal On-Track		Summary of Implementation
	Yes	No	
<p>4.1 (a) Update existing Specifications and manuals to include erosion and sediment control sanction to ensure compliance.</p>	X		<p>Drainage Design and Erosion Control Manual</p> <ul style="list-style-type: none"> ▶ This document provides guidance and assistance to individuals involved in the detailed design of roadway drainage and erosion control. The document communicates guidelines, design criteria, and techniques for drainage design and erosion control. <u>The DDECM does not address sanctions to ensure compliance</u>, nor is it an appropriate mechanism to do so. Final Erosion and Sediment Control (ESC) Plans are designed and Engineers approve Temporary ESC Plans with reference to this manual. Throughout the DDECM, the words “shall”, “should”, and “may” are used to describe the appropriate application of

			<p>various design techniques that are documented in project plans and specifications.</p> <ul style="list-style-type: none"> ▪ “Shall” is a mandatory condition; the designer will make every practical effort to follow the criteria. If it is impractical to follow these criteria, authorization for design exception must be obtained. ▪ “Should” is an advisory condition; the designer is recommended, not mandated, to follow the criteria. If it is impractical to follow these criteria, alternative methods require approval and the decision must be documented. ▪ “May” is a permissive condition; it is recommended that a reasonable effort be made to follow the criteria. If it is impractical to follow these criteria, authorization for design variance is not required. <p>Specifications</p> <ul style="list-style-type: none"> ▶ The 2007 Standard Specifications for Highway Construction include requirements and sanctions (enforcement) that address planning and design of erosion and sediment controls. Currently, NDOR estimates the amount of temporary erosion and sediment control measures that will be required for each project. NDOR includes temporary measures as bid items in project bid tabulation forms so Contractors can make an bid estimate. NDOR can not anticipate the exact construction sequence that will be taken by the successful contractor, but an estimate of anticipated measures is made for planning and budgeting purposes. NDOR requires the development of a project specific “Temporary Erosion and Sediment Control Plan” by the Contractor to be approved by the Engineer before construction can begin. ▪ 201.01.17: General “At the preconstruction conference, the Contractor shall submit for acceptance specific plans for accomplishing temporary erosion control...No work shall start until the erosion control plans are accepted by the Engineer.” This Specification acts as the <u>requirement</u> and <u>sanction</u> since work will not be allowed until the Temporary ESC Plan is submitted and approved. ▪ 204.01.8: Description “The Contractor shall explain the erosion control plans at the preconstruction conference.” <p>Specifications (Contractor Rating)</p> <ul style="list-style-type: none"> ▶ The Construction Division currently utilizes a contractor rating system for the purposes of screening contractors who submit pre-qualification packages. For each project completed, the NDOR Project Manager completes an “Evaluation
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		<p>of Contractor” (EOC) form that is maintained by NDOR Construction Division for future reference and evaluation of pre-qualification packages. Evaluation scores are not provided for “Environmental Compliance” and keeping the allocation of ratings consistent between Project Managers is a challenge. NDOR has determined that updating the EOC form to explicitly include environmental compliance is not the best way to require erosion and sediment controls. <i>(NDOR will revisit this option the next time the EOC process is modified.)</i></p> <p>Specification (Water Quality)</p> <ul style="list-style-type: none"> ▶ NDOR proposed the consideration of a Water Quality Specification in the Storm Water Management Program. Review of the existing Standard Specifications for Highway Construction indicated that the intent of this measure can be accomplished in Section 204: <i>Temporary Water Pollution Control</i> and Division 800: <i>Roadside Development and Erosion Control</i>. NDOR continued the process of revising some Special Plans and associated Special Provisions for water quality BMPs: <ul style="list-style-type: none"> ▪ Special Plans and Special Provisions for Erosion Control Blankets, Erosion Checks, Silt Checks, and Silt Fence are approximately 50% complete. <p>Issues Identified</p> <ul style="list-style-type: none"> ▶ Opportunities exist to improve the water quality protection provided by these Specifications and the DDECM to ensure compliance. Examples include improving the guidance defining ESC measures, defining credentials of qualified inspectors and SWPPP designers, allowance time for corrective actions to be made for ESC, minimum setback distances for hazardous chemicals, and many others consistent with the new General Construction Stormwater Permit issued by NDEQ on January 1, 2008. ▶ Contractors typically lack the disciplined education to develop Temporary ESC Plans and the quality and accuracy of Plans being received currently reflects this. This problem might be improved by NDOR taking more responsibility for design or by educating Contractors and expecting specific credentials of individuals preparing Temporary ESC Plans. The responsibility is currently upon the Contractor to get educated and provide quality Plans to the Engineer. ▶ NDOR coordinates changes in construction methods thru the Association of General Contractors (AGC). This partnership between NDOR and AGC adds an additional level of Public Involvement to all proposed changes.
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<p>4.2 (a) Require construction site operators to implement erosion and sediment control practices.</p>	<p>X</p>	<p>Certification Program</p> <ul style="list-style-type: none"> ▶ NDOR has made significant progress in developing an Erosion and Sediment Control (ESC) Certification Program. A partnership between NDOR and Local Technical Assistance Program (LTAP) already existed and has been advanced to provide administration of this certification program. Conditions expected in the new General Construction Stormwater Permit concerning “qualified individuals” also promoted the efforts of NDOR to put this program together. After considerable discussion within NDOR and research into other state programs, the following course structure has been identified for the NDOR certification program initially: <ul style="list-style-type: none"> ▪ Erosion and Sediment Control: Design Basics - This course targets State and local highway design staff, consultants and construction managers who prepare or oversee the preparation of erosion and sediment control plans. In addition, environmental agency representatives, as well as consultants and members of the construction industry, are encouraged to attend to provide their perspectives, learn each other's responsibilities, and explore an array of options to control erosion and sedimentation on construction sites. At this time, NDOR does not anticipate administration of an exam because the General Construction Stormwater Permit lists the acceptable credentials for Storm Water Pollution Prevention Plan (SWPPP) Designers. ▪ Erosion and Sediment Control: Inspection This course targets individuals responsible for overseeing erosion and sediment control measures in the field and may be responsible for impacting site conditions and/or amending or updating the SWPPP during the construction process. NDOR will require NDOR Project Managers and Inspectors as well as project Prime Contractors (Foreman level and above), Erosion and Seeding Contractors to attend this course and sufficiently pass a qualification exam. <p>Compliance Technical Advisory Group</p> <ul style="list-style-type: none"> ▶ The Construction Division Manager, Claude Oie, is leading the efforts to comply with the Construction Stormwater Runoff Control requirements. He works with the group of individuals shown in Figure 1-2 to ensure that adequate enforcement, implementation, plan review and site inspection guidance, requirements and criteria are in place to minimize construction stormwater
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		impacts to water quality.
<p>4.3 (a) Develop procedures for site plan review to include consideration of water quality impacts.</p>	<p>X</p>	<p>Standard Plans</p> <ul style="list-style-type: none"> ▶ Erosion control, sediment control, and good housekeeping efforts made during construction projects work to protect water quality. NDOR protects water quality by ensuring that the most appropriate BMPs are selected for each project during site plan review. All plans – including Temporary ESC Plans – must be approved by the NDOR engineer. <ul style="list-style-type: none"> ▪ NDOR maintains Standard and Special Plans that are used to develop ESC measures included in the SWPPP for either Permanent or Temporary ESC Plans. For temporary measures, line items are included in the bid package, but locations and quantities are not specified in the project plans. Contractors pick and choose which measures they feel are most appropriate to implement for their methods of construction and coordinate bid quantities accordingly. ▪ NDOR has developed a toolbox of BMPs that will help in creating a checklist for contractors. Water quality protection measures are separated into three groups: erosion control, sediment control, and good housekeeping. This toolbox will be kept current with the latest revisions to the Standard and Special Plans. <p>SWPPP Template</p> <ul style="list-style-type: none"> ▶ The current SWPPP template ensures that all of the required environmental compliance information for a construction project is maintained in a single location. Information in the NDOR template includes: <ul style="list-style-type: none"> ▪ Record of SWPPP Amendments ▪ Introduction ▪ Project Description ▪ Procedures ▪ Special Provisions ▪ Permits ▪ Temporary ESC Plan (<i>provided by Contractor, approved by NDOR</i>) ▪ Permanent ESC Plan ▪ Installation Details

		<ul style="list-style-type: none"> ▪ Inspection Forms ▪ Maintenance Log <p>Issues Identified</p> <ul style="list-style-type: none"> ▶ NDOR can improve the water quality protection of temporary ESC measures by requiring Contractors to provide more detailed information of the entire construction sequence prior to giving approval of Temporary ESC Plans. ▶ NDOR project inspectors conduct weekly inspections of compliance with the Temporary ESC Plan and identify corrective actions. NDOR does not require a specific Temporary ESC Plan format which makes standardized review difficult.
<p>4.4 (a) Develop and implement site inspection process.</p>	<p>X</p>	<p>Current Procedures</p> <ul style="list-style-type: none"> ▶ NDOR maintains the policy that weekly construction site inspections and inspection after every 0.5 inches of rain will be conducted for projects that disturb an acre of soil or more. Inspectors for NDOR utilize a standardized inspection checklist to review site conditions and identify corrective actions. Corrective actions are given to contractors to complete in a timely manner. ▶ Records of inspections are currently submitted to NDOR and logged within the Falcon database. This database can be reviewed to determine the number of inspections completed each year. The number of these site inspections is described in Table 4-3. ▶ Four on-call consultants assisted NDOR by conducting monthly Quality Assurance inspections for projects that disturbed an acre of soil or greater. Consultants utilize a much more extensive inspection checklist that also includes review of other environmental compliance requirements such as wetlands, migratory birds, threatened and endangered species. The number of these site inspections is described in Table 4-3. ▶ Additional Compliance Assistance inspections are conducted by NDOR at the request of Project Managers and when NDEQ or an adjacent MS4 notifies NDOR of a complaint or potential NPDES General Permit violation. NDOR conducts an inspection of the site with the Project Manager to identify any steps needed to resolve potential problems. The number of these Compliance Assistance inspections was not documented this year. <p>Issues Identified</p> <ul style="list-style-type: none"> ▶ The current system of recording inspections into Falcon does not provide NDOR with the means to conduct a representative assessment of the outcome of inspections. For example, it is not easy to extract the number of instances that

		<p>improper material storage areas or improperly maintained sedimentation ponds are noted on inspection reports. This information would allow NDOR to assess the type of education and enforcement that will improve compliance in the future. NDOR will improve the ability to record and track the nature of inspection issues in order to increase construction site compliance.</p> <ul style="list-style-type: none">▶ Tracking enforcement of erosion and sediment control issues has not been a problem for NDOR to date. No enforcement actions have been taken for erosion and sediment control issues under the MS4 Permit. NDOR anticipates that enforcement of erosion and sediment control issues will increase in the next few years. NDOR will improve the ability to record and track enforcement efforts made to get construction projects in compliance with NPDES General Construction Stormwater Permit conditions.▶ Compliance Assistance inspections allow NDOR to provide meaningful input for construction projects that may be struggling to maintain proper BMPs. The reactive approach is helpful, but it can be improved. The next step for NDOR is to develop proactive procedures and prioritization criteria for conducting Compliance Assistance inspections. Inspections are needed for the purpose of verifying the integrity of routine site inspections being completed by Project Managers, Inspectors, Maintenance staff, and consultants.▶ The weekly inspection form and corrective action form are separate documents. Project Managers must transfer corrective actions identified during an inspection to a separate form for distribution to the Contractor. This often causes confusion and duplication of paperwork. A revised form will be developed that includes both the inspection questions and corrective actions would benefit NDOR and the Contractor.
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4.2 Inspections and Enforcement Actions

- ▶ NDOR abides by the basic inspection frequency requirements listed in the EPA General Construction Stormwater Permit (7-days) instead of the NDEQ General Construction Stormwater Permit (14-days) for select projects.
- ▶ After final stabilization measures are in place, inspection frequency is reduced to monthly until the required vegetative cover is established and the Construction Stormwater-Notice of Termination (CSW-NOT) can be submitted to NDEQ.

Table 4-3 Summary of Construction Site Runoff Control Inspections and Enforcement Actions

Activity	Summary of Activity	
Construction Site Inspections	▶ Contractor	<ul style="list-style-type: none"> ▶ NDOR contracted the services of four on-call Consultants to provide monthly compliance inspections for projects under construction. ▶ NDOR provides on-call Consultants with an inspection form that is used during site visits to record findings and identify any corrective actions needed to reduce the risk of stormwater pollution from construction activity. ▶ The Falcon recordkeeping system indicates that in 2007, on-call Consultants completed some of the 485¹ NPDES Construction Stormwater Permit compliance inspections for construction projects that occurred within the MS4 boundary.
	▶ NDOR	<p>During Construction</p> <ul style="list-style-type: none"> ▶ NDOR Inspectors conduct inspections on a weekly basis and after every 0.5" of rain until the Contractor has completed their work. ▶ NDOR provides Inspectors with an inspection form that is use during site visits to record findings and identify any corrective actions needed to reduce the risk of stormwater pollution from construction activity. ▶ The Falcon recordkeeping system indicates that in 2007, NDOR Inspectors, Project Managers, or the Operations Division completed some of the 485¹ NPDES Construction Stormwater Permit compliance inspections for construction projects that occurred within the MS4 boundary. ▶ The number of compliance assistance visits with Project Managers performed by Ron Poe and Bill Hitzman were not tracked. <p>After Construction</p> <ul style="list-style-type: none"> ▶ In some Districts, the Operations Division takes over inspections until final stabilization is established. In other Districts, the construction Project Managers continue to conduct inspections until final stabilization is established. In most Districts, responsibility for inspections is dependant on the amount of projects on-going and time constraints.
	▶ Permitting Authority	▶ No inspections were conducted by NDEQ or EPA.
Erosion and Sediment Control Enforcement Actions	▶ NDOR	▶ No warnings or enforcements were issued by NDOR.
	▶ Permitting Authority	▶ No warnings or enforcements were issued by EPA or NDEQ.
<p>1 – This number reflects all inspections logged in the Falcon database. Inspections were not aggregated between NDOR and Consultant inspections. Additional inspections may have been completed, but the paperwork has not been sent for entry into the Falcon database.</p>		

4.3 Activities Scheduled for Next Year

Table 4-4 Summary of Construction Site Runoff Control Activities for Next Year

Measurable Goal	Summary of Planned Activity
4.1 (a)	<ul style="list-style-type: none"> ▶ Propose amendments to Specifications, Special and Provisions, and/or Plans that relate to water quality including but not limited to: <ul style="list-style-type: none"> ▪ Define the requirements to be a Qualified Inspector or SWPPP Designer for NDOR construction projects that disturb an acre of soil or more. ▪ Define the responsibility of Contractors to obtain separate NPDES Construction Stormwater Permit Authorization for activities conducted outside of the limits of construction such as soil borrow pits, waste areas and batch plants. ▪ Discharges of water polluted by saw cutting road joints. ▪ Discharges of water polluted by dewatering operations. ▪ Good housekeeping measures such as fuel storage, material stockpile locations, vehicle maintenance, etc.
4.2 (a)	<ul style="list-style-type: none"> ▶ Publish an Erosion and Sediment Control Training and Certification Program Guide on the website and distributed thru municipalities, SWAN, and AGC. This Guide will communicate the NDOR requirements for ESC Training and Certification as they relate to NDOR personnel, Consultants, Contractors, and other interested stakeholders. ▶ NDOR will kick off the Erosion and Sediment Control Training and Certification Program. <ul style="list-style-type: none"> ▪ At least 8 sessions of the Erosion and Sediment Control: Design Basics course will be offered. ▪ At least 7 sessions of the Erosion and Sediment Control: Inspection course with exam will be offered. ▶ NDOR will publish at least 1,000 copies of the BMP pocket guide for distribution to class attendees and municipal representatives. A portable document format copy will be posted on the NDOR website for download and printing by anyone interested in the document. ▶ The Compliance Technical Advisory Group - Construction Work Group will continue to assess the construction site operators' implementation of erosion and sediment control BMPs and identify areas for improvement.
4.3 (a)	<ul style="list-style-type: none"> ▶ Draft a Temporary ESC Plan template and checklist of requirements that each Plan must have considered before being submitted for approval by the NDOR engineer. <i>Coordinate with AGC to review and finalize the template and checklist if possible.</i> ▶ Update the current SWPPP template to be consistent with the 2008 NPDES General Construction Stormwater Permit requirements.
4.4 (a)	<ul style="list-style-type: none"> ▶ Update the weekly site inspection report to include the corrective actions on the same form. ▶ Propose modifications to the inspection tracking process based on the fact that the findings of inspections can not easily be summarized using the current Falcon system. ▶ Record the number and the findings of Compliance Assistance inspections conducted by Ron Poe and Bill Hitzman. ▶ Distribute an "Erosion and Sediment Control Deficiency Notification" to all Project Managers when corrective actions are not

completed as required in the NPDES General Construction Stormwater Permit. The form will be used to give Contractors a first notice, a second notice, and a stop-work notice for not complying with corrective actions. This process is expected to allow NDOR to enforce control measure requirements in Temporary and Permanent ECS Plans.

- ▶ On-call consultants will conduct monthly inspections for all projects that are being constructed within the MS4 coverage area.

5.0 Post-Construction Site Runoff Control

- ▶ Post-construction water quality considerations are currently focused on providing runoff velocity control and soil stabilization measures. The Post-Construction Stormwater Program will bring new factors to the project design process that have rarely been considered in the past. In 2007, efforts were focused on documenting the pollutants of concern for highway stormwater runoff and any water quality impairments that NDOR will need to consider for projects in the design phase.
- ▶ Since this is a newer concept, more education on water quality BMPs is needed for NDOR designers. NDOR will develop a Technical Report that outlines the design considerations and potential water quality BMPs that can be used for future project designs. This Technical Report will guide the process to revise design standards and specifications in the future.
- ▶ NDOR funds roadway projects within adjacent MS4 communities. Design for these projects must follow NDOR design standards and specifications. The implications for revising water quality design standards will be carefully considered and will include public input from Cities that will be impacted.

5.1 Summary of Implementation and Program Compliance

Table 5-1 Water Quality Considerations Made for Projects Let within MS4

District ¹	Project Number - Name	Water Quality Considerations
District 1	<ul style="list-style-type: none"> ▶ 80-9(553) - Bridges over US 77, Lincoln ▶ 80-9(854) - Little Salt Creek Bridge (E.B.) ▶ 80-9(856) - I-180 - 56th Street, Lincoln 	<ul style="list-style-type: none"> ▶ Velocity Control and Soil Stabilization ▶ Velocity Control and Soil Stabilization ▶ Velocity Control and Soil Stabilization
District 2	<ul style="list-style-type: none"> ▶ 75-2(1055) - Fort Street South ▶ 80-9(892) - Expand I-80 EB & Kennedy SB ▶ 275-7(184) (185) (186) - So. Omaha Bridge, Nebr. ▶ 275-7(187) (188) - So. Omaha Bridge, Iowa ▶ 480-9 (773) (774) (779) (781) - Harney St - 24th St (EB) 	<ul style="list-style-type: none"> ▶ Velocity Control and Soil Stabilization ▶ Velocity Control and Soil Stabilization ▶ Velocity Control and Soil Stabilization ▶ Velocity Control and Soil Stabilization ▶ Velocity Control and Soil Stabilization
District 4	<ul style="list-style-type: none"> ▶ 30-4(103) - Grant St - Greenwich St, Grand Island ▶ 44-2(1008) - L-50A - 11th Street, Kearney ▶ 80-5(67) - Kearney West 	<ul style="list-style-type: none"> ▶ Velocity Control and Soil Stabilization ▶ Velocity Control and Soil Stabilization ▶ Velocity Control and Soil Stabilization
1 - In Districts 3, 5, 6, 7 and 8, no projects were let for construction within the MS4 boundary.		

Table 5-2 Annual Post-Construction Site Runoff Control Activities

Measurable Goal	Is Measurable Goal On-Track		Summary of Implementation
	Yes	No	
5.1 (a) Develop procedures for site plan review to include consideration of structural and/or non-structural BMPs.	X		<p>Compliance Technical Advisory Group</p> <ul style="list-style-type: none"> ▶ The Roadway Design Engineer, Jim Knott, is leading the efforts to comply with the Post-Construction Stormwater Runoff Control requirements. He works with the group of individuals shown in Figure 1-2 to ensure that adequate site plan review, BMP design, MS4 coordination and enforcement requirements are in place to minimize impacts to water quality after construction is complete. <p>Review Existing Design Process</p> <ul style="list-style-type: none"> ▶ A presentation was made to the full CTAG about water quality impacts of highway runoff. The Group reviewed a Water Quality Design Technical Report that documents the current listing of structural and non-structural BMPs available to NDOR and how they address existing and potential pollution from highway runoff. ▶ NDOR maintains the Design Process Outline (DPO) to guide the design of development and redevelopment projects. Water quality impairments need to be communicated during the Engineering Review stage. Any consideration of structural and non-structural BMPs would be determined by following the DPO and the Drainage Design and Erosion Control Manual which describes approved controls. This information will be used to update the NDOR State-wide Stormwater Management Program Work Plan (Work Plan). <p>Review Existing Specifications</p> <ul style="list-style-type: none"> ▶ NDOR maintains authority - as the designer of the State Highway System - to require site plan review according to the Highway and Bridge Law Sections 39-1301, 39-1316, 39-1337, and 39-2105. No additional authority is required. <p>Review Available Manuals and Procedures</p> <ul style="list-style-type: none"> ▶ NDOR maintains the Design Process Outline (DPO) as the approved procedure for developing roadway design plans and specification for new projects. Considerations for designing water quality BMPs must be made at multiple stages of the design process. Major components of the DPO include: <ul style="list-style-type: none"> ▪ Preliminary Engineering Review ▪ Preliminary Roadway Design ▪ Design Plan in Hand

			<ul style="list-style-type: none"> ▪ Roadway Functional Design ▪ Design Preparation for Public Hearing ▪ Roadway Design Review ▪ Final Design ▪ Final Plan Review for Plans, Specifications, and Estimates <p>▶ The Roadway Design Manual and the Drainage Design/Erosion Control Manual are referenced during the design process to develop plans and specification. The Drainage Design/Erosion Control Manual is the primary reference for water quality BMP designs.</p>
5.1 (b) Establish cooperative effort to coordinate both planning and design of structural and non-structural BMPs.	X		<p>Local Requirements</p> <p>▶ Currently, only the City of Lincoln (Drainage Criteria Manual) and the City of Omaha (Regional Stormwater Design Manual) have adopted a formal requirements and guidance on designing water quality BMPs. NDOR is aware of the efforts underway by the Nebraska Stormwater Cooperative (Nebraska H₂O) which may develop a manual for designing water quality BMPs or adopt criteria in the Lincoln or Omaha Manuals.</p> <p>Opportunities to Coordinate</p> <p>▶ NDOR develops project plans and specifications according the Design Process Outline using the Roadway Design and Drainage Design/Erosion Control Manuals. Municipalities completing State-funded roadway improvements must abide by NDOR Specifications and Standards. Opportunities exist during the design process to consider local design options that vary from NDOR standards.</p> <p>▶ The bulk of this evaluation has been moved to next year when the Water Quality Design Technical Report is developed.</p>
5.2 (a) Update existing Specifications, manuals, and Standard Plans to address post-construction storm water runoff from new development and redevelopment projects.	X		<p>Existing Design Process</p> <p>▶ See 5.1(a) in Table 5-2</p> <p>Existing Specifications</p> <p>▶ See 5.1(a) in Table 5-2. No additional authority is required.</p> <p>Review Available Manuals and Procedures</p> <p>▶ See 5.1(a) in Table 5-2</p>
5.3 (a) Develop tracking of BMP maintenance activities.	X		<p>Enterprise Asset Management and BMP Identification</p> <p>▶ See 6.1(c) in Table 6-1</p> <p>Maintenance Requirements of Existing BMPs</p> <p>▶ Maintenance of water quality BMPs currently falls under one of the following NDOR activities: Drainage Structure Maintenance, Reshaping Ditches and Filling Washouts, Channel Cleaning and Reshaping, Litter Pick-up, or Seeding and Sodding.</p>

5.2 Inspections and Enforcement Actions

Table 5-3 Summary of Post-Construction Site Runoff Control Inspections and Enforcement Actions

Activity	Summary of Activity
Water Quality BMP Design Review	<ul style="list-style-type: none"> ▶ The method of measuring this Activity has not been determined. Water Quality BMP Design Review occurs over a series of steps during the project design process. ▶ At a minimum, all projects are currently reviewed for stormwater velocity control and soil stabilization efforts.
Post-Construction BMP Field Implementation Inspections	<ul style="list-style-type: none"> ▶ All construction project elements are inspected by an NDOR Project Manager and Inspectors familiar with the design standards and construction methods for current water quality BMPs. Stormwater velocity control and soil stabilization efforts are checked against project plans and specifications in the field. ▶ Additional inspection records, other than soil stabilization inspections (Section 4.2 of this Annual Report), are not kept for water quality BMP construction.
Post-Construction Enforcement Actions	<ul style="list-style-type: none"> ▶ No enforcement actions were taken for water quality BMP design, construction, or maintenance.

5.3 Activities Scheduled for Next Year

Table 5-4 Summary of Post-Construction Site Runoff Control Activities for Next Year

Measurable Goal	Summary of Planned Activity
5.1 (a)	▶ The Water Quality Design Technical Report will recommend site plan review procedures that include consideration of NDOR water quality BMPs, target pollutants, and pollution sources.
5.1 (b)	▶ The Water Quality Design Technical Report will recommend coordination procedures for consideration of local water quality BMPs, target pollutants, and pollution sources.
5.2 (a)	▶ The Water Quality Design Technical Report will recommend enforcement amendments to existing Specifications, manuals, and standard plans so that the post-construction stormwater control program can be improved.
5.3 (a)	▶ The Water Quality Design Technical Report will recommend additional water quality BMP options for new development and redevelopment along with the long-term maintenance considerations for each BMP.

6.0 Pollution Prevention and Good Housekeeping

- ▶ Many important activities and documents maintained by NDOR already support the goals of the Good Housekeeping Program. Certain efforts promote good safety, product management, and health of employees which has a secondary benefit of protecting water quality in many cases. Additional guidance is needed to focus specifically on water quality to meet the requirements of the MS4 permit.
- ▶ NDOR operates many maintenance facilities across the state. These are support facilities that are classified under Standard Industrial Code 1611 which does not require authorization from NDEQ under the General Industrial Stormwater Permit. Stormwater runoff from these facilities does have the potential to impact water quality though. For NDOR maintenance facilities located within the MS4 boundary, a Facility Runoff Control Plan will be developed to control pollution sources and educate facility staff about BMPs to protect water quality. A FRCP template was developed that will be used at all facilities within the MS4 boundary.
- ▶ When MS4s exist adjacent to each other, it is sometimes difficult to determine who is responsible for stormwater discharging through the storm drain systems that are connected. In Nebraska, municipalities are responsible for maintenance of the roadway outside of the traveled way and right-of-way – including drainages along highways – located inside their corporate limits. NDOR expects adjacent MS4s to implement their Good Housekeeping Programs along these state highways, but this expectation must be communicated clearly.
- ▶ NDOR is responsible for some maintenance in some MS4 areas. MS4 counties are not responsible for maintenance of State owned highways and NDOR maintains all freeways and interstates. Any efforts to maintain these portions of the State Highways System will follow BMPs that are being developed for the Good Housekeeping Program.

6.1 Summary of Implementation and Program Compliance

Table 6-1 Annual Pollution Prevention and Good Housekeeping Activities

Measurable Goal	Is Measurable Goal On-Track		Summary of Implementation
	Yes	No	
6.1(a) Perform internal evaluation of NDOR maintenance operations.	X		Inventory Facilities <ul style="list-style-type: none"> ▶ All maintenance and storage facilities located within the MS4 boundaries are listed in the SWMP Work Plan. ▶ Currently, NDOR operates 22 such facilities in five Districts. In 2007, the

		<p>maintenance facility in Scottsbluff was relocated to a new facility in Gering which is not an MS4 community at this time. The land in Scottsbluff will be relinquished to the City of Scottsbluff.</p> <p>Evaluate Facilities</p> <ul style="list-style-type: none"> ▶ NDOR developed a facility evaluation template to use when creating Facility Runoff Control Plans (FRCPs) at each facility. The FRCP template will be incorporated into the Work Plan. ▶ In July and August 2007, District 4 facilities were evaluated in the MS4 communities of Grand Island and Kearney. Site specific FRCPs were developed for 2 facilities in Kearney and 1 facility in Grand Island. No facilities are located in Hastings which is also an MS4 in District 4. ▶ In October and November 2007, District 6 facilities were evaluated in the MS4 communities of Lexington and North Platte. Site specific FRCPs were developed for 2 facilities in North Platte and 1 facility in Lexington.
<p>6.1(b) Develop Operation and Maintenance Standard Operating Procedures for reducing pollutants in storm water runoff from Agency operations.</p>	<p>X</p>	<p>Review Available Guidance</p> <ul style="list-style-type: none"> ▶ NDOR maintains a variety of Standard Operating Procedures (SOPs) that address target maintenance activities. These SOPs are kept in various manuals and documents including: <ul style="list-style-type: none"> ▪ NDOR Maintenance Manual ▪ Pavement Maintenance Manual ▪ Waste Manual ▪ Drainage Design and Erosion Control Manual ▪ Roadside Chemical Usage Guidelines ▪ Highway Mowing Policy ▪ Employee Safety Handbook ▪ Municipal Maintenance Agreements <p>Evaluation Guidance</p> <ul style="list-style-type: none"> ▶ NDOR operations and maintenance activities that are conducted inside the MS4 boundary were evaluated. A maintenance survey was distributed to District Maintenance Superintendents who oversee regional operations within each District. Results of the survey were used to determine if the existing SOPs address the stormwater pollution risk from agency operations conducted within MS4 communities. <ul style="list-style-type: none"> ▪ Generally, implementation of BMPs to reduce stormwater pollution is indirectly promoted in the manuals and documents above. ▪ Indirectly, all target activities of roadway maintenance activities are covered by NDOR manuals and documents. ▪ Currently, NDOR manuals and documents are used by NDOR

			<p>personnel. Contractors who conduct maintenance activities under contract for NDOR are expected to abide by NDOR SOPs. Adjacent MS4s responsible for roadway maintenance comply with their own SOPs developed for use in their community.</p>
<p>6.1(c) Establish process to track permanent BMPs.</p>	<p>X</p>		<p>Evaluate Databases</p> <ul style="list-style-type: none"> ▶ Information about what BMPs exist is currently maintained in scanned files on the Falcon database system according to project. ▶ NDOR is working with an Enterprise Asset Management System (EAMS) that could be used for mapping water quality BMPs and tracking maintenance requirements and activities. This system will not be brought on-line for this type of tracking until other phases are completed. <ul style="list-style-type: none"> ▪ Data can be collected and mapped in GIS until it can be incorporated into the EAMS. <p>Evaluate Transfer of Information</p> <ul style="list-style-type: none"> ▶ Communicating information about maintaining water quality BMPs on new projects is informal. Maintenance staff is involved in reviewing project plans at the plan-in-hand meeting where the project constraints and potential maintenance requirements are discussed. Currently, the large majority of water quality BMP maintenance requirements consist of maintaining vegetated slopes and ditches or sedimentation basins.
<p>6.1(d) Ensure existing maintenance agreements between NDOR and MS4 communities address the goal of reducing pollutant runoff from municipal operations.</p>	<p>X</p>		<p>Review Agreements and Statutes</p> <ul style="list-style-type: none"> ▶ 17 of 22 MS4s have a Municipal Maintenance Agreements (MMAs) with NDOR that are renewed on an annual basis. <ul style="list-style-type: none"> ▪ Boys Town, Dakota City and the three county MS4s do not have MMAs with NDOR. ▪ Under the statutory authority of Section 39-1339, communities of a certain class are required to maintain portions of the State Highway System within their boundary. These Cities are also compensated to maintain NDOR's responsibilities according to the terms of the MMAs with NDOR. ▪ NDOR has responsibility for maintenance of certain highways with fully controlled access, i.e. interstates and freeways.
<p>6.1(e) Develop Quick Reference Guides for maintenance employees regarding storm water responsibilities.</p>	<p>X</p>		<p>Review Available Materials</p> <ul style="list-style-type: none"> ▶ NDOR has included all of the existing stormwater education materials that address Pollution Prevention/Good Housekeeping in the Work Plan. ▶ NDOR currently utilizes the Waste Manual and the Maintenance Manual and various others as "off-the-shelf" guides that indirectly address the need to protect stormwater quality through proper disposal of waste and maintenance of

				<p>the State Highway System. ▶ FRCPs are distributed to each facility as they are developed.</p>
<p>¹Training provided to comply with NPDES Permit Part III.B.6 is reported in the Public Education and Outreach section of this Annual Report.</p>				

6.2 Inspections and Enforcement Actions

Table 6-2 Summary of Pollution Prevention and Good Housekeeping Inspections and Enforcement Actions

Activity	Summary of Activity
New Water Quality BMP Hand-off Inspections	<ul style="list-style-type: none"> ▶ At the Contractor close-out meeting Construction Project Managers, Contractors, and Maintenance discuss construction site BMPs, including water quality BMPs, that must be maintained until the final stabilization criteria is achieved and the NPDES General Construction Stormwater Permit Authorization can be terminated. ▶ Water quality BMPs must be functioning as designed before a Contractor can hand over maintenance responsibility. ▶ The number of hand-off inspections was not tracked in 2007.
Water Quality BMP Field Maintenance Inspections	<ul style="list-style-type: none"> ▶ Culverts, drainages and water quality BMPs along freeways within MS4s are visually inspected for maintenance needs. ▶ NDOR uses the following Activity Codes that can be used to track maintenance of water quality BMPs in the future: <ul style="list-style-type: none"> ▪ 2101 Drainage Structure Maintenance ▪ 2102 Maintaining Miscellaneous Structures ▪ 2111 Reshaping Ditches and Filling Washouts ▪ 2114 Channel Cleaning and Reshaping ▪ 2311 Litter Pick-up ▪ 2315 Seeding and Sodding ▶ Costs can be tracked District-wide, but a method to pull out the operations conducted within the MS4 coverage area has not been determined at this time.
Facility Runoff Control Plan Site Inspections	<ul style="list-style-type: none"> ▶ Qualified individuals from each facility conduct monthly site-evaluations using the FRCP inspection checklist and corrective action form. In 2007, 21 self-evaluations with corrective actions were completed to evaluate site conditions and document efforts made to reduce the risk of stormwater pollution. ▶ No FRCP Audit inspections were conducted in 2007 to review inspection records, provide reinforcement and guidance for stormwater protection, and identify modifications that should be made to the FRCP document.
PP/GH Enforcement Actions	<ul style="list-style-type: none"> ▶ NDOR did not take enforcement actions against any staff, contractors, or adjacent MS4s for violating Good Housekeeping and Pollution Prevention Standard Operating Procedures or contract terms and conditions.

6.3 Activities Scheduled for Next Year

Table 6-3 Summary of Pollution Prevention and Good Housekeeping Activities for Next Year

Measurable Goal	Summary of Planned Activity
6.1(a)	<ul style="list-style-type: none"> ▶ Develop FRCPs for 8 facilities in Districts 1 and 3. ▶ Conduct 6 FRCP Audits of facilities in Districts 2 and 4.
6.1(b)	<ul style="list-style-type: none"> ▶ Maintenance Survey results and recommendations - with proposed amendments and additions to SOPs - will be finalized and incorporated into the Work Plan. ▶ NDOR will draft revisions to the Maintenance Manual to include more specific water quality protection BMPs for standard operations. ▶ NDOR has identified three maintenance activities that have the highest potential of impacting stormwater pollution. These activities include Winter Operations; Chemicals, Herbicides, and Insecticides; Seeding and Erosion Control. NDOR will propose improvements to existing SOPs for these activities. ▶ NDOR will also draft revisions to the Pavement Maintenance Manual to include requirements for environmental protection and permit compliance.
6.1(c)	<ul style="list-style-type: none"> ▶ The Water Quality Design Technical Report developed for Section 5.3 of this Annual Report will address the tracking and maintenance needs for water quality BMPs. ▶ Updates to the EAMS database will be suggested.
6.1(d)	<ul style="list-style-type: none"> ▶ NDOR will communicate to Adjacent MS4s the relationship between the Nebraska Highway Law Section 39-1339, Municipal Maintenance Agreements, and conducting: <ul style="list-style-type: none"> ▪ Good Housekeeping/Pollution Prevention Measures, ▪ Post-Construction Water Quality BMP Maintenance, and ▪ Illicit Discharge Detection and Elimination Efforts
6.1(e)	<ul style="list-style-type: none"> ▶ Draft a Good Housekeeping/Pollution Prevention Pocket Guide that can be distributed to maintenance and operation staff. ▶ Deliver FRCPs to MS4 facilities in Districts 1 and 3 for use as quick reference guides.

7.0 Additional Requirements

- ▶ This Section of the Annual Report summarizes NDOR efforts to comply with additional MS4 Permit requirements that are not specifically associated with the six Minimum Control Measures.

7.1 Evaluation of Compliance and the Appropriateness of Identified BMPs

- ▶ Part III.C of the MS4 Permit requires NDOR to evaluate SWMP compliance and the appropriateness of identified BMPs. Attachment 1 is submitted with this Annual Report to notify NDEQ and the public how compliance and appropriateness of identified BMPs will be measured during the first Permit term (5-years).
 - As a new MS4 Permit holder, NDOR has focused on targeting pollution sources and activities that can be addressed by the six Minimum Control Measures. To communicate the intention of each Measurable Goal, NDOR has established a series of Desired Outcomes that should be attained if the program is effective. Desired Outcomes address the root causes of non-point source pollution and communicate what the program can demonstrate once they are achieved. This presumptive approach to meeting water quality standards is a reasonable methodology for assessing compliance with water quality standards at this time.
 - NDOR anticipates that Measurable Goals and Desired Outcomes will adjust as the MS4 program matures and is evaluated annually. NDEQ and the public are welcome to provide comments and feedback in order to improve the likelihood that they will achieve water quality standards.
- ▶ NDOR is in compliance with all conditions and requirements of the MS4 Permit and SWMP.
- ▶ Modifications are proposed in Section 7.2 to improve the appropriateness of identified BMPs.
- ▶ Progress for all Measurable Goals is currently on track with Annual Milestones listed in the SWMP.

7.2 Proposed Changes

- ▶ **MCM 1.1(a):**
 - Revise Measurable Activity to read “Develop and distribute guidance materials on reducing storm water impacts to water bodies.”
 - Two BMPs have been moved from MCM 1.1(c)
 - ▶ Install curb inlets with “No Dumping – Leads to Stream”
 - ▶ Update NDOR website to include stormwater information

- ▶ **MCM 1.1(c):** Two BMPs have been moved under MCM 1.1(a)
 - Install curb inlets with “No Dumping – Leads to Stream”
 - Update NDOR website to include stormwater information
- ▶ **MCM 3.2(a):** All references to “Specifications” have been revised to “Controls” since multiple resources will be used to enforce the discharge of illicit stormwater discharges.
- ▶ **MCM 5.1(a):** Revise Measurable Activity to read “Develop and implement procedures for site plan review to include consideration of structural and/or non-structural BMPs.”
- ▶ **MCM 5.3(a):** Post-construction design efforts for tracking have been combined into MCM 6.1(c)
- ▶ **MCM 5.3(a):** The Measurable Activity for this MCM has been revised to “Communicate specific maintenance requirements for the long-term operation and maintenance of stormwater BMPs.” The revised Annual Milestones are listed in the Evaluation and Assessment Plan located in Attachment 1.
- ▶ **MCM 6.1(a):** The Permit Requirement was edited to reflect “NDOR” operations instead of “municipal” operations since NDOR is not a municipality.
- ▶ **MCM 6.1(c):** Tracking efforts included in MCM 5.3(a) have been combined into this MCM. The revised MCM information is listed in the Evaluation and Assessment Plan located in Attachment 1.
- ▶ **MCM 6.1(e):** The Measurable Goal and Annual Commitments have been revised to include stormwater training for good housekeeping/pollution prevention measures.

7.3 Improvements or Degradation in Receiving Waters

- ▶ NDOR is not aware of any improvements or degradation in receiving water quality.

7.4 Compliance Assistance from other Entities

- ▶ NDOR has formed strategic partnerships with the Local Technical Assistance Program (LTAP) of the University of Nebraska and the Nebraska H₂O Cooperative.

- ▶ NDOR enforces State Statute Section 39-1339 through Municipal Maintenance Agreements. It is currently undetermined, what NDOR will require adjacent MS4s to accomplish under these requirements for the Illicit Discharge Program, water quality BMP maintenance, and the Good Housekeeping Program.

7.5 Data Collection and Analysis

- ▶ Texas Transportation Institute
 - NDOR contributes \$10,000 annually to TTI's Hydraulics, Erosion and Sediment Control Laboratory.
 - Facility tests rolled erosion control products for physical properties and to ensure products meet a performance criteria.
 - Crimped straw erosion control methods are tested to compare effectiveness in relation to the rolled erosion control products.
 - Data collected in 2007 has not been summarized to date. Information may be requested from Roadside Stabilization Division once it becomes available.
- ▶ No water quality monitoring or other data collection and analysis was conducted for the SWMP.

7.6 Annual Budget and Expenditures

	2007 Expended	2008 Budgeted
Education and Involvement	MS4 Consultant: \$55,201 Production: \$0	MS4 Consultant: \$48,649 Production: \$6,000
Illicit Discharge	MS4 Consultant: \$1,990	MS4 Consultant: \$44,870
Construction Stormwater	MS4 Consultant: \$1,076 On-Call Consultants: \$433,103 Research: \$10,000	MS4 Consultant: \$56,948 On-Call Consultants: \$548,389 Research: \$10,000
Post-construction Stormwater	MS4 Consultant: \$15,337 Research: \$0	MS4 Consultant: \$31,508 Research: \$0
Good Housekeeping	MS4 Consultant: \$53,586	MS4 Consultant: \$128,665
Program Management	MS4 Consultant: \$56,543	MS4 Consultant: \$56,429
Total MS4 Program Cost	\$626,836	\$931,458

Appendix MS4 Evaluation and Assessment Plan



STATE-WIDE STORM WATER MANAGEMENT PROGRAM:

EVALUATION AND ASSESSMENT PLAN

Prepared for:

Nebraska Department of Roads
MS4 Storm Water Program
SPR-PL-1(44)

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FHU Reference No. 06-030
December 2007

“Not everything that counts can be counted. Not everything that can be counted counts.”

Albert Einstein

We provide and maintain, in cooperation with public and private organizations, a safe, efficient, affordable, environmentally compatible and coordinated statewide transportation system for the movement of people and goods.

NDOR Mission

SWMP EVALUATION AND ASSESSMENT PLAN

Nebraska Department of Roads (NDOR) is required, according to Part III.C of the Municipal Separate Storm Sewer System (MS4) Permit, to submit a plan for evaluation and assessment of the Stormwater Management Plan (SWMP) during the first year of the Permit. This document communicates how NDOR will conduct the evaluation and assessment and what criteria will be used in the Annual Report to measure compliance. This plan will be authorized by NDEQ and executed fully by NDOR during the first Permit term. The MS4 Permit for NDOR requires an annual evaluation of:

1. Program compliance;
2. The appropriateness of identified BMPs (i.e., Minimum Control Measures [MCM]); and
3. Progress toward achieving measurable goals.

The **evaluation of program compliance** must meet the established standard for Maximum Extent Practicable (MEP) which is outlined in State and Federal regulations for small MS4s. Compliance with the conditions of the Permit and the series of steps associated with identification and implementation of the Minimum Control Measures (MCMs) will satisfy the MEP standard. Implementation of the MEP standard under the rule will typically require NDOR to develop and implement appropriate BMPs to satisfy each of the required six MCMs.¹ NDOR accomplished the identification and development criteria during development of the SWMP required by Part III.B of the MS4 Permit. Therefore, implementation, evaluation and assessment of the SWMP will constitute program compliance.

The MEP standard also addresses **evaluation of the appropriateness of identified BMPs**. In 2006, NDOR identified and developed Measurable Activities (i.e., BMPs for each MCM) that directly address each Permit requirement. This systematic effort accomplished two goals. First, NDOR identified BMPs that are *appropriate* because they address all Permit requirements. A Rationale is provided for each Measurable Activity to describe how it addresses a Permit requirement. Second, NDOR identified BMPs that are *appropriate* because they address the target audience, target pollutants, pollution sources and water quality concerns that NDOR is required to address.

This Evaluation and Assessment Plan will use benchmarks to determine if identified BMPs continue to be appropriate. Permit requirements and the BMP Rationale were used to develop a series of Desired Outcomes that communicate compliance benchmarks for each Measurable Activity. This information is organized in the tables following this section. A Measurable Activity is inappropriate when it no longer leads to the accomplishment of the Desired Outcome.

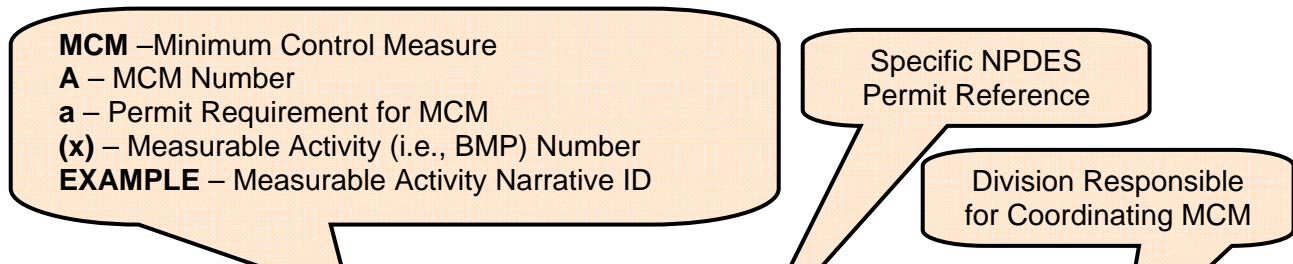
In this manner, NDOR will comply with the MEP standard by implementing appropriate BMPs that are consistent with the intent of each Permit requirement. As the SWMP is implemented, NDOR may seek to adjust Desired Outcomes based on public involvement, regulatory input, or internal evaluation and assessment. All adjustments to the Desired Outcomes will be described and justified in the Annual Report. Any changes to the SWMP will be made consistent with documentation requirements of Part V.B of the MS4 Permit.

¹ Federal Register, Volume 64, Number 235, Part II(H)(3)(a)(ii)

An **evaluation of progress toward measurable goals** will also be included within the Annual Report. Each measurable goal (i.e., Measurable Activity) has been divided into Annual Milestones. NDOR will document the progress made for each Measurable Activity based on the Annual Milestones laid out during the 2006 SWMP development process. Every reasonable effort will be made to complete the Measurable Activity according to the Annual Milestones.

Shifting priorities, budgets, staffing, or even adjusted Measurable Activities and Desired Outcomes could all result in a modification of Annual Milestones. It may be necessary to move some Milestones forward or back. All adjustments to the Annual Milestones will be described and justified in the Annual Report. Any changes to the SWMP will be made consistent with documentation requirements of Part V.B of the MS4 Permit.

Stormwater Management Program Evaluation and Assessment Table Framework



MCM A.a(x): EXAMPLE	NPDES Permit Part III.X.1	Lead: Division
Measurable Activity: Documents specific BMPs that will be accomplished by NDOR.		
Permit Requirement: Documents specific MS4 NPDES Permit requirements.		
Rationale: Describes how each Measurable Activity addresses the Permit Requirement.		
Evaluation and Assessment Criteria		
Desired Outcome 1 Describes the intended outcome accomplished by the implementation of the Measurable Activity.		
Year One	▶ Describes the progress that will be made toward measurable goal in Year One of the Permit term.	
Year Two	▶ Describes the progress that will be made toward measurable goal in Year Two of the Permit term.	
Year Three	▶ Describes the progress that will be made toward measurable goal in Year Three of the Permit term.	
Year Four and Five	▶ Describes the progress that will be made toward measurable goal in Year Four and Five of the Permit term.	

The primary goal for the SWMP is to reduce the risk of polluting stormwater runoff. The following set of BMPs has been developed to address the MS4 Permit requirements and the risk of stormwater pollution that NDOR can control.

Minimum Control Measure Number 1: Public Education and Outreach

MCM 1.1(a):	Guidance	Page 4
MCM 1.1(b):	Training	Page 5
MCM 1.1(c):	Outreach	Page 6

Minimum Control Measure Number 2: Public Participation and Involvement

MCM 2.1(a):	Public Policy	Page 7
MCM 2.1(b)/(c):	Stewardship	Page 8
MCM 2.1(d):	Public Input	Page 9

Minimum Control Measure Number 3: Illicit Discharge Detection and Elimination

MCM 3.1(a):	Mapping	Page 10
MCM 3.2(a):	Enforcement	Page 11
MCM 3.2(b):	Agreements	Page 12
MCM 3.3(a):	IDDE Plan	Page 13
MCM 3.4(a):	Education	Page 14

Minimum Control Measure Number 4: Construction Stormwater Runoff Control

MCM 4.1(a):	Enforcement	Page 15
MCM 4.2(a):	Implement BMPs	Page 16
MCM 4.3(a):	Site Plan Review	Page 17
MCM 4.4(a):	Site Inspections	Page 18

Minimum Control Measure Number 5: Post-Construction Stormwater Runoff Control

MCM 5.1(a):	Site Plan Review	Page 19
MCM 5.1(b):	MS4 Cooperation	Page 20
MCM 5.2(a):	Enforcement	Page 21
MCM 5.3(a):	Tracking	Page 22

Minimum Control Measure Number 6: Good Housekeeping and Pollution Prevention

MCM 6.1(a):	Evaluation	Page 23
MCM 6.1(b):	Guidance	Page 24
MCM 6.1(c):	Tracking	Page 25
MCM 6.1(d):	Agreements	Page 26
MCM 6.1(e):	Education	Page 27

MCM 1.1(a): Guidance	NPDES Permit Part III.B.1	Lead: Communication
<p>Measurable Activity: Develop guidance materials on reducing storm water impacts to water bodies.</p>		
<p>Permit Requirement: You must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.</p>		
<p>Rationale: Public education is a non-structural BMP that can significantly reduce the risk of stormwater pollution when it is focused on target pollutants and pollution sources.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 All target pollutants and pollution sources are identified in education materials.</p> <p>Desired Outcome 2 Education materials are distributed to the intended target audience.</p> <p>Desired Outcome 3 Education and outreach materials help reduce the risk of impacts from polluted stormwater discharges to water bodies.</p>		
Year One	<ul style="list-style-type: none"> ▶ Review available storm water education materials. ▶ Assess/inventory additional guidance needs. 	
Year Two	<ul style="list-style-type: none"> ▶ Incorporate additional information into existing material. ▶ Develop new material, if necessary. 	
Year Three	<ul style="list-style-type: none"> ▶ Identify mechanisms to disseminate material. 	
Year Four and Five	<ul style="list-style-type: none"> ▶ Revise and update material as needed. 	

MCM 1.1(b): Training	NPDES Permit Part III.B.1	Lead: Communication
<p>Measurable Activity: Provide training on reducing storm water impacts to water bodies.</p>		
<p>Permit Requirement: You must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.</p>		
<p>Rationale: Stormwater training (a form of public education) focused on target pollutants and pollution sources will reduce the risk of pollutants in stormwater more than passive forms of public education because of the opportunity for public to provide direct feedback and demonstrate understanding (i.e., testing).</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Training is provided that is tailored for target pollutants and pollution sources.</p> <p>Desired Outcome 2 Tailored training is provided to the intended target audience.</p> <p>Desired Outcome 3 Tailored training provides opportunities for feedback on the effectiveness of content.</p> <p>Desired Outcome 4 Training opportunities are helping to reduce the risk of impacts from polluted stormwater discharges to water bodies.</p>		
Year One	<ul style="list-style-type: none"> ▶ Assess existing training opportunities. ▶ Identify additional training needs. ▶ Track existing training. 	
Year Two	<ul style="list-style-type: none"> ▶ Develop preliminary training matrix and schedule. ▶ Formulate an erosion and sediment control certification course. ▶ Continue to track existing training. 	
Year Three	<ul style="list-style-type: none"> ▶ Modify and create storm water training modules, as needed. ▶ Revise preliminary training matrix and schedule, as needed. ▶ Initiate an erosion and sediment control certification course. ▶ Continue to track existing training. 	
Year Four and Five	<ul style="list-style-type: none"> ▶ Provide training modules; revise and update material as needed. ▶ Continue to track existing training and certification. 	

MCM 1.1(c): Outreach		NPDES Permit Part III.B.1	Lead: Communication
Measurable Activity: Participate in local and regional outreach efforts.			
Permit Requirement: You must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.			
Rationale: An effective state-wide stormwater management program must be implemented at the local and regional levels in order to reduce the risk of stormwater pollution from Agency operations. Additionally, public education opportunities provided by other agencies and/or adjacent MS4s may help to reduce the risk of stormwater pollution from NDOR activities if NDOR is involved.			
Evaluation and Assessment Criteria			
Desired Outcome 1 NDOR strategically participates in local and regional outreach efforts.			
Desired Outcome 2 Participation in local and regional outreach efforts is helping to reduce the risk of impacts from polluted stormwater discharges to water bodies.			
Year One	<ul style="list-style-type: none"> ▶ Identify local and regional outreach agencies and MS4 facilities. ▶ Update NDOR website to include Storm Water information. ▶ Investigate feasibility of having curb inlet suppliers stamp the “No Dumping” symbols on the pieces during the manufacturing. 		
Year Two	<ul style="list-style-type: none"> ▶ Coordinate with agencies and facilities, as needed. ▶ Develop mechanisms to receive and track public feedback. ▶ If feasible, establish specifications to implement and identify suppliers. 		
Year Three	<ul style="list-style-type: none"> ▶ Coordinate with agencies and facilities, as needed. ▶ Implement feedback mechanisms. ▶ If feasible, require permanent stamp for all new inlets. ▶ Report annually on the number installed. 		
Year Four and Five	<ul style="list-style-type: none"> ▶ Evaluate, revise and update based on needs and feedback from the public. ▶ Report annually on the number installed. 		



Public Participation and Involvement

MCM 2.1(a): Public Policy	NPDES Permit Part III.B.2	Lead: Communication
<p>Measurable Activity: Continue to follow established public participation policies and procedures for NDOR projects.</p>		
<p>Permit Requirement: You must at a minimum, comply with state and local public notice requirements when implementing a public involvement/participation program.</p>		
<p>Rationale: NDOR currently maintains a published policy of public participation that is effective at reducing the risk for polluted stormwater discharges by engaging the public in all aspects of projects and operations.</p>		
<p>Evaluation and Assessment Criteria</p>		
<p>Desired Outcome 1</p>		
<p>The public participation policy provides opportunities for developing, implementing, and reviewing elements of the stormwater management program.</p>		
<p>Desired Outcome 2</p>		
<p>The policy makes efforts to reach out and engage all appropriate economic and ethnic groups.</p>		
<p>Year One through Five</p>	<ul style="list-style-type: none"> ▶ Continue to follow established Public Participation Policies and Procedures for NDOR Projects. ▶ Review and modify as needed 	



Public Participation and Involvement

MCM 2.1(b)-(c): Stewardship	NPDES Permit Part III.B.2	Lead: Communication
<p>Measurable Activity: Engage public and track participation in environmental stewardship programs such as Adopt-A-Highway and Wetlands Bank Education.</p>		
<p>Permit Requirement: You must at a minimum, comply with state and local public notice requirements when implementing a public involvement/participation program.</p>		
<p>Rationale: Environmental stewardship programs managed by NDOR may reduce the risk of polluted stormwater discharges by connecting the public with various aspects of environmental protection and raising awareness of the water quality impacts from personal and community actions.</p> <p>Additional Rationale: Tracking public involvement in environmental stewardship programs will allow NDOR to determine if significant reductions are being made in the risk of polluted stormwater discharges.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Environmental stewardship programs encourage participation by the public.</p> <p>Desired Outcome 2 Environmental stewardship programs focus on reducing target pollutants and pollution sources.</p> <p>Desired Outcome 1 Participation in environmental stewardship programs reduces the risk of polluted stormwater discharges.</p>		
Year One	<ul style="list-style-type: none"> ▶ Review existing environmental stewardship programs. ▶ Establish tracking mechanisms. 	
Year Two	<ul style="list-style-type: none"> ▶ Propose modifications or additional programs as needed. ▶ Implement tracking process. 	
Year Three	<ul style="list-style-type: none"> ▶ Implement modifications or additional programs as needed. ▶ Review and revise tracking process as needed. 	
Year Four and Five	<ul style="list-style-type: none"> ▶ Review and evaluate effectiveness of programs. ▶ Review and revise tracking process as needed. 	

MCM 2.1(d): Public Input	NPDES Permit Part III.B.2	Lead: Roadway Design
<p>Measurable Activity: Amend standard language for Engineering Statements to reference erosion control plans for distribution at public hearings.</p>		
<p>Permit Requirement: You must at a minimum, comply with state and local public notice requirements when implementing a public involvement/participation program.</p>		
<p>Rationale: Public hearings for upcoming construction projects are one form of public involvement included in the NDOR Public Participation Plan. Engineering Statements are one educational reference used at these meetings to inform the public of project conditions. Providing reference to the erosion control plans and water quality BMPs in these statements will reduce the risk that the public is uninformed about water quality requirements for the project and may reduce the risk of polluted stormwater pollution from construction activity. Although this MCM is focused on information/education material, it is used to promote more effective public involvement.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Standard language communicates information about erosion control plans to the target audience during public participation events.</p> <p>Desired Outcome 2 Public comment about erosion control plans are recorded and taken into consideration during construction of the project.</p>		
Year One	<ul style="list-style-type: none"> ▶ Review standard materials and propose modifications to standard language. 	
Year Two	<ul style="list-style-type: none"> ▶ Adopt modifications to standard language. 	
Year Three, Four, and Five	<ul style="list-style-type: none"> ▶ Review and evaluate effectiveness of standard language. 	



Illicit Discharge Detection and Elimination

MCM 3.1(a): Mapping	NPDES Permit Part III.B.3.a	Lead: Operations
<p>Measurable Activity: Develop map showing the location of all outfalls and the names and location of all waters of the state that receive discharges from those outfalls.</p>		
<p>Permit Requirement: Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the state that receive discharges from those outfalls</p>		
<p>Rationale: Maintaining a current series of MS4 maps will reduce the risk of polluted stormwater discharges by increasing the ability to identify target pollutants and sources, track system conditions, and quickly respond to spills and complaints which are goals for MCM 3.3(a).</p>		
<p>Evaluation and Assessment Criteria</p>		
<p>Desired Outcome 1 MS4 maps provide NDOR with the information necessary to facilitate the IDDE Plan (MCM 3.3(a)).</p>		
Year One	<ul style="list-style-type: none"> ▶ Collect all existing outfall information from available sources. ▶ Prioritize MS4 areas for outfall inventory. 	
Year Two	<ul style="list-style-type: none"> ▶ Establish framework for data collection of outfall inventory 	
Year Three	<ul style="list-style-type: none"> ▶ Complete mapping for two NDOR Districts, beginning with priority area. 	
Year Four	<ul style="list-style-type: none"> ▶ Complete mapping for two additional NDOR Districts. 	
Year Five	<ul style="list-style-type: none"> ▶ Complete mapping for final two NDOR Districts. ▶ Update maps as needed. 	



Illicit Discharge Detection and Elimination

MCM 3.2(a): Enforcement	NPDES Permit Part III.B.3.b	Lead: Operations
<p>Measurable Activity: Develop controls to prohibit illicit stormwater discharges to the NDOR MS4.</p>		
<p>Permit Requirement: To the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into your storm sewer system and implement appropriate enforcement procedures and actions</p>		
<p>Rationale: Controls such as State Statutes, Policies, Permits and Agreements are a valid form of enforceable authority necessary to reduce the risk of illicit, stormwater discharges by prohibiting the discharge of polluted stormwater or connections to the NDOR MS4 without proper authorization.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Controls relate to all target pollutants and pollution sources that could contribute illicit and/or polluted stormwater discharges to the MS4 system.</p> <p>Desired Outcome 2 Controls provide sufficient enforceable authority for NDOR to reduce the risk of illicit and/or polluted stormwater discharges.</p>		
Year One	▶ Review existing controls.	
Year Two	▶ Propose amendments to existing controls as needed.	
Year Three	▶ Finalize amendments to controls.	
Year Four	▶ Implement controls.	
Year Five	▶ Review and evaluate effectiveness of controls; update as needed.	



Illicit Discharge Detection and Elimination

MCM 3.2(b): Agreements	NPDES Permit Part III.B.3.b	Lead: Operations
<p>Measurable Activity: Develop process to coordinate with adjacent MS4 communities to remove illicit discharges that flow through an NDOR outfall, but are not the result of an NDOR activity.</p>		
<p>Permit Requirement: To the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into your storm sewer system and implement appropriate enforcement procedures and actions</p>		
<p>Rationale: Formal agreements and procedures between NDOR and adjacent MS4s to remove illicit discharges in an organized and timely manner is a valid form of enforceable authority that will reduce the risk of impact from illicit and/or polluted stormwater discharges at the time they occur.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Formal agreements and procedures apply for the entire NDOR MS4 coverage area.</p> <p>Desired Outcome 2 Formal agreements and procedures provide sufficient enforceable authority for NDOR to reduce the risk of impact from illicit and/or polluted stormwater discharges.</p>		
Year One	▶ Draft process to coordinate with adjacent MS4 communities.	
Year Two	▶ Finalize process to coordinate with adjacent MS4 communities.	
Year Three	▶ Implement coordination process with adjacent MS4 communities.	
Year Four and Five	▶ Review and update process, as needed.	



Illicit Discharge Detection and Elimination

MCM 3.3(a): IDDE Plan	NPDES Permit III.B.3.c <i>and</i> e	Lead: Planning/ Environmental
<p>Measurable Activity: Develop Illicit Discharge Detection and Elimination Plan.</p>		
<p>Permit Requirements: Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to your system <i>and</i> Address the specific categories of non-storm water discharges or flows (i.e., illicit discharges) only if you identify them as significant contributors of pollutants to your SMS4</p>		
<p>Rationale: A comprehensive IDDE Plan is necessary to communicate how NDOR anticipates reducing the risk of illicit and/or polluted stormwater discharges using procedures for tracing the source of a potential illicit discharge and removing the source of the discharge. Additionally, a comprehensive IDDE Plan incorporates the details of MCM 3.1(a), 3.2(a), 3.2(b), and 3.4(a) and further includes dry weather screening and field tests of target pollutants to locate priority areas that pose the highest risk for polluted stormwater discharges.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Educational elements of the IDDE Plan are provided to the target audience.</p> <p>Desired Outcome 2 The IDDE Plan addresses all target pollutants and sources, receiving water impairments, resources for tracking system conditions, and procedures for response to spills and complaints.</p> <p>Desired Outcome 3 The IDDE Plan is effective in removing illicit and/or polluted stormwater discharges.</p>		
Year One and Two	<ul style="list-style-type: none"> ▶ Develop Outfall Screening/ Inventory Program or review existing Outfall Screening/ Inventory Program guidance. ▶ Develop Dry Weather Screening Program or review existing Dry Weather Screening Program guidance. 	
Year Three and Four	<ul style="list-style-type: none"> ▶ Implement Outfall Screening/ Inventory Program. ▶ Implement Dry Weather Screening Program. 	
Year Five	<ul style="list-style-type: none"> ▶ Identify additional NDOR outfalls. ▶ Evaluate and revise program. Implement changes. 	

Illicit Discharge Detection and Elimination

MCM 3.4(a): Education	NPDES Permit Part III.B.3.d	Lead: Communication
Measurable Activity: Evaluate need to update and implement adequate NDOR internal policy, guidance, and manuals.		
Permit Requirement: Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste		
Rationale: NDOR policy, guidance, and manuals that cover the IDDE Plan and the hazards associated with illegal discharges and improper disposal of waste are a valid form of education and outreach to the public that can reduce the risk of impacts from polluted stormwater discharges.		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 NDOR policy, guidance, and manuals target the hazards associated with illegal discharges and improper disposal of waste.</p> <p>Desired Outcome 2 NDOR policy, guidance, and manuals help to reduce the risk of impacts from pstormwater discharges to water bodies.</p>		
Year One	<ul style="list-style-type: none"> ▶ Review available storm water education materials. ▶ Assess/ inventory additional guidance needs. ▶ Identify opportunities to partner with and share public education materials 	
Year Two	<ul style="list-style-type: none"> ▶ Incorporate additional information into existing material. ▶ Develop additional training materials. ▶ Identify mechanisms to disseminate material 	
Year Three	<ul style="list-style-type: none"> ▶ Disseminate education material. 	
Year Four	<ul style="list-style-type: none"> ▶ Evaluate program; revise education material, as needed. 	
Year Five	<ul style="list-style-type: none"> ▶ Implement program changes; re-evaluate/ revise annually. 	

MCM 4.1(a): Enforcement	NPDES Permit Part III.B.4.a	Lead: Construction
<p>Measurable Activity: Update existing Specifications and manuals to include erosion and sediment control sanction to ensure compliance.</p>		
<p>Permit Requirement: Develop an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law.</p>		
<p>Rationale: Specifications are a valid form of enforceable authority necessary to reduce the risk of polluted stormwater discharges from construction activity by requiring use and maintenance of erosion and sediment control BMPs, protecting water quality, and requiring qualifications associated with the NDOR Erosion and Sediment Control Certification Program (MCM 4.2(a)).</p> <p>Additional Rationale: NDOR erosion and sediment control selection and design manual(s) that support Specifications are a valid form of education and outreach to the public that can reduce the risk of impacts from polluted stormwater discharges.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Specifications relate to all erosion and sediment controls that could impact stormwater discharges from construction activity.</p> <p>Desired Outcome 2 Specifications allow NDOR to require erosion and sediment controls, water quality protection, contractor qualifications, site plan updates and enforcement sanctions that ensure compliance with requirements.</p> <p>Desired Outcome 3 Design standards are in place for all erosion and sediment controls necessary to reduce the risk of polluted stormwater discharges to water bodies.</p> <p>Desired Outcome 4 Design standards for erosion and sediment controls are distributed to the target audience.</p> <p>Desired Outcome 5 Design standards for erosion and sediment controls help to reduce the risk of impacts from polluted stormwater discharges to water bodies.</p>		
Year One	<ul style="list-style-type: none"> ▶ Review existing Specifications to include Contractor rating mechanism for future project bids. ▶ Review Drainage Design and Erosion Control Manual. ▶ Review existing Specifications to require erosion and sediment controls. ▶ Consider Specification for Water Quality. 	
Year Two	<ul style="list-style-type: none"> ▶ Propose amendments to existing Specifications and manuals, as needed. 	
Year Three	<ul style="list-style-type: none"> ▶ Finalize amendments. 	
Year Four	<ul style="list-style-type: none"> ▶ Implement Specifications. 	
Year Five	<ul style="list-style-type: none"> ▶ Review and evaluate effectiveness of Specifications; ▶ Update as needed. 	

MCM 4.2(a): Implement BMPs	NPDES Permit Part III.B.4.b	Lead: Construction
Measurable Activity: Require construction site operators to implement erosion and sediment control practices.		
Permit Requirement: Develop requirements for construction site operators to implement appropriate erosion and sediment control best management practices		
Rationale: Construction site operators represent the greatest potential stormwater quality liability to NDOR and requiring the implementation of erosion and sediment control practices is an effective method for reducing the risk of stormwater pollution from construction activity. Aside from Specifications in MCM 4.1(a), requiring certification for construction site operators is a valid form of education and outreach as well as enforceable authority necessary to require implementation of erosion and sediment control practices and reduce the risk of polluted stormwater discharges to water bodies.		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Construction site operator certification requirements are supported in Standard Specifications and/or Supplemental Standard Specifications for Highway Construction.</p> <p>Desired Outcome 2 Construction site operator certification opportunities are distributed to the target audience.</p> <p>Desired Outcome 3 Certification requirements reduce the risk of impacts from polluted stormwater discharges to water bodies from construction activity.</p>		
Year One	<ul style="list-style-type: none"> ▶ Develop Erosion/Sediment Control Certification Program. ▶ Create an internal Compliance Technical Advisory Group. 	
Year Two	<ul style="list-style-type: none"> ▶ Implement Training and Certification Program. ▶ Implement Compliance Technical Advisory Group. ▶ Develop quick reference/pocket guide. 	
Year Three	<ul style="list-style-type: none"> ▶ Implement Training and Certification Program; revise as needed. ▶ Distribute quick reference/pocket guide. 	
Year Four and Five	<ul style="list-style-type: none"> ▶ Implement Training and Certification Program; revise as needed. ▶ Update/ revise guide as needed. 	

MCM 4.3(a): Site Plan Review	NPDES Permit Part III.B.4.c	Lead: Planning/ Environmental
<p>Measurable Activity: Develop procedures for site plan review to include consideration of water quality impacts.</p>		
<p>Permit Requirement: Develop procedures for site plan review which incorporate consideration of potential water quality impacts.</p>		
<p>Rationale: Sediment and Erosion control plans, developed by NDOR, consultants, or contractors, need to be reviewed for consistency with NDOR Specifications and water quality priorities in order to reduce the risk of stormwater pollution during construction activity. Water quality specifications developed for MCM 4.1(a) will support this MCM.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 All target pollutants and potential water quality impacts from construction related activity been identified and addressed in the site plan review process.</p> <p>Desired Outcome 2 Site plan review procedures are distributed to the intended target audience.</p> <p>Desired Outcome 3 Site plan review procedures help to reduce the risk of impacts from polluted stormwater discharges.</p>		
Year One	<ul style="list-style-type: none"> ▶ Review existing Standard Plans for erosion and sediment control. ▶ Review SWPPP template. 	
Year Two	<ul style="list-style-type: none"> ▶ Develop Erosion Control (Standard) Plan checklist for contractor. ▶ Develop SWPPP checklist for internal NDOR Environmental and Design review. 	
Year Three	<ul style="list-style-type: none"> ▶ Implement checklist and procedures. 	
Year Four and Five	<ul style="list-style-type: none"> ▶ Update/ revise as needed. 	



Construction Stormwater Runoff Control

MCM 4.4(a): Site Inspections	NPDES Permit Part III.B.4.d	Lead: Construction
<p>Measurable Activity: Develop and implement site inspection process.</p>		
<p>Permit Requirement: Develop procedures for site inspection and enforcement of control measures.</p>		
<p>Rationale: Inspections conducted for construction projects will significantly increase the potential for compliance with NPDES Construction Stormwater Permits issued to NDOR by NDEQ. Compliance with NPDES Construction Stormwater Permits will reduce the risk of discharging stormwater pollutants from construction projects as well providing a process for resolving violations and modifying inadequate BMPs. The expectations for inspections are to demonstrate:</p> <ul style="list-style-type: none"> ▶ Specifications are effective; ▶ Design standards are effective; ▶ Certification requirements are effective; and ▶ Site plan review procedures are effective. 		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Site inspection tools and procedures address all target pollutants and pollution sources from construction activity.</p> <p>Desired Outcome 2 Site inspection resources are distributed to the target audience.</p> <p>Desired Outcome 3 Annual reviews of site inspection findings improve the use of Specifications, design standards, certification requirements, and site plan review procedures and reduce the risk of polluted stormwater discharges to water bodies.</p> <p>Desired Outcome 4 Site inspections for erosion and sediment controls help to reduce the risk of impacts from polluted stormwater discharges to water bodies.</p>		
Year One	▶ Review existing site inspection tracking and enforcement procedures.	
Year Two	▶ Develop procedures and prioritization criteria for Compliance Technical Advisory Group site inspections.	
Year Three	▶ Propose amendments to existing site inspection tracking and enforcement procedures.	
Year Four	▶ Finalize procedures.	
Year Five	▶ Implement procedures; revise as necessary.	

MCM 5.1(a): Site Plan Review		NPDES Permit Part III.B.5.a	Lead: Roadway Design
Measurable Activity: Develop procedures for site plan review to include consideration of structural and/or non-structural BMPs.			
Permit Requirement: Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the NDOR MS4.			
Rationale: During project planning, site plan review that couples potential water quality impacts and known water quality impairments with structural and non-structural BMPs to protect water quality in a manner consistent with NDOR Specifications and water quality priorities will reduce the risk of on-going contributions to stormwater pollution after construction activity is completed. Water quality Specification updates developed for MCM 5.2(a) will support this MCM.			
Evaluation and Assessment Criteria			
Desired Outcome 1			
All post-construction runoff water quality impacts, target pollutants, and pollution sources are identified and addressed in the site plan review process.			
Desired Outcome 2			
Site plan review in the project planning phase leads to incorporation of appropriate structural and non-structural BMPs in final design.			
Year One	<ul style="list-style-type: none"> ▶ Create an internal Compliance Technical Advisory Group. ▶ Review existing design process for BMP selection and design. ▶ Review existing Specifications to include structural and/or non-structural BMP implementation. ▶ Review Roadway Design Manual, Manual of Maintenance Procedure, and/or Drainage Design and Erosion Control Manual. 		
Year Two	▶ Propose amendments to existing Specifications and manuals, as needed.		
Year Three	▶ Finalize amendments.		
Year Four	▶ Implement amendments to Specifications and manuals.		
Year Five	<ul style="list-style-type: none"> ▶ Review and evaluate effectiveness of Specifications and manuals; ▶ Update as needed. 		



Post-Construction Stormwater Runoff Control

MCM 5.1(b): MS4 Cooperation		NPDES Permit Part III.B.5.a	Lead: Roadway Design
<p>Measurable Activity: Establish cooperative effort to coordinate both planning and design of structural and non-structural BMPs.</p>			
<p>Permit Requirement: Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the NDOR MS4.</p>			
<p>Rationale: The Permit coverage area for NDOR exists within the corporate limits of adjacent MS4 communities that must meet the post-construction stormwater requirements as well. Where practicable, NDOR will consider water quality protection efforts by adjacent MS4s and include design considerations into the project planning and design process. Adjacent MS4s are likely conducting a more comprehensive planning effort for the strategic improvement of local waters. It is logical for NDOR to coordinate with these efforts where practicable.</p>			
<p>Evaluation and Assessment Criteria</p>			
<p>Desired Outcome 1</p> <p>NDOR provides opportunities for adjacent MS4s to influence project designs based on local efforts to improve water quality.</p>			
Year One	<ul style="list-style-type: none"> ▶ Review local Specifications, manuals, and ordinances for inclusion of structural and/or non-structural BMP implementation. ▶ Evaluate opportunities to coordinate with other local agencies. 		
Year Two	<ul style="list-style-type: none"> ▶ Propose amendments to NDOR Specifications and manuals to incorporate local agency procedure for structural and/or non-structural BMP implementation, as needed. 		
Year Three	<ul style="list-style-type: none"> ▶ Finalize amendments. 		
Year Four	<ul style="list-style-type: none"> ▶ Implement amendments to Specifications and manuals. 		
Year Five	<ul style="list-style-type: none"> ▶ Review and evaluate effectiveness of Specifications and manuals; ▶ Update as needed. 		



Post-Construction Stormwater Runoff Control

MCM 5.2(a): Enforcement	NPDES Permit Part III.B.5.b	Lead: Planning/ Environmental
<p>Measurable Activity: Update existing Specifications, manuals, and Standard Plans to address post-construction storm water runoff from new development and redevelopment projects.</p>		
<p>Permit Requirement: Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State or local law.</p>		
<p>Rationale: Specifications are a valid form of enforceable authority to reduce the risk of polluted stormwater discharges from new development and redevelopment projects.</p>		
<p>Additional Rationale: Manuals and Standard Plans that support Specifications are a valid form of education and outreach to the public concerning structural and non-structural BMPs that ensure designs minimize water quality impacts, are appropriate for NDOR, and attempt to maintain pre-construction runoff conditions.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Specifications relate to water quality controls that could impact polluted stormwater discharges after new development and redevelopment is completed.</p> <p>Desired Outcome 2 Specifications allow NDOR to address water quality controls for all new development and redevelopment projects.</p> <p>Desired Outcome 3 NDOR design manuals, policies and standard plans address appropriate structural and non-structural BMPs for post-construction water quality protection.</p> <p>Desired Outcome 4 Design manuals, policies, and standard plans reduce the risk of water quality impairments from development and redevelopment projects.</p>		
Year One	<ul style="list-style-type: none"> ▶ Review existing design process for BMP selection and design. ▶ Review existing Specifications to include structural and/or non-structural BMP implementation. ▶ Review Roadway Design Manual, Manual of Maintenance Procedure, and/or Drainage Design and Erosion Control Manual 	
Year Two	<ul style="list-style-type: none"> ▶ Propose amendments to existing Specifications, manuals, Standard Plans and as needed. 	
Year Three	<ul style="list-style-type: none"> ▶ Finalize amendments. 	
Year Four	<ul style="list-style-type: none"> ▶ Implement amendments to Specifications, manuals, and Standard Plans. 	
Year Five	<ul style="list-style-type: none"> ▶ Review and evaluate effectiveness of Specifications, manuals and Standard Plans ▶ Update as needed 	



Post-Construction Stormwater Runoff Control

MCM 5.3(a): Design	NPDES Permit Part III.B.5.c	Lead: Roadway Design
<p>Measurable Activity: Communicate specific maintenance requirements for the long-term operation and maintenance of stormwater BMPs.</p>		
<p>Permit Requirement: Ensure adequate long-term operation and maintenance of BMPs.</p>		
<p>Rationale: Stormwater BMPs require engineered designs to provide specific water quality protection and benefits. When BMPs fail to function as designed, the water quality protection and benefits are no longer provided. Long-term maintenance requirements must be communicated to those responsible for maintaining water quality BMPs to reduce the risk of polluted stormwater discharges.</p>		
<p>Evaluation and Assessment Criteria</p>		
<p>Desired Outcome 1 Maintenance needs for all structural BMPs are communicated within NDOR (Design-Construction-Maintenance) and to outside stakeholders so that maintenance can be completed according to MCM 6.1(c) & (d).</p> <p>Desired Outcome 2 Water Quality BMP designs are improved over time based on new information or feedback from the Operations Division, Adjacent MS4s, or other stakeholders about the effectiveness of maintenance requirements.</p>		
Year One	<ul style="list-style-type: none"> ▶ Evaluate the maintenance requirements of Water Quality BMPs currently designed by NDOR. 	
Year Two	<ul style="list-style-type: none"> ▶ Develop a Technical Report that documents Water Quality Design Requirements and BMP options for new development and redevelopment projects. The Technical Report will also include the long-term maintenance requirements of Water Quality BMPs. 	
Year Three, Four, and Five	<ul style="list-style-type: none"> ▶ Communicate with the Operations Division or the Adjacent MS4 about the long-term maintenance requirements of water quality BMPs designed on new projects during the design process. ▶ Document any revisions that should be made to the Water Quality Design Technical Report information concerning BMP maintenance based on information from research, public input, or field experience. 	



Post-Construction Stormwater Runoff Control

MCM 6.1(a): Evaluation	NPDES Permit Part III.B.6	Lead: Operations
Measurable Activity: Perform internal evaluation of NDOR maintenance operations.		
Permit Requirement: Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of reducing pollutant runoff from NDOR (municipal) operations.		
Rationale: Internal evaluations are necessary to identify all target pollutants and pollution sources associated with maintenance facility operations and to ensure education and training is provided to reduce the risk of stormwater pollution.		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Target pollutants and pollution sources are known for each maintenance facility in the MS4 coverage area.</p> <p>Desired Outcome 2 Target pollutants and pollution sources are known for each maintenance operation conducted along the state highway system within the MS4 coverage area.</p> <p>Desired Outcome 3 Maintenance facilities and operations within the MS4 coverage area manage target pollutants and pollution sources to reduce the risk of stormwater pollution.</p>		
Year One	<ul style="list-style-type: none"> ▶ Develop inventory of maintenance facilities. ▶ Evaluate maintenance facilities in two Districts. 	
Year Two	<ul style="list-style-type: none"> ▶ Evaluate maintenance facilities in two additional Districts. 	
Year Three	<ul style="list-style-type: none"> ▶ Evaluate maintenance facilities in two additional Districts. 	
Year Four	<ul style="list-style-type: none"> ▶ Develop schedule of ongoing evaluations of maintenance facilities. 	
Year Five	<ul style="list-style-type: none"> ▶ Implement schedule of internal evaluations. 	



Pollution Prevention/Good Housekeeping

MCM 6.1(b): Guidance	NPDES Permit Part III.B.6	Lead: Operations
<p>Measurable Activity: Develop Operation and Maintenance Standard Operating Procedures (SOPs) for reducing pollutants in storm water runoff from Agency operations.</p>		
<p>Permit Requirement: Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of reducing pollutant runoff from municipal operations.</p>		
<p>Rationale: Standard Operating Procedures provide a consistent message (a form of education) to staff about personal responsibility for preventing and removing stormwater pollution from maintenance operations in the field. Improvement of existing SOPs (primarily the Maintenance Manual) and development of new SOPs – where necessary – when properly implemented will reduce the risk of water quality problems.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Standard Operating Procedures communicate expectations for reducing the stormwater pollution risk from maintenance operations for known target pollutants and pollution sources.</p> <p>Desired Outcome 2 Standard Operating Procedures are used to train the target audience.</p> <p>Desired Outcome 3 NDOR operation and maintenance program SOPs clearly communicate the goal of reducing the risk of water quality problems.</p>		
Year One	▶ Review & evaluate existing maintenance SOPs.	
Year Two	▶ Propose amendments to existing SOPs as needed.	
Year Three	▶ Incorporate amendments into existing SOPs, as needed.	
Years Four and Five	▶ Review and evaluate effectiveness of SOPs, as needed.	

MCM 6.1(c): Tracking	NPDES Permit Part III.B.6	Lead: Operations
<p>Measurable Activity: Establish process to track permanent BMPs.</p>		
<p>Permit Requirement: Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of reducing pollutant runoff from municipal operations.</p>		
<p>Rationale: Tracking permanent BMPs may reduce the risk of polluted stormwater discharges by increasing the ability to monitor the condition of such BMPs, schedule maintenance actions (consistent with MCM 5.3(a), and quickly respond to concerns and complaints about such BMPs.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Maintenance needs for all structural BMPs (and the storm sewer system) are communicated within NDOR (Design-Construction-Maintenance).</p> <p>Desired Outcome 2 The tracking program includes pre-construction review of BMP designs, inspections during construction to verify BMPs are built as designed, and post-construction inspection and maintenance of BMPs.</p> <p>Desired Outcome 3 A system is in place to track the condition of all permanent BMPs and the storm drain system, schedule inspections and maintenance activities, and facilitate quick responses to concerns and complaints.</p>		
Year One	<ul style="list-style-type: none"> ▶ Evaluate existing Enterprise Asset Management database. ▶ Evaluate existing process to identify structural BMPs and maintenance routines. 	
Year Two	<ul style="list-style-type: none"> ▶ Propose updates to Enterprise Asset Management database. ▶ Revise process to identify new structural BMPs and routine maintenance needs. 	
Year Three	<ul style="list-style-type: none"> ▶ Identify/verify existing BMP data. ▶ Begin tracking new BMPs. ▶ Revise maintenance scheduling for BMPs. 	
Year Four and Five	<ul style="list-style-type: none"> ▶ Implement process to track new BMPs. ▶ Monitor maintenance procedures to report on BMP functionality. 	



Pollution Prevention/Good Housekeeping

MCM 6.1(d): Agreements	NPDES Permit Part III.B.6	Lead: Operations
<p>Measurable Activity: Ensure existing maintenance agreements between NDOR and MS4 communities address the goal of reducing pollutant runoff from municipal operations.</p>		
<p>Permit Requirement: Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of reducing pollutant runoff from municipal operations.</p>		
<p>Rationale: Municipal maintenance agreements between NDOR and municipalities of a certain class are in place under the statutory authority of Nebraska Highway and Bridge Law. Reduction of stormwater pollution risk from municipal operations may be consistent within these agreements.</p>		
<p>Evaluation and Assessment Criteria</p>		
<p>Desired Outcome 1</p>		
<p>Either Municipal Maintenance Agreements clearly address the goal of reducing the risk of stormwater pollution within the MS4 coverage area or NDOR implements an alternative method to require adjacent MS4s to utilize Good Housekeeping Practices when maintaining portions of the state highway system located within the MS4 coverage area.</p>		
Year One	<ul style="list-style-type: none"> ▶ Review existing maintenance agreements and Statutes. 	
Year Two	<ul style="list-style-type: none"> ▶ Propose amendments to maintenance agreements and Statutes, as needed. 	
Year Three	<ul style="list-style-type: none"> ▶ Incorporate amendments to maintenance agreements and Statutes, as needed. 	
Year Four and Fiver	<ul style="list-style-type: none"> ▶ Review and evaluate effectiveness of maintenance agreements and Statutes. 	

MCM 6.1(e): Education	NPDES Permit Part III.B.6	Lead: Operations
<p>Measurable Activity: Develop Quick Reference Guides and training opportunities for maintenance employees regarding storm water responsibilities.</p>		
<p>Permit Requirement: Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of reducing pollutant runoff from municipal operations.</p>		
<p>Rationale: Maintenance employee Quick Reference Guides and training are an educational BMP that may reduce the risk of stormwater pollution from target pollutants and pollution sources associated with operations and maintenance activities. Information gathered during MCM 6.1(a) and 6.1(b) will be used to support this MCM.</p>		
<p>Evaluation and Assessment Criteria</p> <p>Desired Outcome 1 Individual Facility Runoff Control Plans address known target pollutants and pollution sources at all maintenance facilities within the MS4 coverage area.</p> <p>Desired Outcome 2 An additional Quick Reference Guide is developed for maintenance operations outside of maintenance facilities.</p> <p>Desired Outcome 3 Education and training that targets stormwater pollutants and pollution sources from operation and maintenance activities are provided to the target audience.</p>		
Year One	<ul style="list-style-type: none"> ▶ Review existing storm water education materials. 	
Year Two	<ul style="list-style-type: none"> ▶ Incorporate additional information into existing materials, if available, to include new storm water information. ▶ Develop Quick Reference Guides for operations staff on storm water responsibilities, as needed. ▶ Develop stormwater training materials focused on good housekeeping/ pollution prevention. 	
Year Three, Four and Five	<ul style="list-style-type: none"> ▶ Distribute Quick Reference Guides. ▶ Conduct stormwater training focused on good housekeeping/ pollution prevention. ▶ Review and update education materials, as needed. 	