

**CITY OF EAST LANSING  
STORM WATER MANAGEMENT PROGRAM**

**IMPLEMENTATION PLAN  
FOR COMPLYING WITH THE  
NPDES PERMIT REQUIREMENTS**

**8. CONSTRUCTION  
STORM WATER RUNOFF  
CONTROL PLAN**

**UPDATED JANUARY 2020**

An audit of the City's Stormwater Runoff Control Plan was conducted by EGLE on May 24, 2017. No issues were noted with the City's Stormwater Runoff Control Plan or program.

The City updated its entire SESC Program prior to the 2017 MS4 Audit by MDEQ.

## INTRODUCTION

### Overview:

This section of the "Implementation Plan" is intended to serve as the primary guidance document for the Storm Water Runoff Control portion of the Storm Water Management Program. This section was originally developed to provide a general overview of the requirements outlined in the City of East Lansing's NPDES Permit No.MI0059327 which became effective June 2015. The Implementation Plan was subsequently reviewed and updated to reflect any changes to the new NPDES Permit which becomes effective February 1, 2020.

In particular, this section addresses Part I, Section A. 3. e "Construction Storm Water Runoff Control Program" which states "*The permittee shall implement the construction storm water runoff control program to address areas of construction activity that disturb one (1) or more acres, including projects less than one (1) acre that are part of a larger common plan of development or sale. The permittee shall implement the construction storm water runoff control program as part of the SWMP to the maximum extent practicable.*"

### 2015 Original Implementation Plan:

The City's Storm Water Runoff Control program incorporated the materials provided in the 2013 application for the NPDES Permit which constituted the City's official Storm Water Management Plan.

### 2017 Updated Implementation Plan:

No significant changes in the City's SESC have occurred since the 2015 NPDES Permit was issued. The City does intend to review its overall SESC Program and associated documents during the upcoming NPDES Permit cycle. Any significant changes will be submitted to and reviewed by MDEQ prior to enactment.

### MDEQ Audit:

An audit of the City's Stormwater Runoff Control Plan was conducted by EGLE on May 24, 2017. No issues were noted with the City's Stormwater Runoff Control Plan or program.

The City updated its entire SESC Program prior to the 2017 MS4 Audit by MDEQ.

### 2020 Updated Implementation Plan:

The 2020 NPDES Permit did not modify any of the Construction Storm Water Runoff Control Program requirements that would necessitate any changes to the previous Implementation Plan.

## Part 91, Soil Erosion and Sedimentation Control under Michigan NREPA:

Administration of the NPDES Storm Water Program in Michigan has been delegated to the MDEQ. The MDEQ utilizes a Permit-by-Rule process to issue NPDES authorization to discharge storm water. Construction activities of 5 acres or more, with a point source discharge to the surface waters of the state, are required to submit a Notice of Coverage (NOC) to obtain coverage under Permit-by-Rule. Prior to submitting the NOC, the permittee must first obtain coverage under Part 91, Soil Erosion and Sedimentation Control (SESC), of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, by either obtaining a SESC permit from the local SESC permitting agency or be designated as an Authorized Public Agency (APA) by the MDEQ pursuant to Act 91.

Submittal of the NOC is not required for regulated construction activities that disturb 1 to 5 acres. Those sites receive automatic coverage under Permit-by-Rule upon obtaining coverage under Part 91.

### APA Designation:

The City of East Lansing has been designated by MDEQ as an Authorized Public Agency and Municipal Enforcing Agency pursuant to Part 91 Rules. As such, all development within the City's jurisdiction that meets the conditions stated in the City's Soil Erosion Ordinance must obtain a Grading and Soil Erosion and Sedimentation Control Permit from the City.

Any development which discharges directly to the Red Cedar River or an established county controlled drain must obtain a permit from MDEQ or from the appropriate County Drain Commissioner.

### Responsible City Personnel:

The grading and SESC requirements for the City of East Lansing are overseen by the City's Department of Public Works, Engineering Division. As noted below, operating procedures for administering the program have been developed and are on file with MDEQ.

All reports of potential discharges of soil or sediment from a construction site are referred to the Engineering Division for investigation and if needed, enforcement. When required, the Engineering Division will notify the MDEQ when soil, sediment or other pollutants are discharged to the City's MS4 from a construction activity.

### City of East Lansing Requirements:

The City's SESC program incorporates grading requirements into the SESC. The ordinance lists several specific requirements that must be included on the site plan and the application for a Grading and Soil Erosion and Sedimentation Control Permit.

The Engineering Division is part of the City's site plan review process. A major issue incorporated into the Engineering review is to verify that proper SESC requirements are

addressed and where required, a Grading and Soil Erosion Sedimentation Control permit and bond will be required. The Engineering Division has developed a separate checklist for SESC/Storm Water Discharge Permit as part of its overall Site Plan Review Checklist (Section F). This checklist is provided to the site developers for their use in preparing their site plan submittals and used by the Engineering staff in reviewing the site plan submittals.

One of the items on the City's checklist is to verify that any site development that disturbs 5 acres or more has submitted a NOC and been issued and received coverage from MDEQ.

The City's ordinance requirements provide for even more stringent requirements than required by MDEQ. The most significant one being that the minimum one acre size limitation has been reduced to 6,000 square feet where the site is more than 500 feet from any lake, stream or drainage course or 225 square feet where the site is less than 500 feet from any lake, stream or drainage course.

#### SESC Program Documents:

The City updated its "Grading and Soil Erosion and Sedimentation Control Program Documents" manual in September 2015 to guide the implementation and enforcement of the SESC requirements. This manual includes the following:

- I. Legal standing for Establishing and Enforcing Soil Erosion Control
  - A. Chapter 34- SOIL EROSION CONTROL of the City's Municipal Code
- II. City of East Lansing's Authorized Public Agency (APA) Program
  - A. APA Soil Erosion and Sedimentation Control Operating Procedures
  - B. APA Grading and Soil Erosion and Sedimentation Control Plan Requirements
  - C. SESC Requirements as Outlined in City of East Lansing's "General Construction Specifications- Paragraph 8. Soil Erosion and Sedimentation Control"
  - D. SESC Requirements Referenced in the City of East Lansing's "Occupation and Use of Street/Alley Right-of-Way Application and Approval Conditions"
  - E. SESC Requirements Referenced in the City of East Lansing's "Water and Sewer Connections and Water Tap Application and Approval Conditions"
- III. Part 91- Grading and Soil Erosion and Sedimentation Control Permitting Process
  - A. Grading and Soil Erosion and Sedimentation Application with Grading and Soil Erosion and Sedimentation Control Plan Requirements
- IV. Soil Erosion and Sedimentation Control Inspection and Enforcement
  - A. Soil Erosion and Sedimentation Control Inspection and Enforcement Procedures
  - B. Site Inspection Report
  - C. Notice of Violation
  - D. Cease and Desist Order

#### Training:

The training of City employees is outlined in the manual.

### Evaluation:

The effectiveness of the plan is measured annually by the number of violations and cease and desist notices issued.

### Implementation & Tracking:

The following documents have been developed to help measure and ensure compliance with the Storm Water Runoff Control requirements of the NPDES Permit:

- A checklist encompassing the various aspects and requirements of the Storm Water Runoff Control Program has been developed for use on an annual basis.
- A Summary of SESC Violations Issued form for tracking noncompliance resulting in a Notice of Violation or Cease and Desist Order being issued.
- An Employee Training Form to track MDEQ sponsored training, GLRC sponsored training, in-house training- etc....