

Ada County Drainage District No. 3  
Stormwater Management Plan  
NPDES Permit #IDS-027561

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MARCH 2026

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## ACRONYMS

The following acronym list is provided as a comprehensive resource for those reading the Drainage District #3 Stormwater Management Plan.

ACHD	Ada County Highway District
BMP	Best Management Practices
CWA	Clean Water Act
DD3	Ada County Drainage District No. 3
DWOS	Dry Weather Outfall Screening
EPA	Environmental Protection Agency
ERP	Enforcement Response Policy
IDEQ	Idaho Department of Environmental Quality
LID	Low Impact Development
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
NPDES	National Pollutant Discharge Elimination System
SWMP	Stormwater Management Plan
SWPP	Stormwater Pollution Prevention Plan

## **INTRODUCTION**

Ada County Drainage District No. 3's (DD3) Stormwater Management Program (SWMP) Document is a comprehensive program plan designed to reduce the discharge of pollutants from DD3's Municipal Separate Storm Sewer System (MS4) to the Maximum Extent Practicable (MEP). The goal of the program is to restore and protect the quality of the Boise River and its tributaries. The SWMP includes control measures, Best Management Practices (BMPs), storm water drainage system design, a current narrative physical description of the DD3's MS4, illustrative maps and graphics, citations to related ordinances, policies, and activities within DD3's jurisdiction, and engineering methods to control and minimize the discharge of pollutants from the MS4 system. DD3 adopted the original SWMP Document in January 2014. Pursuant to the issuance of DD3's October 1, 2021, National Pollutant Discharge Elimination System (NPDES) Permit No. IDS027561, this SWMP was updated and amended in October 2022. In anticipation of DD3's Permit Renewal Application due April 3, 2026, this SWMP was updated and amended in March 2026.

### **1. APPLICABILITY**

DD3 is authorized with other Boise metropolitan area jurisdictions to discharge storm water to the Boise River and its tributaries under the NPDES, in compliance with the Clean Water Act (CWA). In addition to DD3, the NPDES Permit No. IDS-027561 authorizes the following Permittees to discharge from MS4 outfalls: Ada County Highway District (ACHD), the city of Boise City, Garden City, Boise State University, and Idaho Transportation Department District #3 (collectively the Permittees). The latest NPDES permit (Permit) became effective on October 1, 2021, and includes MS4 program requirements to be implemented incrementally.

The SWMP as prescribed by the Permit, has the following documentation and information including: the MS4 facilities and outfalls DD3 owns and operates, the control measures and program

activities implemented to reduce the discharge of pollutants to the Boise River, related regulatory controls, and DD3's participation and cooperation with other Permittees to ensure compliance with the conditions of the Permit. DD3's roles and responsibilities under the Permit have been established in an Intergovernmental Agreement between the Permittees (Appendix A).

## **2. LIMITATIONS AND CONDITIONS**

### **2.1 Compliance with Water Quality Standards**

It is presumed that should DD3 and the other Permittees comply with the terms and conditions of this Permit, they are not causing or contributing to an excursion above the applicable Idaho Water Quality Standards.

#### **2.2-2.4 Snow Disposal to Receiving Waters; Stormwater Discharges Associated with Industrial or Construction Activity; Non-Stormwater Discharges**

DD3 does not engage in snow plowing or snow removal within its district boundary. ACHD, or private entities, conducts all snow plowing within DD3's boundary. Likewise, DD3 does not control or operate any industrial activity within its boundary. All construction activity within DD3's boundary is under Boise City's jurisdiction and is governed by a drainage agreement with DD3, if applicable. DD3 takes all appropriate measures to prohibit non-stormwater discharge from the MS4, except where such discharges satisfy one of the conditions allowable in Part 2.4.

### **2.5 Permittee Responsibilities**

DD3 was established in the early 1920s through the statutory process prescribed in Chapter 29, Title 42, Idaho Code, and by court order. DD3 is governed by three appointed Commissioners, a part-time water supervisor (DD3 Supervisor), third-party consulting engineer, and outside legal counsel. DD3 does not own or occupy any physical facilities for its

administrative functions. DD3's function is to operate and maintain six drains serving the Southeast Boise area and portions of what is referred to as the First Bench. When most of Ada County was farmland, DD3 drained irrigated lands and helped remove irrigation runoff water. These six drains now provide drainage for the remaining irrigated lands, including discharge from several irrigation canals and storm water (as well as sprinkler drainage) from the commercial and residential developments throughout southeast Boise. These six drains drain into four outfalls as defined by the Permit (five outfalls are shown on the DD3 inventory map, but the Drain C Outfall is not technically an outfall as defined by the permit and is only draining into another facility, Drain B). The six drains intertie with several ACHD facilities and Boise City facilities. DD3 also maintains three pumps in the Apple Street / Bergeson Street area.

Except for the DD3 facilities, all other MS4 structures, facilities, and outfalls draining public streets and roadways within the DD3 boundary are owned and operated by ACHD. ACHD is responsible for management, maintenance, and monitoring of the MS4 as it relates to streets and roadways; DD3 is responsible for limiting the discharge of pollutants to the portion of the MS4 within DD3's boundaries and involving its six drains. The SWMP control measures are designed to accomplish this goal to the MEP. As noted in the Introduction, an Intergovernmental Agreement and Operating Guidelines (Appendix A) exists with ACHD and other Permittees to establish the roles and responsibilities of each entity under the Permit.

DD3, through its Supervisor, District Engineer (QRS Consulting), and through Environmental Systems Research Institute, Inc. (ESRI), prepared the DD3 Drain and Inventory Map, which among other things, identifies the location of the DD3 drains, and discharges of those drains, to either ACHD facilities, the Boise River, or irrigation facilities (See Appendix B). For those drains which are owned and operated by DD3, DD3 carries out regular inspections concerning their operation and discharges. Steps taken to evaluate discharges and other activities

are described in the DD3 Operation and Maintenance System Plan and BMPs (Appendix C).

DD3 also has authority through the Intergovernmental Agreement to control pollutant discharges into and from its MS4. DD3 has the authority to prohibit discharge of pollutants to the MS4 by illicit connections and discharges to any of its drainage facilities primarily through recourse to civil proceedings and as generally authorized by Idaho Code (“I.C.”) § 42-2939 and any applicable drainage agreement. The function, powers, and authority are exercised by DD3, through its Board of Commissions, in the manner provided in the drainage district laws of the state. DD3 also has the vested power and authority to control the discharge to the MS4 of spills, dumping, or disposal of materials other than stormwater and irrigation runoff water as set forth above. DD3 has the authority to require compliance with conditions as granted by I.C. § 42-2939 and as augmented by the intergovernmental agreement or drainage agreements. DD3 has the authority to carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance and non-compliance with Permit conditions, including the prohibition of illicit discharges to the MS4.

DD3 has the power and authority to levy and make assessments upon lands within and benefitted by the drainage system constructed, maintained, and operated by DD3. Annually, DD3 makes an estimate of the costs of maintenance and operation of the drainage system and certifies the amount estimated upon the Ada County auditor. DD3 provides the total costs associated with SWMP implementation over the prior 12-month reporting period in each Annual Report.

BMPs are maintained by DD3 to protect and maintain the beneficial uses of the Boise River and to improve water quality to the extent practicable.

Pursuant to Part 2.5.5 of the Permit, the SWMP is available through DD3’s publicly accessible website at: <https://adacountydrainagedistrict3.org/>. In addition, this SWMP Document will be submitted with the Permit Renewal Application, pursuant to Part 2.5.5 of the Permit.

### **3. STORMWATER MANAGEMENT PROGRAM CONTROL MEASURES**

This section describes the six minimum control measures that must be accomplished by DD3's SWMP Document according to Part 3 of the Permit. The six minimum control measures are:

1. Public Education and Outreach on Stormwater Impacts;
2. Illicit Discharge Detection and Elimination;
3. Construction Site Stormwater Runoff Control;
4. Post-Construction Stormwater Management for New Development and Redevelopment;
5. Stormwater Infrastructure and Street Management; and
6. Industrial and Commercial Stormwater Discharge Management.

For each required control measure for which DD3 is responsible, a description of existing activities that meet Permit requirements is provided as well as a schedule of implementation to be completed.

#### **3.1 Public Education and Outreach on Stormwater Impacts**

DD3 works with fellow Permittees to implement the requirements of the Permit regarding education, outreach, and public involvement. The Intergovernmental Agreement designates Boise City as the lead agency responsible for the Public Education Program. To assist with program support, DD3 commits funding for its share of the annual cost of the program administration and public education, which is determined during the annual budget meeting held every January.

Working together under the name Partners for Clean Water, the Permittees have developed a stormwater website to provide the general public and business members of the community with information regarding stormwater management, educational and volunteer opportunities, and to review the actions and activities completed annually by the Permittees to limit the discharge of pollutants discharged to the Boise River and its tributaries. This website can be found at: <http://www.partnersforcleanwater.org/>.

DD3, along with the other Permittees, uses the information gathered from the Partners for

Clean Water programming to assess the understanding of the educational materials and messaging to evaluate adoption of appropriate behaviors by the general public and business members. Utilizing the Partners for Clean Water program allows DD3 and the other Permittees to track and maintain records of their education, outreach, and public involvement.

To complement the Partners for Clean Water education and outreach program, DD3 also maintains its publicly assessable website which provides the SWMP, implementation strategies, points of contact, and educational materials. The website also contains phone numbers and other information to report illicit discharges and other information. DD3's website also provides information regarding policies and procedures for construction projects located in or around DD3's facilities. In addition, the website provides applicable, public notice requirements for items which DD3 solicits input from the public. A public review and comment period of DD3's 2026 Stormwater Management Plan document has been provided. The website can be found at: <http://www.adacountydrainagedistrict3.org/>

### **3.2 Illicit Discharge Detection and Elimination**

An illicit discharge is any discharge that is not composed entirely of stormwater. Illicit discharges are prohibited in DD3's boundary by virtue of Boise City ordinance, and any illicit discharges or activities with the potential for illicit discharges are addressed accordingly and prohibited. In addition to routine stormwater inspections, illicit discharge surveillance is conducted by the DD3 supervisor while traveling along the drainage canals.

### 3.2.1 MS4 Map and Outfall Inventory.

DD3 maintains a map of its MS4 facility and all associated outfall locations under its operation and control. In addition, DD3 maintains an outfall and interconnection inventory to accompany the MS4 maps. This inventory identifies each outfall and interconnection discharging from DD3's MS4. The location of the outfall is recorded by latitude and longitude and physical condition. The MS4 map and outfall inventory contains the requirements as specified in Part 3.2.2 of the Permit. This inventory allows DD3 to track its outfall inspections, dry weather screenings, maintenance, and other activities required by the Permit. An electronic GIS version of the MS4 map, and the outfall inventory is currently available on DD3's publicly accessible website.

### 3.2.2 Ordinance and/or Other Regulatory Mechanism

DD3 has the authority to prohibit non-stormwater discharges to the MS4 through inspection activities for those projects under an approved drainage agreement. DD3 relies upon those certain manuals and standards adopted by either ACHD or Boise City as it relates to regulation and enforcement of non-stormwater discharges into the MS4. Unless a development is covered under a drainage agreement with DD3, DD3 lacks legal authority to enforce certain standards and requirements. Under standard drainage agreements, DD3 incorporates the appropriate Boise City and/or ACHD standards. In addition, DD3 has implemented an enforcement procedure and action plan, which includes a written policy of enforcement escalation procedures for recalcitrant or repeat offenders as included in its Operation and Maintenance Plan and BMPs.

### 3.2.3 Illicit Discharge Complaint Report and Response Program.

In cooperation with the other Permittees, DD3 participates in the Stormwater Pollution Prevention Hotline ("Hotline") program that was established to allow citizens to call in illicit

discharges or spills to the MS4 in the greater Boise area. The Hotline number, (208) 395-8888, is provided on stormwater educational handouts, can be reached via an operator or Ada County Dispatch, and is also provided on the websites for Boise City, ACHD, Garden City, and the IDEQ. DD3 staff may also receive complaints or reports of illicit discharges. Additionally, during stormwater inspections, the DD3 Supervisor encourages contact with DD3 if any illicit discharges, spills, or other conditions which may represent a pollutant source are observed. DD3 informs ACHD or Boise City of all complaints or reports of illicit discharges. DD3 can be reached directly at (208) 602-1713.

At the end of each year, a report is generated listing all illicit discharge investigations, corrective actions taken, and the location of the incident. Using this data, DD3 may identify priority areas requiring increased surveillance and/or inspections.

#### 3.2.4 Dry Weather Outfall Screening Program.

ACHD has implemented a Dry Weather Outfall Screening (DWOS) Plan. The DWOS Plan provides guidance for field reconnaissance activities, monitoring, and recordkeeping efforts performed by ACHD. The DWOS Plan outlines how chemical and microbiological field screening analysis will be conducted. DD3, through ACHD, conducts visual dry weather screening of at least 20% of their total outfalls per year. Such screening occurs within the June 1 and September 30 timeframe. ACHD keeps a detailed record of its dry weather screening program activities, and the summary of these results are provided in the Annual Report each year.

#### 3.2.5 Follow-Up

Within 30 days of detection, ACHD or DD3 investigate reoccurring illicit discharges identified as a result of complaints or by the dry weather screening investigations and sampling. DD3 and ACHD take necessary action to attempt to eliminate the source of an ongoing illicit discharge within sixty (60) days of its detection.

### 3.2.6 Prevention and Response to Spills to the MS4

DD3 relies on ACHD and Boise City to provide guidance on appropriately and safely responding to hazardous and non-hazardous spills. Illicit discharge and spill training for inspectors, field staff, and code enforcement officers is to be provided annually through ACHD and Boise City. If the spill is a known non-hazardous or non-toxic substance, DD3 takes steps to prevent the spill from entering the MS4 using absorbent spill tubes and mats, floor dry, and any other appropriate means. The agency responsible for spill cleanup will be notified immediately. If the spill is an unknown material or hazardous material, DD3 will immediately contact 911 and other responsible agencies to report the spill. DD3 will use the USDOT Emergency Response Guidebook to effectively identify hazards to adequately report spill conditions to hazardous spill responders. The Ada County Hazardous Materials/Radiological Incident Contingency Plan is the cooperative agreement that identifies the roles and responsibilities for hazardous spill response in Ada County.

### 3.2.7 Proper Disposal of Used Oil and Toxic Materials

DD3 coordinates with appropriate local entities to educate its employees and members of the public on the proper management, disposal, or recycling of used oil, vehicle fluids, toxic materials, and other household hazardous wastes.

### 3.2.8 Illicit Discharge Detection and Elimination Training of Staff.

DD3 ensures that any construction inspectors, maintenance field staff, and operators are sufficiently trained to respond to reports of illicit discharges. Within the first six (6) months of employment, DD3 provides orientation and training for new staff working on illicit discharge detection and elimination issues. At least once a year the DD3 supervisor and DD3 engineer attend relevant and appropriate training through in-person or online courses. DD3 staff attend and participate in stormwater management training events provided by Boise City, IDEQ, and EPA

when offered locally and as appropriate.

### **3.3 Construction Site Stormwater Runoff Control**

Construction site runoff is primarily the responsibility of either ACHD or Boise City as all construction occurring on or near DD3's MS4 is within the jurisdiction of either authority. When a development is planned near or adjacent to DD3's MS4 drainage facilities, DD3 requires the developer to enter into a drainage agreement with DD3 outlining the requirements for construction as it relates to relocation or disturbance of DD3's drainage facilities. DD3 utilizes these drainage agreements with developers to reduce discharge of pollutants from public and private construction activity occurring in or around its MS4.

#### **3.3.1 Ordinance and/or Regulatory Mechanism**

Through Boise City and ACHD code requirements, new development and redevelopment in the DD3 boundaries are required to be designed to manage storm water runoff and include permanent controls to protect water quality and restrict discharges to surface waters of the MS4. In general, the rate of storm water runoff from any proposed land development is not permitted to exceed the runoff rate prior to the development regardless of the storm event evaluated. Through its drainage agreements with developers, DD3 requires erosion controls, sediment controls, and waste management controls to be used and maintained at the construction project site. Boise City requires construction site operators to maintain effective controls to reduce pollutants in stormwater discharges to the MS4 from construction sites. DD3 also conducts onsite inspections on development projects in which a drainage agreement has been executed between the developer and DD3. Boise City must require the developer or project site operators to obtain NPDES permit coverage under the current version of the Idaho CGP.

#### **3.3.2 Construction Site Runoff Control Specifications**

ACHD and Boise City maintain written specifications that address the proper installation and maintenance of erosion, sediment, and waste material management controls during all phases of construction activity occurring in their jurisdiction. The requirements of these construction site runoff control specifications consist of the requirements in Part 3.3.3.1 through 3.3.3.3.

### 3.3.3 Preconstruction Site Plan Review

ACHD and Boise City review and approve preconstruction site plans, as applicable within their jurisdiction and the DD3 boundary. These procedures include consideration of the site's potential water quality impacts. Developers must demonstrate compliance with the regulatory mechanisms required by Part 3.1.2 of the Permit. In circumstances where a drainage agreement is required with the developer, DD3 performs preconstruction inspections to ensure that the site plan or Stormwater Pollution Prevention Plan (SWPPP) contains site-specific measures that meet the required specifications.

### 3.3.4 Construction Site Inspection and Enforcement

ACHD, Boise City, and DD3, when applicable, inspect construction sites in their jurisdiction to ensure compliance with the applicable requirements of Part 3.3.5. ACHD, Boise City and DD3, when applicable, will summarize the nature and number of site inspections, follow-up actions, and any subsequent enforcement actions conducted during the relevant reporting period in its Annual Report. All construction site inspections conducted by the Permittee having jurisdiction, will include all those requirements specified in Part 3.3.5.1 through 3.3.5.6

### 3.3.5 Enforcement Response Policy for Construction Site Runoff Control

ACHD, Boise City, and DD3, as applicable, within each agency's jurisdiction, maintains a written escalating enforcement response policy (ERP). This ERP for construction site runoff control will be submitted with the Permit Renewal Application. The applicable ERP contains the

response to violations with appropriate educational and enforcement, and the requirements of Part 3.3.6.1 and 3.3.6.2. In the event the DD3 Supervisor observes a problem at a construction site, the DD3 Supervisor will advise and notify either ACHD or Boise City.

### **3.3.6 Construction Runoff Control Training for Staff**

DD3 works together with all Permittees as a member of Partners for Clean Water to provide stormwater management education and training opportunities to regional developers, staff, and appropriate audiences. Boise City is the lead agency for public education and outreach. DD3 helps by providing funding and planning support for program activities. Among the various outreach activities are annual training conferences regarding permanent stormwater controls and LID techniques. In addition to Boise City's outreach program, DD3 uses drainage design reviews, onsite inspections, and distributes educational materials to interact with and educate persons on the proper management of stormwater runoff and maintenance of permanent controls on construction sites.

DD3 staff and counsel attend and participate in stormwater management training events provided by Boise City, IDEQ, and EPA when offered locally. The training curriculum typically covers stormwater design, drainage plan review, and inspection procedures to determine the adequacy of stormwater management practices and treatment controls at new and existing DD3 developments.

### **3.4 Post-Construction Stormwater Management for New Development and Redevelopment**

ACHD and Boise City implement and enforce a program to control stormwater runoff from new development and redevelopment projects within their respective jurisdictions. Any new development and redevelopment within the jurisdiction of DD3 is governed by Boise City Ordinance concerning management of stormwater runoff. DD3 typically participates in the land use review process through providing comment to Boise City.

### 3.4.1 Ordinance and/or Regulatory Mechanism

ACHD, Boise City, and DD3, based on jurisdiction, require the installation and long-term maintenance of permanent stormwater controls at new development and redevelopment project sites. Boise City maintains the Boise City Ordinance and regulatory mechanisms required by local and state law. The required stormwater controls are sufficient to retain onsite the volume produced from a 24-hour, 95<sup>th</sup> percentile storm event or to attain a pollutant removal level greater than pollutant removal expected from onsite retention of runoff volume produced from a 24-hour, 95<sup>th</sup> percentile storm event. In addition, these controls are intended to comply with the requirements of Part 3.4.2.1 through 3.4.2.5.

### 3.4.2 Permanent Stormwater Controls Specifications.

The applicable agency, ACHD, Boise City, or DD3 have specified the permanent stormwater controls for project sites and defined appropriate controls for different types and/or sizes of site development activity. The applicable Permittee maintains, and updates, written specifications to address proper design, installation, and maintenance of required permanent stormwater controls. DD3 adopts those specifications implemented by Boise City and ACHD. These specifications are intended to comply with the criteria of Part 3.4.3.1. through 3.4.3.3.

### 3.4.4. Permanent Stormwater Controls Plan Review and Approval.

Boise City, and DD3 if applicable, review and approve preconstruction plans for permanent stormwater controls at new development and redevelopment sites from new development and redevelopment projects that result in land disturbance of 5,000 square feet or more, excluding individual one or two-family dwelling development or redevelopment sites and the infill or redevelopment of public pedestrian infrastructure projects. These plan reviews will be conducted by Boise City staff or DD3's consultant engineer to ensure they meet the necessary controls.

### 3.4.5. Permanent Stormwater Controls Inspection and Enforcement

Boise City and ACHD provide inspection programs that prioritize new development and redevelopment sites for inspections of permanent stormwater management controls. At the end of each Permit year, Boise City and ACHD will review and evaluate information and data received throughout the year concerning development, construction, and implementation activities to determine compliance with Permit requirements. The information will also assist in the evaluation of the effectiveness of the DD3 programs and allocation of time and resources to assess whether changes to the program should be considered.

### 3.4.6 Operation and Maintenance of Permanent Stormwater Controls.

DD3 maintains a database of drainage agreements executed with developers, when necessitated by the type and location of the development. The drainage agreement includes the information related to permanent controls installed by the developer onsite as it relates to DD3's MS4. The drainage agreements specify the developer is responsible for operation and maintenance of the MS4 system for the portion located on the development. Although permanent operation and maintenance responsibilities are the responsibility of the developer, DD3 continues to inspect these locations to ensure there is compliance with operation and maintenance requirements. If a drainage agreement does not exist with the developer due to the fact that DD3's MS4 is not impacted by the development, Boise City shall maintain such a database within DD3's boundaries for applicable projects.

### 3.4.7 Permanent Stormwater Controls Training for Staff

DD3 staff and counsel attend and participate in stormwater management training events provided by Boise City, IDEQ, and EPA when offered locally. The training curriculum typically covers stormwater design, drainage plan review, and inspection procedures to determine the adequacy of stormwater management practices and treatment controls at new and existing DD3

developments.

### **3.5 Stormwater Infrastructure and Street Management**

The Intergovernmental Agreement identifies ACHD as the lead agency responsible for stormwater infrastructure and street management requirements under the Permit. DD3 manages its MS4 infrastructure and facilities to reduce the discharge of pollutants. Management includes an inspection of permanent stormwater controls and structures performing any maintenance or cleaning tasks and implementing stormwater pollution prevention BMPs.

#### **3.5.2 Inspection and Cleaning of Catch Basins and Inlets**

Major elements of the stormwater inspection of DD3 facilities include the following:

- ❖ Maintenance and condition of permanent stormwater control structures;
- ❖ Observation of drainage system design and cleanliness of impervious surfaces;
- ❖ Check for pollutant sources;
- ❖ Evaluate outdoor activities and stormwater BMPs that are implemented;
- ❖ Observe outdoor storage practices;
- ❖ Look for any non-stormwater discharges;
- ❖ Assess general compliance with stormwater regulations;
- ❖ Provide education and outreach through discussion and educational handouts; and
- ❖ Refer any enforcement actions to Boise City.

DD3 inspects all DD3's facilities at least once every two years, and during those inspections takes all necessary maintenance and cleaning action based on those inspections to ensure the catch basins and inlets continue to function as designed. Material removed from MS4 facilities is managed and disposed of according to Part 7.13. DD3 maintains an inspection and cleaning log which describes the inspection that occurred, the material that was removed/cleaned and the actions taken. All inspection reports and completed inspection forms are stored with the DD3 Supervisor. Each year, the number of stormwater inspections conducted, and any enforcement actions undertaken to ensure compliance are provided in the Annual Stormwater Report.

3.5.3 -3.5.5 Operation and Maintenance Procedures for Streets, Roads, Highways and Parking Lots; Inventory and Management of Street/Road Maintenance Materials, Street Road, Highway and Parking Lot Sweeping.

ACHD is responsible for operation and maintenance for the streets and roadways within DD3's boundary.

3.5.6-3.5.8 Operation & Maintenance Procedures for Other Municipal Areas and Activities, Requirements for Pesticide, Herbicide, and Fertilizer Applications, and Stormwater Pollution Prevention Plans (SWPPPs) for Permittee Storage Facilities.

DD3 does not have jurisdictional control of any municipal operation and maintenance activities within its boundary; this is the responsibility of Boise City. In addition, DD3 does not use or maintain any pesticides, herbicides, and fertilizers. DD3 does not own or maintain a material storage facility for its operations.

3.5.9 Litter Control

The Partners for Clean Water work to implement solutions for litter and trash control. In addition, DD3 removes litter and trash from, in, and around its MS4 facilities whenever it sees such material present and during routine inspections.

3.5.10 Stormwater Pollution Prevention/Good Housekeeping Training for Staff.

DD3 staff and counsel attend and participate in stormwater infrastructure management and operation training events provided by Boise City, IDEQ, and EPA when offered locally. Such training is provided to new staff within six (6) months of employment. DD3 staff attend these trainings related to operation and maintenance of stormwater infrastructure at least every other year.

**3.6 Industrial and Commercial Stormwater Discharge Management**

Industrial and commercial operations within DD3's jurisdiction are observed for the

purpose of reducing the discharge of pollutants. Boise City, having jurisdiction of the industrial and commercial operations within DD3's boundaries, provides educational and/or enforcement efforts to reduce the discharge of pollutants from those industrial and commercial locations which highly contribute to the receiving waters.

### 3.6.2-3.6.3 Inventory of Industrial and Commercial Facilities/Activities; Inspection of Industrial and Commercial Facilities/Activities.

Boise City, having jurisdiction over industrial and commercial facilities/activities within the DD3 boundaries, maintains an inventory of industrial and commercial facility/activity within DD3's boundary.

## 4. SPECIAL CONDITIONS

### 4.1 Temperature Monitoring

ACHD monitors the temperature in certain stormwater discharges from the MS4 facilities to the Boise River. DD3's outfalls will be monitored in accordance with ACHD methods and procedures for implementing this temperature monitoring requirement.

## 5. REQUIRED RESPONSE TO EXCURSIONS ABOVE IDAHO WATER QUALITY STANDARDS.

DD3 is presumed to be in compliance with applicable Idaho Water Quality Standards if it is in compliance with the terms and conditions of the Permit. If DD3 or IDEQ determines that the discharge from the MS4 causes or contributes to an excursion above the Idaho Water Quality Standards, then DD3 remains in compliance with the Permit as long as DD3 implements all applicable SWMP control measures required and complies with the procedure of Parts 5.1-5.6.

## **6. MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS**

The Intergovernmental Agreement designates ACHD as the lead agency responsible for the implementation of the MS4 monitoring program. To assist with program support, DD3 commits funding for its share of the annual cost of the monitoring program, which is determined during the annual budget meeting held every January.

### **6.1 Compliance Evaluation**

Once per year, ACHD evaluates its annual monitoring with the requirements of the Permit to ensure compliance. DD3 coordinates with ACHD to ensure progress toward implementation of SWMP control measures is occurring and that if any instances of improvement are identified in ACHD's monitoring, DD3 can respond accordingly. This yearly self-evaluation is documented through the Annual Report format.

### **6.2 Stormwater Monitoring and Evaluation Program.**

Pursuant to the Intergovernmental Agreement, ACHD is responsible for conducting the wet weather monitoring and evaluation program. Through this wet weather monitoring and evaluation program, DD3 is able to evaluate the overall effectiveness of selected stormwater management practices. ACHD's program is intended to meet the quality assurance (QA) objectives in Part 6.2.6.

#### **6.2.1 Wet Weather Stormwater Outfall Monitoring.**

ACHD conducts wet weather stormwater outfall monitoring according to its updated Storm Water Outfall Monitoring Plan dated 2022. The updated Stormwater Outfall Monitoring Plan was submitted as part of the Year 1 Annual Report required by Part 6.4.2. ACHD provides a report summarizing all data collected for the Permittees during the permit term as required by Part. 6.4.3, and DD3 submits the updated report for each Permit year with its Annual Report to IDEQ.

## 6.2.2 Subwatershed Monitoring

ACHD continues to conduct monitoring in the Americana Subwatershed to better define wet weather and dry weather flow volumes, sources, and pollutant loads according to the Americana Subwatershed Monitoring Plan as updated December 28, 2020. ACHD provides a report summarizing all data collected during the permit term as required by Part 6.2.2, and DD3 submits the updated report for each Permit year with its Annual Report to IDEQ.

### 6.2.3-6.2.5 Effectiveness Evaluation of Structural, Non-Structural, and/or Green Stormwater Infrastructure Controls; Representative Sampling; and Additional Monitoring.

As specified in the Intergovernmental Agreement, ACHD coordinates with Boise City to conduct effectiveness evaluations of at least two different types of structural, non- structural and/or green infrastructure stormwater management controls at new development or redevelopment sites. The results of this effectiveness evaluation, and any recommendations for improved treatment performance are submitted to IDEQ pursuant to Part 6.4.5. In addition, to the extent ACHD conducts quantitative monitoring of the Permittees MS4 discharges above what is specified in the Permit, such additional monitoring is reported as required by Part 6.4.3.

### 6.2.6-6.2.7 Quality Assurance Requirements; Analytical Methods

ACHD, as the lead for all monitoring by the Permittees, maintains a Quality Assurance Project Plan (QAPP) for any monitoring or quantitative assessment activities conducted. The QAPP content is based off the requirements of Part 6.2.6. Sampling collection, preservation, and analysis is conducted according to procedures approved under 40 CFR Part 136.

### 6.3-6.5 Recordkeeping; Reporting Requirements; Addresses

DD3 retains records of all data and information in the development and implementation of the SWMP. All records are stored with DD3 for up to five years, or the term of the Permit, whichever is greater. All records are accessible by IDEQ or EPA upon request to DD3; the public may access records by filing a Public Records Request.

Each year, DD3 compiles its Annual Report for the IPDES required reporting periods of October 1 to September 30 of the preceding year (please note the first Permit year is October 1, 2021–September 30, 2022). The Annual Report is submitted to IDEQ via the E-Permitting Online System, using the Annual Report Format, no later than January 30 each year. DD3 makes each Annual Report available to the public through its publicly accessible website.

DD3's Annual Report follows the guidelines established in the Permit Part 6.4.2. The tracking of plan reviews, inspections, enforcement actions, and stormwater infrastructure maintenance provide data and statistics that are included in the report. The Annual Report is used in assessing DD3's compliance with Permit conditions and implementation schedule.

## 7. COMPLIANCE RESPONSIBILITIES

DD3 understands that it has an obligation to comply with all conditions of the Permit. DD3 acknowledges that any noncompliance constitutes a violation of the CWA and is grounds for civil and criminal penalties. DD3 shall report occurrences of noncompliance by telephone within 24 hours from the time DD3 becomes aware of any circumstances outlined in Part 7.9. This notification must be followed by a written report within five (5) business days of the time DD3 became aware of the event. All other instances of noncompliance, not required to be reported within 24 hours, shall be reported as part of each Annual Report.

When DD3 collects or removes any materials or pollutants from the MS4, they are disposed of and managed in a manner as to prevent such pollutants from entering into the waters of the U.S.

## **8. GENERAL REQUIREMENTS**

DD3 understands that the Permittees must apply for and obtain a new permit prior to the expiration of this Permit and in no event later than April 3, 2026. DD3 understands that it and the other Permittees will be required to submit the contents of Part 8.2.1 in its renewal application.

DD3 is governed by a Board of Commissioners which consists of three (3) individuals who reside within DD3's boundary. For purposes of signatory authority and application and report submittals, the Board of Commissioners has authorized Abigail R. Germaine as Duly Authorized Representative under Part 8.5.2.

# Appendix A

## Intergovernmental Agreements between NPDES Permittees

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1. Amended and Restated Intergovernmental Agreement for Roles and Responsibilities under the National Pollutant Discharge Elimination System Permit (NPDES Permit No. IDS-0275612)
2. Amended and Restated Operating Guidelines

**AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT  
FOR ROLES AND RESPONSIBILITIES UNDER THE NATIONAL POLLUTANT  
DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES Permit #IDS-027561)**

THIS AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT (“Amended and Restated Agreement”) is entered into this 7<sup>th</sup> day of December, 2022, by and among the Ada County Highway District (“ACHD”), the city of Boise City (“Boise City”), city of Garden City (“Garden City”), Boise State University (“Boise State”), the Idaho Transportation Department, District #3 (“ITD”), and Ada County Drainage District No. 3 (“DD3”), individually a “Permittee” and collectively the “Permittees.”

**I. RECITALS**

WHEREAS, this Amended and Restated Agreement is made for the purpose of complying with the National Pollutant Discharge Elimination System, the provisions of the Clean Water Act, 33 U.S.C. § 151 et seq, as amended by the Water Quality Act of 1987, Public Law 100-4 (“Clean Water Act”), and the Rules Regulating the Idaho Pollutant Discharge Elimination System Program (IDAPA 58.01.25) (“Rules and Regulations”); and

WHEREAS, the Rules and Regulations are designed to control pollutants associated with stormwater discharges through the use of the National Pollutant Discharge Elimination System (“NPDES”) Municipal Separate Storm Sewer System (MS4) permits which allows the lawful discharge of stormwater into the waters of the United States; and

WHEREAS, the Rules and Regulations are designed to require NPDES permits for discharges from MS4s on a system-wide or jurisdiction wide basis; and

WHEREAS, the Permittees received NPDES Permit #IDS027561, effective February 1, 2013, and administratively extended until October 1, 2021; and

WHEREAS, on July 1, 2021, the Idaho Department of Environmental Quality (“IDEQ”), with delegated authority from the U.S. Environmental Protection Agency (“EPA”), took over primacy for the NPDES MS4 permits in Idaho, and became responsible for the issuing of permits and assuring compliance with all permit requirements; and

WHEREAS, the Permittees received National Pollutant Discharge Elimination System (“NPDES”) Permit IDS027561 (the “Permit”), effective October 1, 2021; and

WHEREAS, the Permit requires that the Permittees must maintain an intergovernmental agreement describing each organization’s respective roles and responsibilities related to this permit; and

WHEREAS, on June 18, 2013, the Permittees entered into an Intergovernmental Agreement for Roles and Responsibilities under the NPDES Municipal Stormwater Permit outlining roles and responsibilities of the Permittees under the Permit; and

WHEREAS, pursuant to the Permit any previously signed intergovernmental agreement may be updated, as necessary, in accordance with the Permit. Any such agreement must be described in the Permittees' Stormwater Management Program ("SWMP") Document and a copy of the agreement between the Permittees must be available to IDEQ upon request; and

WHEREAS, the Permittees have updated the intergovernmental agreement based on the Permit effective October 1, 2021. This Amended and Restated Agreement shall replace and supersede all previous intergovernmental agreements between the Permittees.

NOW, THEREFORE, the foregoing sets forth the agreement by and among the named Permittees.

## **II. AGREEMENT**

### **1. PURPOSE OF AMENDED AND RESTATED AGREEMENT**

The purpose of this Amended and Restated Agreement is to detail the duties, roles, and responsibilities of the Permittees with respect to compliance with the Rules and Regulations and the requirements set forth in Section 2.5.2, Joint Responsibility and Joint Agreements of the Permit. Each Permittee is individually responsible for Permit compliance related to portions of the MS4 owned or operated solely by that Permittee, or where the Permit requires a specific Permittee to take an action. Each Permittee is jointly responsible for Permit compliance as follows:

- a. related to portions of the MS4 where operational or stormwater management control measures implementation authority has been transferred to one Permittee or another in accordance with this Amended and Restated Agreement between the Permittees; and
- b. related to portions of the MS4 where Permittees jointly own or operate a portion of the MS4; and
- c. related to the submission of reports or other documents required by Parts 3, 5, and 6 of the Permit; and
- d. where the Permit requires the Permittees to take an action and a specific Permittee is not named; and
- e. other areas as deemed necessary by the Permittees.

### **2. GENERAL PROVISIONS**

- a. ACHD, Boise City, Garden City, Boise State, ITD and DD3 are Permittees in the Permit as provided in 40 CFR 122.26.
- b. Each Permittee will be responsible for complying with any and all Permit conditions relating to discharges from those parts of the MS4 that it operates and maintains.

c. The Permittees will utilize available monitoring and enforcement mechanisms, in full cooperation with other Permittees, to control the contribution of pollutants from one MS4 to another.

d. Each Permittee to this Amended and Restated Agreement shall assign at least one representative to the Permittee group.

### **3. STORM WATER MANAGEMENT PROGRAM ROLES AND RESPONSIBILITIES**

The roles and responsibilities of each Permittee are as established in the Permit and this Amended and Restated Agreement.

### **4. APPORTIONMENT OF COSTS**

#### **A. Program Administration and Management**

The Stormwater Management Program Control Measures shall be administered by ACHD as the lead agency. Program administration and management consists primarily of:

1. Preparing the agenda, minutes, and other documents related to the quarterly meetings and special meetings of the Permittees; and
2. Compiling and coordinating material to and from the Permittees for the filing of the annual report and Permit reapplication, as necessary, with IDEQ; and
3. Coordinating the various activities among the Permittees under the Permit.

The Permittees shall reimburse ACHD or the Permittee providing services described in this subsection 4.A. for their share of the program administration costs in the following amounts:

ACHD:	65.3% of the total program administration costs
Boise City:	15.3% of the total program administration costs
Garden City:	7.7% of the total program administration costs
Boise State:	3.9% of the total program administration costs
ITD:	3.9% of the total program administration costs
DD3:	3.9% of the total program administration costs

Program administration shall also include expenses incurred by any Permittee in the drafting, preparation, and completion of certain agreements or other documents specifically related to the collective Permittees' activities required by the Permit, by way of example, but not by way of limitation, this Amended and Restated Agreement. Such expenses shall be shared as stated in this Subsection 4.A. and processed through ACHD as set forth herein. Such expenses shall not include any activity related to any Permittee's own compliance requirements under the Permit.

**B. Stormwater Monitoring and Evaluation Program**

Monitoring and evaluation required by the Permit shall be conducted by ACHD or its contractor as the lead agency. The monitoring and evaluation program (“Stormwater Monitoring and Evaluation Program”) consists primarily of:

1. For the first year of the Permit, preparing an updated Stormwater Outfall Monitoring Plan as part of the first annual report required by Part 6.4.2 of the Permit. The requirements, set forth in Part 6.2.1-6.2.7, for the Stormwater Outfall Monitoring Plan are described in the Permit, and include the monitoring protocol, sampling, testing, reporting, and other activity through a consultant arrangement between ACHD and its selected consultant.

2. Implementing the Stormwater Monitoring and Evaluation Program as approved and adopted by the Permittees.

3. Temperature monitoring in stormwater discharges from the MS4 to the Boise River including assessment units.

4. Wet weather stormwater outfall monitoring according to the Storm Water Outfall Monitoring Plan.

5. Instituting the Americana Subwatershed Monitoring Plan and data reporting requirements.

6. Effectiveness Evaluation of Structural, Non-Structural, and/or Green Stormwater Infrastructure Controls pursuant to Part 6.2.3 of the Permit.

The Permittees shall reimburse ACHD for their share of the Stormwater Monitoring and Evaluation Program costs in the following amounts:

ACHD:	65.3% of the total Stormwater Monitoring and Evaluation Program Cost
Boise City:	15.3% of the total Stormwater Monitoring and Evaluation Program Cost
Garden City:	7.7% of the total Stormwater Monitoring and Evaluation Program Cost
Boise State:	3.9% of the total Stormwater Monitoring and Evaluation Program Cost
ITD:	3.9% of the total Stormwater Monitoring and Evaluation Program Cost
DD3:	3.9% of the total Stormwater Monitoring and Evaluation Program Cost

**C. Public Education, Outreach, and Involvement Program**

Boise City shall be the lead agency for the Public Education, Outreach, and Involvement Program pursuant to this Amended and Restated Agreement. The Public Education, Outreach, and Involvement Program includes the development of an education outreach program as required by the Permit. The Public Education, Outreach, and Involvement Program consists primarily of:

1. Conducting public outreach, education, and public involvement as

described in the NPDES permit; and

2. Assessing the understanding of the relevant messages and adoption of appropriate behaviors by target audiences related to the Public Education, Outreach, and Involvement Program; and

3. Tracking and maintaining records of their education, outreach, and public involvement activities, including a descriptive summary of activities in the annual report; and

4. Once per year, training to local audiences on the requirements for construction operators pertaining to the required construction site controls imposed by the Permittees and training to local audiences on the requirements of permanent stormwater management controls imposed by the Permittees; and

5. Maintaining and updating the Permittees' Partners for Clean Water website found at: <https://www.partnersforcleanwater.org/>.

The Permittees shall reimburse Boise City for their share of the Public Education, Outreach, and Involvement Program costs in the following amounts:

Boise City:	65.3% of the total Program Cost
Garden City:	15.3% of the total Program Cost
ACHD:	7.7% of the total Program Cost
Boise State:	3.9 % of the total Program Cost
ITD:	3.9 % of the total Program Cost
DD3:	3.9 % of the total Program Cost

**D. IPDES Stormwater Fee**

Boise City is charged IPDES permit fees to support implementation of IPDES program initiatives at the Lander Street Water Renewal Facility and the West Boise Water Renewal Facility. Boise City has estimated the proportionate cost of this IPDES permit fee attributable to stormwater is 1.28% of the total IPDES permit fee. The Permittees have initially agreed to share this cost equally at 17% per Permittee. However, this allocation is subject to change by the Permittees and may be allocated similarly to the other costs discussed in this Section II.4. of the Amended and Restated Agreement. Should the Permittees unanimously agree on a different allocation of these IPDES permit fees, the Permittees shall agree to such amendment in writing.

**E. Timely Payments**

All amounts due and owing for the costs outlined in this Section II.4. shall be paid within forty-five (45) days of invoice date by each respective Permittee.

**F. Annual Review**

The allocated percentages of the Permittees' charge shall be reviewed upon an annual

basis and if necessary modified.

#### G. Operating Guidelines and Annual Budget

The Permittees have previously adopted a set of Operating Guidelines (“Guidelines”) in July 2014. The Operating Guidelines have since been amended to reflect updates in process and procedure. A copy of the Amended and Restated Operating Guidelines are attached hereto as Addendum No. 1. The Guidelines address the process by which the annual budget is prepared, reviewed, and approved by the Permittees. In addition, the Guidelines also address the manner in which the Permittee meetings are conducted, and action is taken by the Permittees. The Guidelines may be amended as set forth therein and will be included in this Amended and Restated Agreement as a new addendum.

### 5. TERMINATION

Any Permittee under this Amended and Restated Agreement shall have the right to withdraw and terminate its responsibilities under this Amended and Restated Agreement by serving written notice upon all Permittees in the time and manner described herein. Such written notice shall be served upon all Permittees no later than the January meeting described in the Operating Guidelines, which meeting provides for the consideration of the budget for the following Permit Year. The written notice shall describe whether the withdrawal is in total for all activities set forth in this Amended and Restated Agreement or whether the withdrawal is limited to certain activities described in this Amended and Restated Agreement. The Permittee seeking withdrawal shall provide the specific reasons for withdrawal and provide proof that such withdrawal has been formally approved by the Permittee’s governing body. If the withdrawal is not a total withdrawal, the Permittee shall remain responsible for its share of the allocated costs. In addition, the withdrawing Permittee shall provide the results of any activities or programs it acted as the lead agency on, including the preparation of any plans, reports, results, or record keeping, for inclusion in the Permittees’ annual report. Such withdrawal shall be deemed effective the year following the service of the written notice upon the other Permittees.

Notwithstanding the right of a Permittee to withdraw from this Amended and Restated Agreement as described above, any responsibilities set out in the Permit with regard to the withdrawing Permittee shall not be affected by Permittee’s withdrawal from this Amended and Restated Agreement.

Should any Permittee to this Amended and Restated Agreement seek to obtain a ruling from IDEQ that said Permittee is not an operator of an MS4 or that it is not subject to the Permit, such Permittee shall provide written notice to the other Permittees simultaneously with the filing of such request to IDEQ. The Permittee seeking such ruling shall provide the other Permittees with all documents filed with IDEQ and shall also provide the other Permittees of the decision or determination of IDEQ. Should the Permittee seeking withdrawal appeal the decision or determination of IDEQ or an appeal is filed by any other interested entity, the Permittee seeking such ruling shall provide the other Permittees with the documents related to said appeal and the decision or determination of the appellate body. Upon a final decision or determination of IDEQ or appellate body finding the Permittee is not required to participate in the Permit, the Permittee

shall be allowed to withdraw from this Amended and Restated Agreement effective the following year after such final decision or determination of IDEQ or an appellate body. The Permittee seeking such ruling shall be responsible for all costs set forth in this Amended and Restated Agreement prior to final withdrawal. Nothing herein shall prevent any other Permittee from participating in the IDEQ or appellate process concerning the request by the Permittee seeking the determination or decision from IDEQ.

In the event of a withdrawal by a Permittee or a final decision or determination by IDEQ or an appellate body, such Permittee's costs as set forth in this Amended and Restated Agreement shall be reallocated among the other Permittees as may be mutually agreed by those other Permittees.

## **6. MODIFICATION IN WRITING**

This Amended and Restated Agreement may be modified or amended in writing and effective when executed by all Permittees.

## **7. ATTORNEY FEES**

Should any Permittee find it necessary to employ an attorney for representation in any action seeking enforcement of any of the provisions of this Amended and Restated Agreement, or to protect its interest in any matter arising under this Amended and Restated Agreement, or to recover damages for the breach of this Amended and Restated Agreement, or to resolve any disagreement in interpretation of this Amended and Restated Agreement, the unsuccessful Permittee(s), in any final judgment entered therein, agrees to reimburse the prevailing party or parties for all reasonable costs, charges, and expenses, including attorneys' fees expended or incurred by the prevailing party or parties in connection therewith and in connection with any appeal, and the same may be included in such judgment.

## **8. NOTICES AND CONTACTS**

Any and all notices required to be given by any of the Permittees hereto shall be in writing and deemed delivered when either: (i) delivered personally, or (ii) sent by fax to the other parties at the fax telephone number as set forth, or (iii) deposited in the United States Mail, certified, return receipt requested, postage prepaid, addressed to the other Permittees at the address as set forth, or such other fax telephone number or mailing address as may be provided by written notice of such change given to the others in the same manner as above provided.

For the purpose of providing contact information under this Amended and Restated Agreement and to provide notice as required, the following are the contacts and addresses of each representative designated by each Permittee:

Ada County Highway District:  
Stormwater Quality Supervisor  
Ada County Highway District  
318 E. 37<sup>th</sup> Street  
Garden City, ID 83714  
Phone: 208-387-6255  
Fax: 208-387-6391  
Email: [mlowe@achdidaho.org](mailto:mlowe@achdidaho.org)

City of Garden City:  
Environmental Manager  
City of Garden City  
207 E. 38<sup>th</sup> Street  
Garden City, ID 83714  
Phone: 208-472-2900  
Fax: 208-3434026  
Email: [jpavelek@gardencity.idaho.org](mailto:jpavelek@gardencity.idaho.org)

Idaho Transportation Department, District #3:  
Environmental Planner, Senior  
8150 Chinden Boulevard  
Boise, ID 83714  
Phone: 208-334-8300  
Fax: 208-334-8917  
Email: [greg.vitley@itd.idaho.gov](mailto:greg.vitley@itd.idaho.gov)

City of Boise:  
Water Quality Manager  
City of Boise  
P.O. Box 500  
Boise, ID 83701-0500  
Phone: 208-608-7178  
Fax: 208-433-5650  
Email: [kharris@cityofboise.org](mailto:kharris@cityofboise.org)

Boise State University:  
Environmental Health Compliance  
Boise State University  
1910 University Drive  
Boise, ID 83725  
Phone: 208-426-3906  
Email: [ehs@boisestate.edu](mailto:ehs@boisestate.edu)

Ada County Drainage District #3:  
Counsel for Drainage District #3  
Elam & Burke  
P.O. Box 1539  
Boise, ID 83701  
Phone: 208-343-5454  
Fax: 208-384-5844  
Email: [rpa@elamburke.com](mailto:rpa@elamburke.com)

## **9. ENTIRE AGREEMENT**

Except as provided otherwise herein, this instrument and any attachments or addendums hereto constitute the entire agreement among the Permittees concerning the subject matter hereof.

(signatures on following page)

IN WITNESS WHEREOF, the Permittees hereto have caused this Amended and Restated Agreement to be duly executed as of the day and year first above written.

ADA COUNTY HIGHWAY DISTRICT

By: *Mary May*  
President, ACHD Commission

*[Signature]*  
Attest: ACHD Director

CITY OF BOISE CITY

By: \_\_\_\_\_  
Lauren McLean, Mayor

\_\_\_\_\_  
Attest: City Clerk

CITY OF GARDEN CITY

By: *John Evans*  
John Evans, Mayor

*[Signature]*  
Attest: City Clerk



BOISE STATE UNIVERSITY

By: \_\_\_\_\_  
Vice President, University Affairs

IDAHO TRANSPORTATION DEPARTMENT,  
DISTRICT #3

By: *[Signature]*  
*S. CATER LAKEY*, District Administrator

IN WITNESS WHEREOF, the Permittees hereto have caused this Amended and Restated Agreement to be duly executed as of the day and year first above written.

ADA COUNTY HIGHWAY DISTRICT

By: \_\_\_\_\_  
\_\_\_\_\_  
President, ACHD Commission

\_\_\_\_\_  
Attest: ACHD Director



CITY OF BOISE CITY

By: Lauren McLean  
\_\_\_\_\_  
Lauren McLean, Mayor 11/29/2022

Lynda Lowry  
\_\_\_\_\_  
Attest: City Clerk Lynda Lowry 11/29/2022

CITY OF GARDEN CITY

By: \_\_\_\_\_  
John Evans, Mayor

\_\_\_\_\_  
Attest: City Clerk

BOISE STATE UNIVERSITY

By: \_\_\_\_\_  
\_\_\_\_\_  
Vice President, University Affairs

IDAHO TRANSPORTATION DEPARTMENT,  
DISTRICT #3

By: \_\_\_\_\_  
\_\_\_\_\_, District Administrator

IN WITNESS WHEREOF, the Permittees hereto have caused this Amended and Restated Agreement to be duly executed as of the day and year first above written.

ADA COUNTY HIGHWAY DISTRICT

By: \_\_\_\_\_

\_\_\_\_\_  
President, ACHD Commission

\_\_\_\_\_  
Attest: ACHD Director

CITY OF BOISE CITY

By: \_\_\_\_\_

\_\_\_\_\_  
Lauren McLean, Mayor

\_\_\_\_\_  
Attest: City Clerk

CITY OF GARDEN CITY

By: \_\_\_\_\_

\_\_\_\_\_  
John Evans, Mayor

\_\_\_\_\_  
Attest: City Clerk

BOISE STATE UNIVERSITY

By: Alicia Estey  
\_\_\_\_\_

Alicia Estey  
Vice President, University Affairs

IDAHO TRANSPORTATION DEPARTMENT,  
DISTRICT #3

By: \_\_\_\_\_

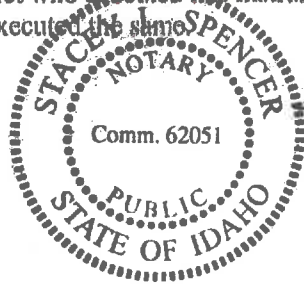
\_\_\_\_\_, District Administrator

ADA COUNTY DRAINAGE DISTRICT No. 3

By: [Signature]  
Steve Sweet, Chair

State of Idaho )  
 )ss  
County of Ada )

On this 7<sup>th</sup> day of December, 2022, before me, Stacey L Spencer, a Notary Public in and for the state of Idaho, personally appeared Mary May and Bruce Wong, known or identified to me to be the President and Director of Ada county Highway District who executed this instrument, and acknowledged to me that Ada County Highway District executed the same.



[Signature]  
Notary Public for Idaho  
Commission expires: August 13, 2025

State of Idaho )  
 )ss  
County of Ada )

On this \_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, a Notary Public in and for the state of Idaho, personally appeared \_\_\_\_\_ and \_\_\_\_\_, known or identified to me to be the Mayor and City Clerk of City of Boise who executed this instrument, and acknowledged to me that City of Boise executed the same.

\_\_\_\_\_  
Notary Public for Idaho  
Commission expires: \_\_\_\_\_

ADA COUNTY DRAINAGE DISTRICT No. 3

By:   
Steve Sweet, Chair

State of Idaho        )  
                              )ss  
County of Ada        )

On this \_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, a Notary Public in and for the state of Idaho, personally appeared \_\_\_\_\_ and \_\_\_\_\_, known or identified to me to be the President and Director of Ada county Highway District who executed this instrument, and acknowledged to me that Ada County Highway District executed the same.

\_\_\_\_\_  
Notary Public for Idaho  
Commission expires: \_\_\_\_\_

State of Idaho        )  
                              )ss  
County of Ada        )

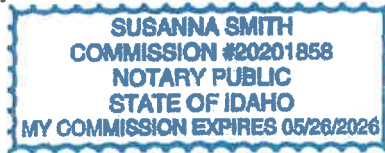
On this 29th day of November, 2022, before me, Kimberly Moore, a Notary Public in and for the state of Idaho, personally appeared Lauren McLean and Lynda Lowry, known or identified to me to be the Mayor and City Clerk of City of Boise who executed this instrument, and acknowledged to me that City of Boise executed the same.



  
Notary Public for Idaho  
Commission expires: 3-30-2028

State of Idaho )  
 )ss  
County of Ada )

On this 22<sup>nd</sup> day of November, 2022, before me, Susanna Smith, a Notary Public in and for the state of Idaho, personally appeared John G. Evans and Lisa M. Leiby, known or identified to me to be the Mayor and City Clerk of Garden City who executed this instrument, and acknowledged to me that Garden City executed the same.



[Signature]  
Notary Public for Idaho  
Commission expires: 5-26-2026

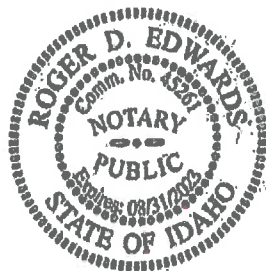
State of Idaho )  
 )ss  
County of Ada )

On this \_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, a Notary Public in and for the state of Idaho, personally appeared \_\_\_\_\_, known or identified to me to be the Vice President, University Affairs, of Boise State University, who executed this instrument, and acknowledged to me that Boise State University executed the same.

\_\_\_\_\_  
Notary Public for Idaho  
Commission expires: \_\_\_\_\_

State of Idaho )  
 )ss  
County of Ada )

On this 17<sup>th</sup> day of November, 2022, before me, ROGER D. EDWARDS, a Notary Public in and for the state of Idaho, personally appeared J. CALEB LAKEY, known or identified to me to be the District 3 Administrator, of Idaho Department of Transportation, who executed this instrument, and acknowledged to me that Idaho Department of Transportation executed the same.



[Signature]  
Notary Public for Idaho  
Commission expires: 8-31-2023

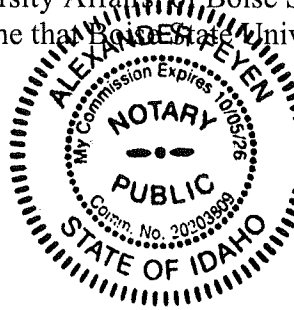
State of Idaho )  
 )ss  
County of Ada )

On this \_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, a Notary Public in and for the state of Idaho, personally appeared \_\_\_\_\_ and \_\_\_\_\_, known or identified to me to be the Mayor and City Clerk of Garden City who executed this instrument, and acknowledged to me that Garden City executed the same.

\_\_\_\_\_  
Notary Public for Idaho  
Commission expires: \_\_\_\_\_

State of Idaho )  
 )ss  
County of Ada )

On this 10<sup>th</sup> day of November, 2022, before me, Alexander Feyen, a Notary Public in and for the state of Idaho, personally appeared Alicia Estey, known or identified to me to be the Vice President, University Affairs, of Boise State University, who executed this instrument, and acknowledged to me that Boise State University executed the same.



\_\_\_\_\_  
Notary Public for Idaho  
Commission expires: 10/05/2026

State of Idaho )  
 )ss  
County of Ada )

On this \_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, a Notary Public in and for the state of Idaho, personally appeared \_\_\_\_\_, known or identified to me to be the \_\_\_\_\_, of Idaho Department of Transportation, who executed this instrument, and acknowledged to me that Idaho Department of Transportation executed the same.

\_\_\_\_\_  
Notary Public for Idaho  
Commission expires: \_\_\_\_\_

State of Idaho )  
 )ss  
County of Ada )

On this 10<sup>th</sup> day of November, 2022, before me Kimbra S. Kline, a Notary Public in and for the state of Idaho, personally appeared Steve Sweet, known or identified to me to be the Chair of Ada County Drainage District # 3, who executed this instrument, and acknowledged to me that Ada County Drainage District #3 executed the same.

4878-3214-6717, v. 5



Kimbra S. Kline  
Notary Public for Idaho  
Commission expires: 3/31/2023

## AMENDED AND RESTATED OPERATING GUIDELINES

THESE AMENDED AND RESTATED OPERATING GUIDELINES ("Amended and Restated Guidelines") are adopted this 30 day of November, 2022, by the CITY OF BOISE CITY, hereinafter called BOISE CITY; ADA COUNTY HIGHWAY DISTRICT, hereinafter called ACHD; ADA COUNTY DRAINAGE DISTRICT NO. 3, hereinafter called DD3; IDAHO TRANSPORTATION DEPARTMENT, DISTRICT 3, hereinafter called ITD; BOISE STATE UNIVERSITY, hereinafter called BSU; and the CITY OF GARDEN CITY, hereinafter called GARDEN CITY; collectively the "Permittees."

WHEREAS, the National Pollutant Discharge Elimination System, the provisions of the Clean Water Act, 33 U.S.C. § 151 et seq, as amended by the Water Quality Act of 1987, Public Law 100-4 ("Clean Water Act"), and the Rules Regulating the Idaho Pollutant Discharge Elimination System Program (IDAPA 58.01.25) ("Rules and Regulations") all govern the regulations for applications and permits for stormwater discharges; and

WHEREAS, these Rules and Regulations are designed to control pollutants associated with stormwater discharges through the use of the National Pollutant Discharge Elimination System ("NPDES"), which allows the lawful discharge of stormwater into the waters of the United States; and

WHEREAS, these Rules and Regulations are designed to require NPDES permits for discharges from Municipal Separate Storm Sewer Systems (MS4s) from a system-wide or jurisdiction-wide basis; and

WHEREAS, the Permittees received a NPDES Permit (Permit #IDS-02756-1) effective February 1, 2013, and administratively extended until October 1, 2021; and

WHEREAS, on July 1, 2021, the Idaho Department of Environmental Quality (IDEQ), with delegated authority from the U.S. Environmental Protection Agency ("EPA"), gained primacy and became responsible for issuing MS4 stormwater permits and assuring compliance with all permit requirements; and

WHEREAS, the Permittees received Idaho Pollutant Discharge Elimination System ("IPDES") Permit IDS027561 (the "Permit"), effective October 1, 2021;

WHEREAS, the Permit requires that the Permittees must maintain an intergovernmental agreement describing each organization's respective roles and responsibilities related to this permit;

WHEREAS, pursuant to the Permit, any previously signed intergovernmental agreement may be updated, as necessary, in accordance with this Permit. Any such agreement must be described in the Permittees' Stormwater Management Program ("SWMP") Document, and a copy of the agreement between the Permittees must be available to IDEQ upon request; and

WHEREAS, the Permittees entered into that certain *Intergovernmental Agreement for Roles and Responsibilities Under the NPDES Permit* ("Agreement"), dated June 26, 2013, which generally outlined the process by which the Permittees shall fund certain activities in compliance with the Permit;

WHEREAS, the Permittees previously entered into those certain Operating Guidelines dated October 17, 2006, which governed the Permittees' activities under a previous intergovernmental agreement dated October 21, 2001, based on the previous NPDES permit originally effective November 29, 2000.

WHEREAS, the Permittees have updated the intergovernmental agreement based on the Permit effective October 1, 2021, and this Amended and Restated Intergovernmental Agreement was executed on ~~December 7~~, 2022; and

WHEREAS, the Permittees, as public agencies, all have varying procedures concerning the setting of those entities' budgets and the time frame for the approval of those budgets;

WHEREAS, the Permittees desire these Amended and Restated Guidelines (including certain budget procedures) to guide the Permittees through the activities in which all share in the cost and/or administration of the program and to coincide with the new amendments and revisions under the Amended and Restated Intergovernmental Agreement;

NOW, THEREFORE, the Permittees agree as follows:

Section 1. These Amended and Restated Guidelines hereby repeal, replace, and supersede any previous guidelines, including those 2006 guidelines as described herein.

Section 2. The Permittees concur with the following process for:

A. The annual budget of costs to be shared by the Permittees pursuant to the Permit and the Amended and Restated Intergovernmental Agreement; and

B. The approval of activities and expenses.

Section 3. Schedule and Process:

Each January of each year of the Permit, the lead Permittee entity for the activities to be shared by all of the Permittees, shall present at a scheduled Permittee meeting, a proposed budget outlining the costs for the upcoming year as well as providing a comparison for similar activities within the previous year.

The Permittees shall consider such budget, provide comment, and the budget shall be approved at the Permittee meeting held in April of each year, upon motion and approval by a majority of the Permittees present.

Section 4. Program Administration and Management:

These Amended and Restated Guidelines identify four (4) categories for which the Permittees have agreed to apportion costs for those activities, including Program Administration and Management. By adoption of these Amended and Restated Guidelines, the Permittees have determined that the Program Administration and Management category should include those activities for which the Permittees are apportioning costs for certain planning and Permit compliance not related to any individual Permittee compliance activity. Such activities include the Permit reapplication process and required Permit document preparation.

Permittees also agree to consider other subcategories for which apportionment of costs would be appropriate under the Permit and to process budget requests and approvals. Any additional subcategories shall require an amendment to these Amended and Restated Guidelines.

Section 5. Budget Revisions:

Throughout the Permit year, revisions to the approved budget to reallocate funds among categories and classifications or to reduce the approved budget may be considered by the Permittees. Such reduction or reallocation shall be reviewed and approved by the Permittees' representatives at a duly noticed Permittee meeting. No overall increase in the budget or additional funds shall be authorized unless approved by the Permittees, upon motion and approval by a majority of the Permittees present, and each Permittee has budget authority for such revisions.

Section 6. Permittee Budget Approval:

Nothing herein shall affect the process or authority of each Permittee to obtain from its governing body the necessary approval for the budget as required by each Permittee's governing laws, regulations, or policy and each Permittee's own activities for which it is responsible under the Permit.

Section 7. Operating Guidelines:

Generally, the Permittee meetings shall be managed in such a manner to achieve the objectives of the Permit and the NPDES program. For those items previously approved by way of the budget, the lead Permittee shall provide summary reports of such expenditures and activities at a regularly scheduled Permittee meeting. For expenditures not specifically approved by way of the budget, the lead Permittee shall obtain Permittee approval at a regularly scheduled Permittee meeting prior to such expenditure.

Permittee meetings will be conducted on an informal basis facilitated by the ACHD representative. The ACHD representative shall also be responsible for providing meeting notice to Permittees, taking and distributing minutes, providing an agenda, and, to the greatest extent possible, forwarding information to the Permittees for consideration at the meeting. Any action to be taken shall be accomplished by motion and vote. To the greatest extent possible, Roberts Rules of Order shall govern the voting process.

Section 8. Effect:

These Amended and Restated Guidelines have been adopted by the Permittees at the Permittee meeting dated November 30, 2022. Nothing herein shall be deemed to infringe upon any Permittee's legal authority concerning the expenditure of public funds.

Section 9. Amendment:

These Amended and Restated Guidelines may be amended in writing, upon at least ten (10) days written notice of such proposed amendment to each Permittee provided, however, said notice may be deemed waived by Permittee's written consent. Any amendment shall be approved by majority vote of the Permittees present at a meeting noticed for such purpose. Updated versions of these Amended and Restated Guidelines shall be included in the Amended and Restated Intergovernmental Agreement as an updated addendum to that document.

ADA COUNTY HIGHWAY DISTRICT

By: Monica Lowe  
Its Permittee NPDES Representative

CITY OF BOISE CITY

By: Ann Zund  
Its Permittee NPDES Representative

CITY OF GARDEN CITY

By: John G. Evans  
Its Permittee NPDES Representative

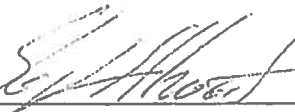
BOISE STATE UNIVERSITY

By: Cris Ruyf  
Its Permittee NPDES Representative

IDAHO TRANSPORTATION DEPARTMENT,  
DISTRICT #3

By:   
Its Permittee NPDES Representative

ADA COUNTY DRAINAGE DISTRICT No. 3

By:   
Its Permittee NPDES Representative

4867-9330-4380, v. 1

# Appendix B

## Drainage District No. 3 MS4 Maps

# DISTRICT MAPS

## ADA COUNTY DRAINAGE DISTRICT #3

PO BOX 1539  
BOISE, IDAHO 83701

### BOARD MEMBERS

JOHN "PAT" TATE, CHAIRMAN

JOE ICENHOWER, SECRETARY TREASURER

STEVE NIELSEN, BOARD MEMBER

RYAN ARMBRUSTER, DISTRICT COUNSEL

DEAN CALLEN, DISTRICT SUPERINTENDENT

**MAY 2010**

CALL BEFORE YOU DIG!

**DIAGLINE: 342-1585**

#### OTHER CONTACT NUMBERS

ACHD DRAINAGE = 387-6320

BOISE CITY PUBLIC WORKS = 384-3900

GARDEN CITY PUBLIC WORKS = 375-3194

NAMPA & MERIDIAN IRRIGATION DIST. = 466-7861

BOISE PROJECT BOARD OF CONTROL = 344-1141

SOUTH BOISE MUTUAL IRRIGATION CO. = 344-3062

DRAINAGE DISTRICT #2 = 342-4591

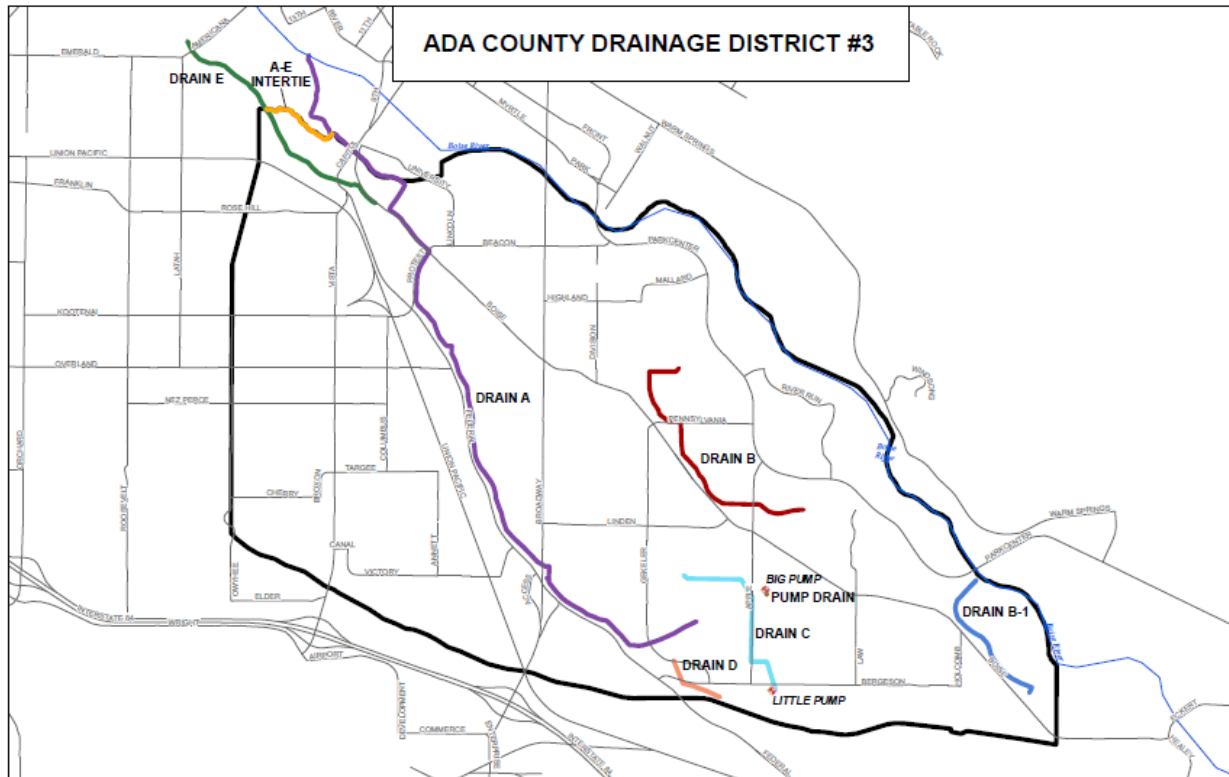
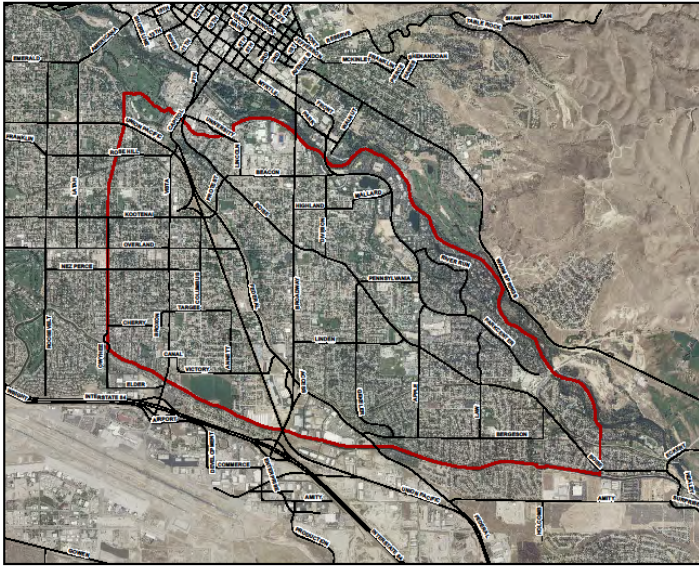
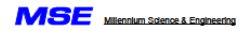
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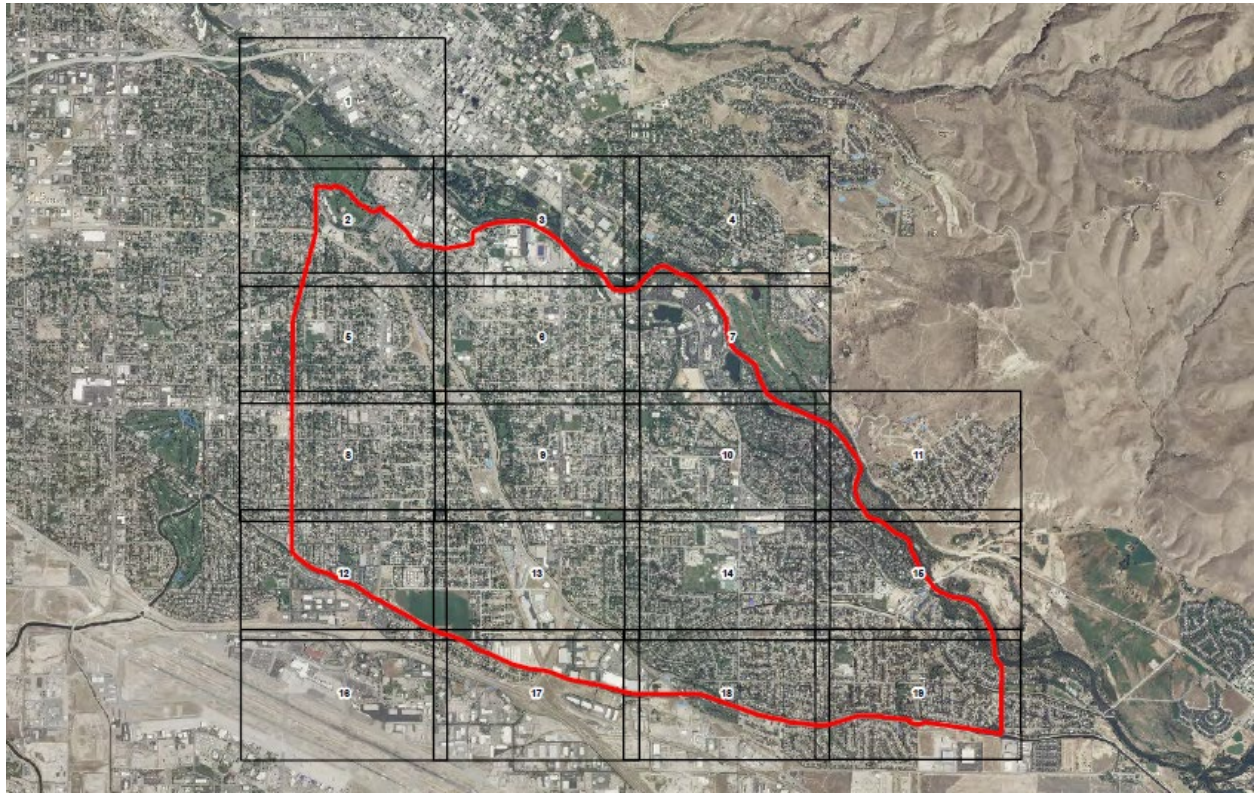
SOUTH BOISE WATER CO. = 761-6450

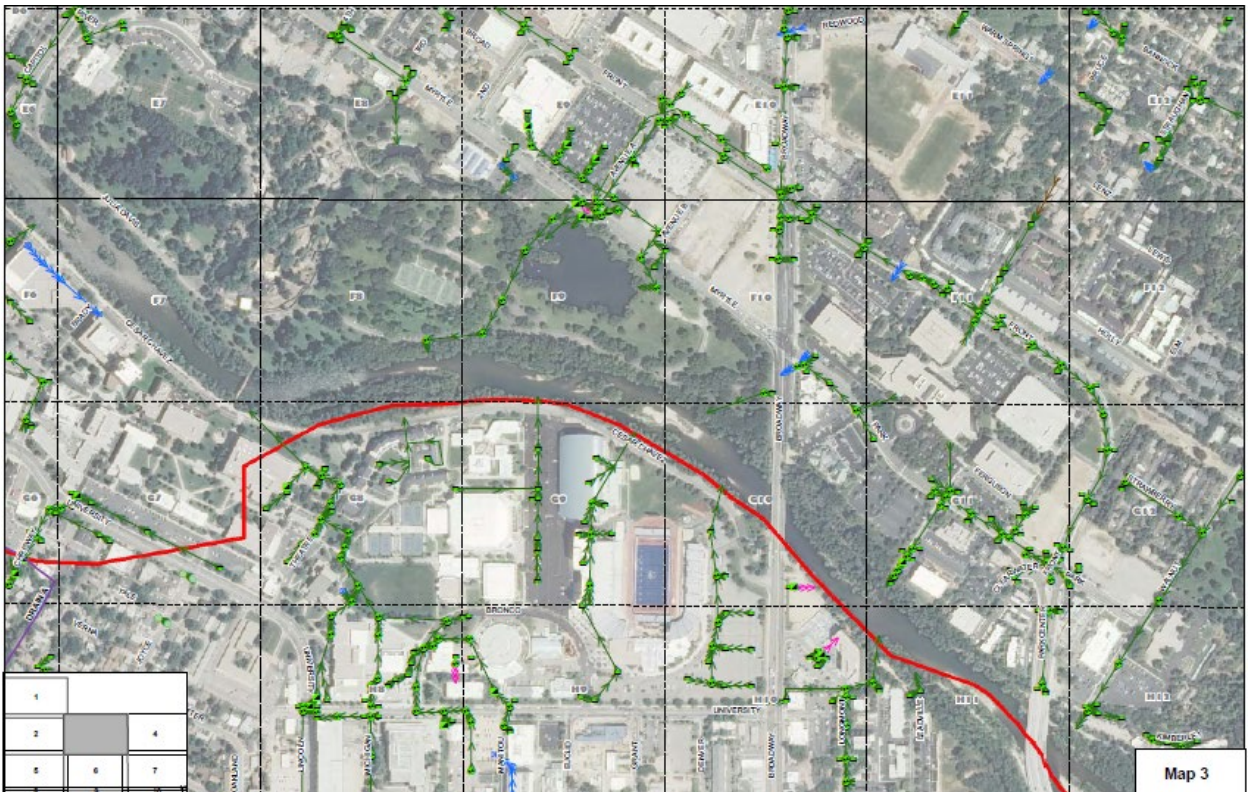
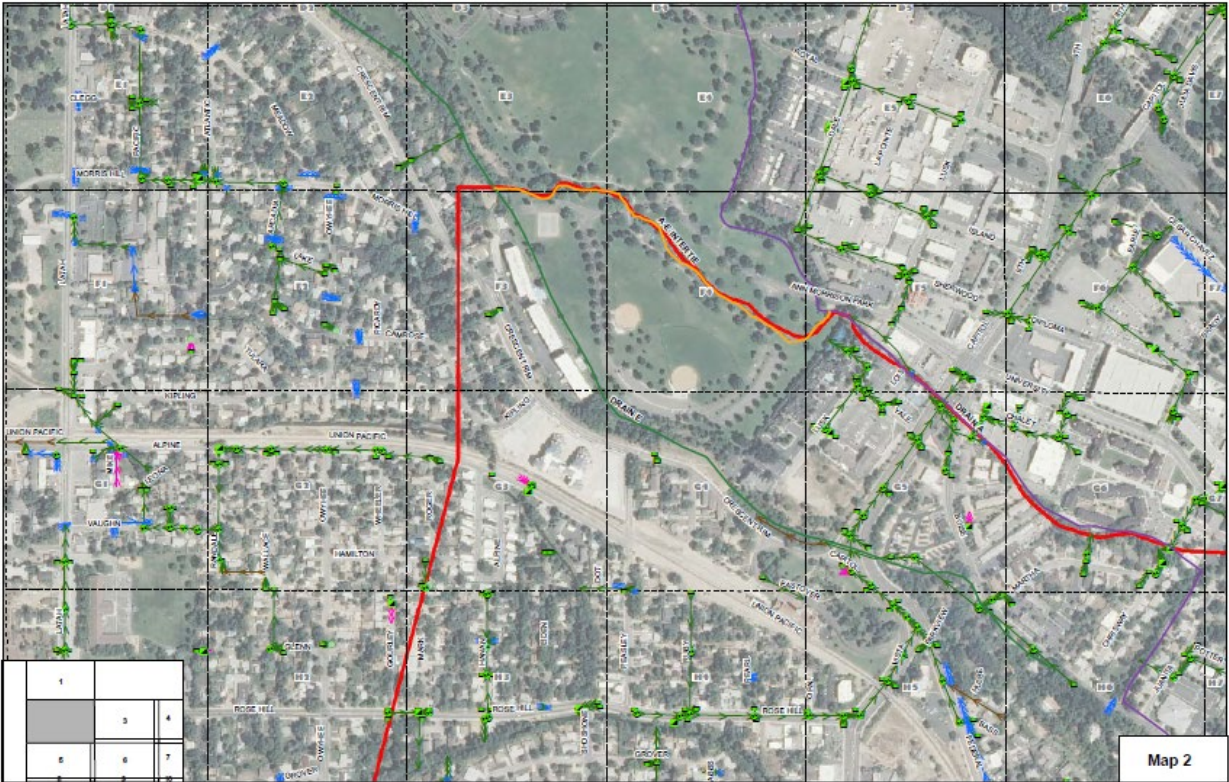
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ADA COUNTY DRAINAGE  
DISTRICT #3 BY

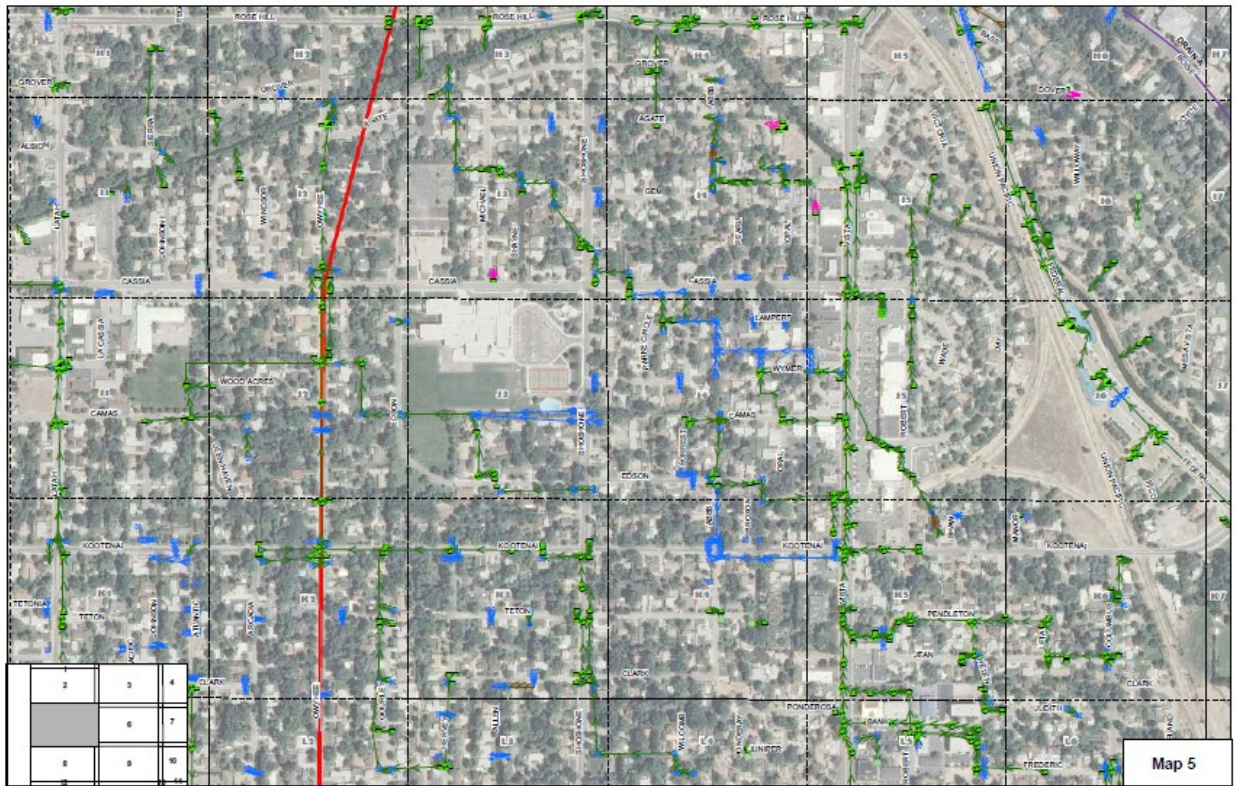
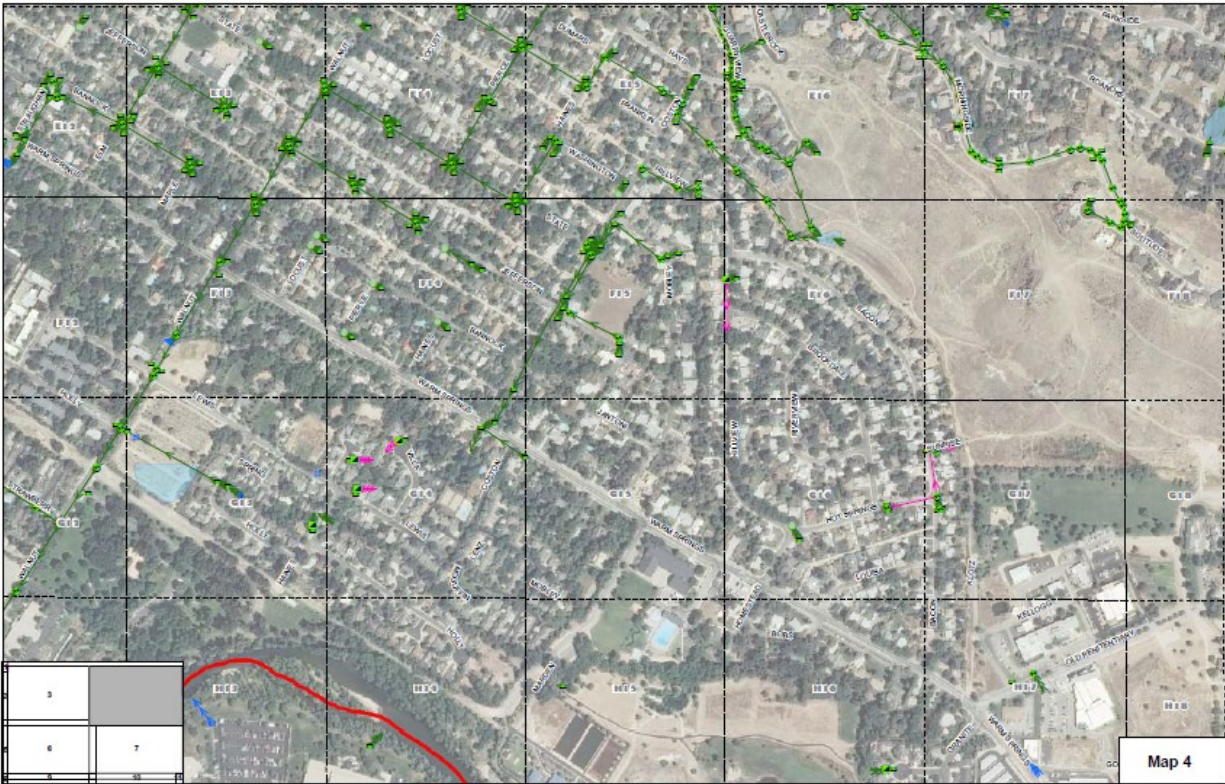


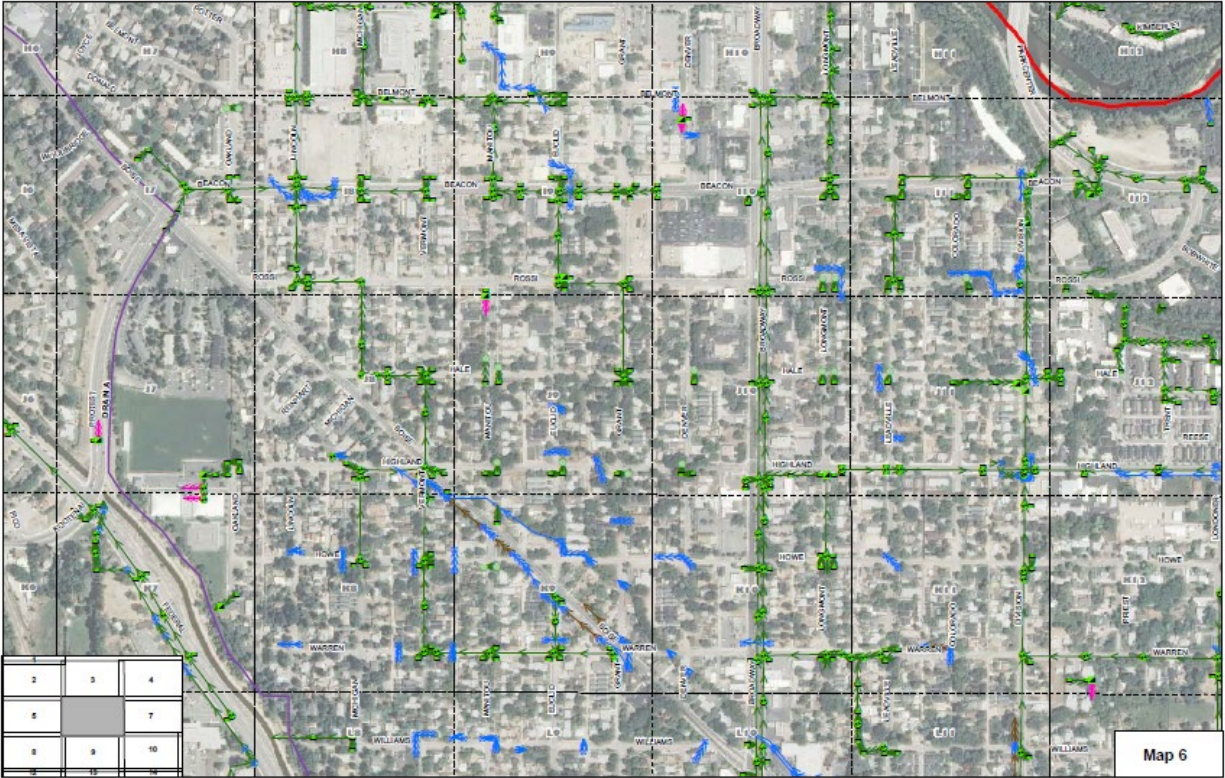
MAPBOOK DEVELOPED BY  
MILLENNIUM SCIENCE & ENGINEERING  
GIS & NATURAL RESOURCES DEPT.

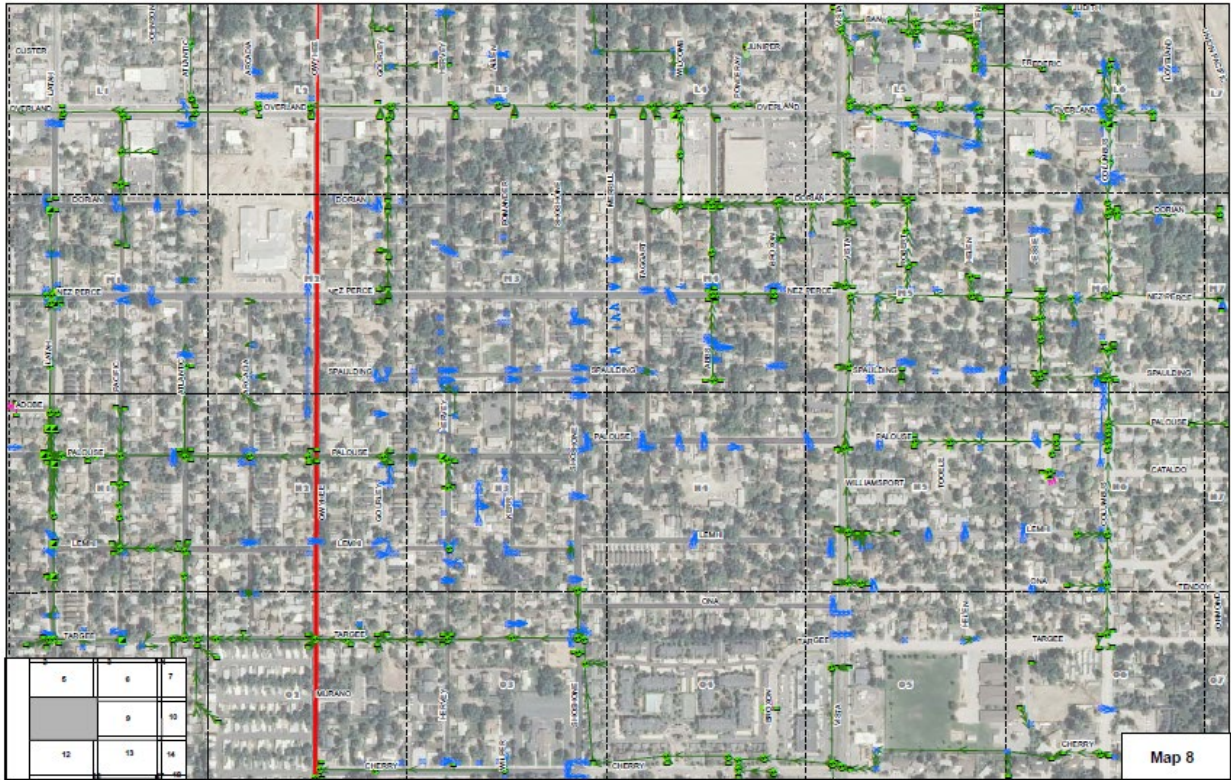




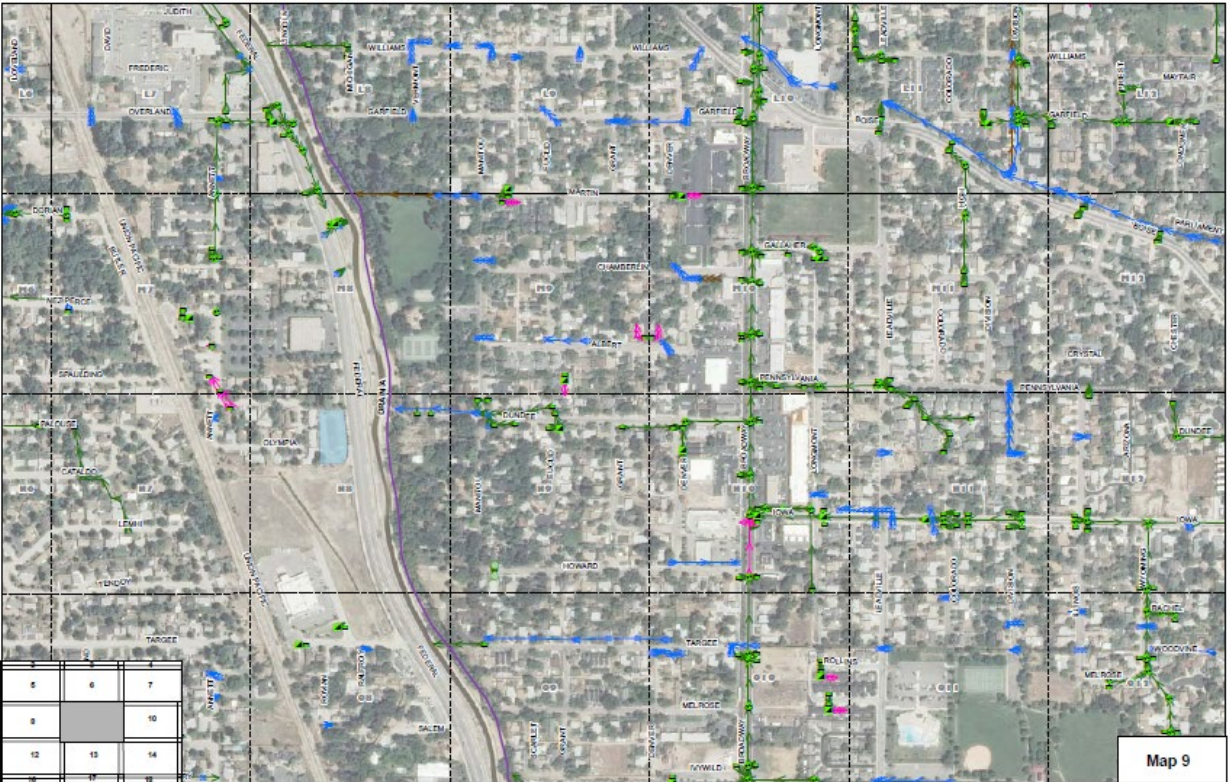




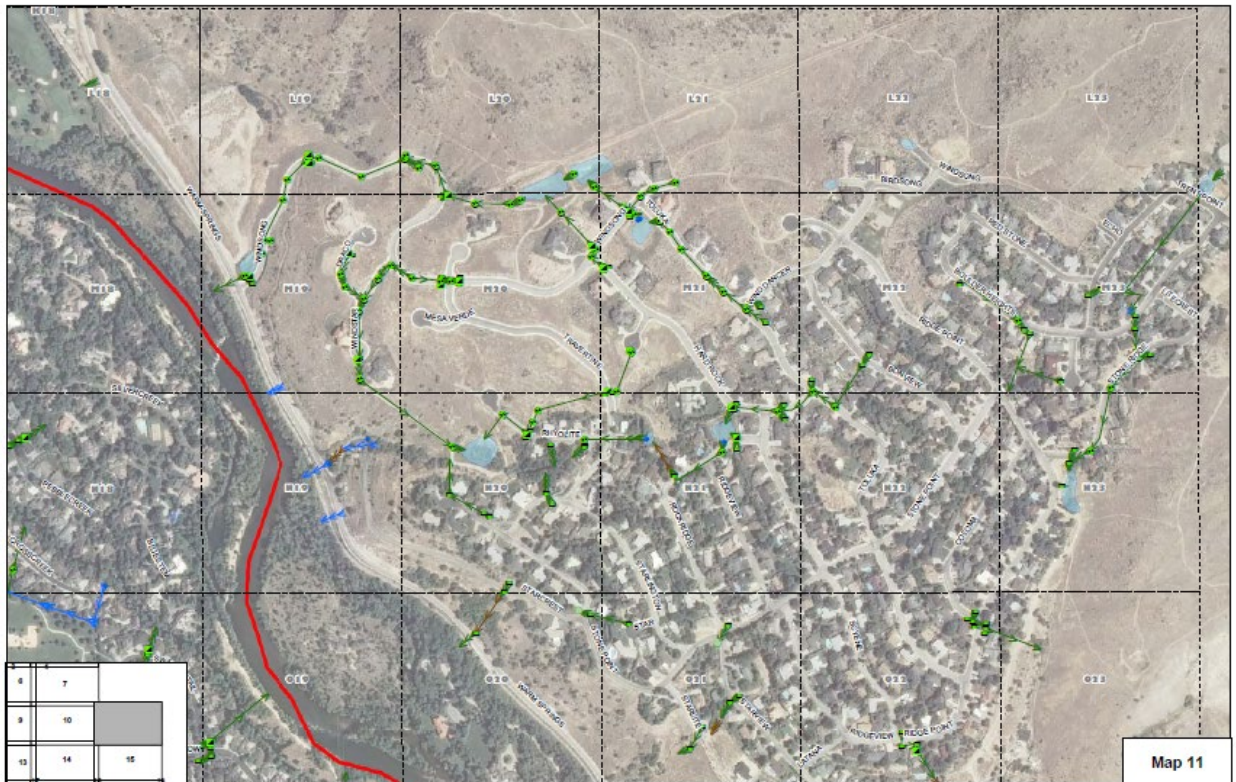
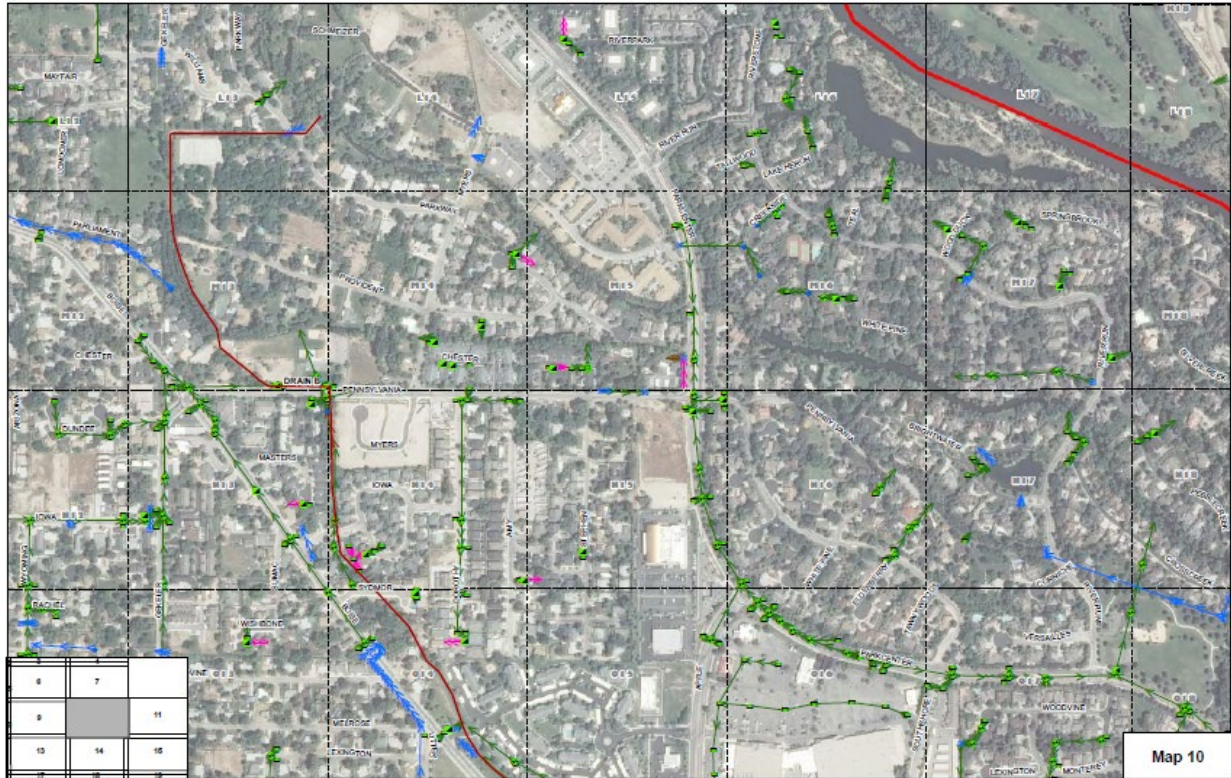


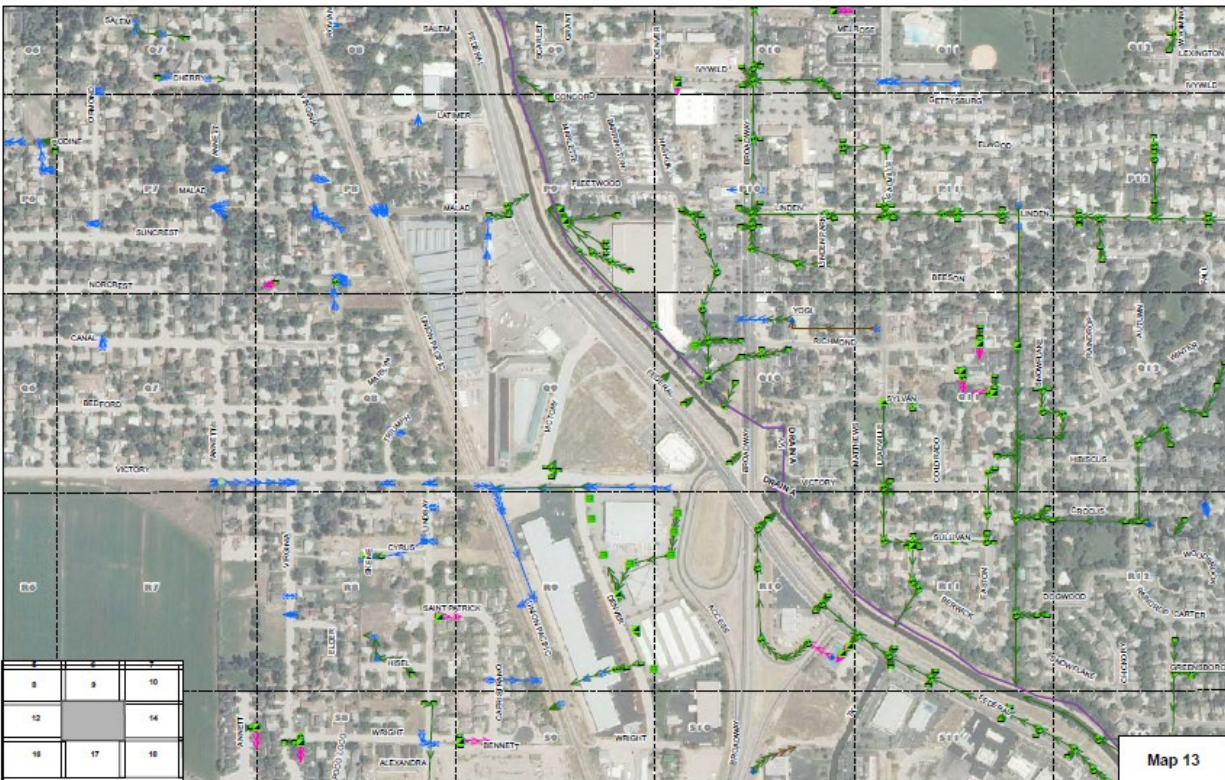
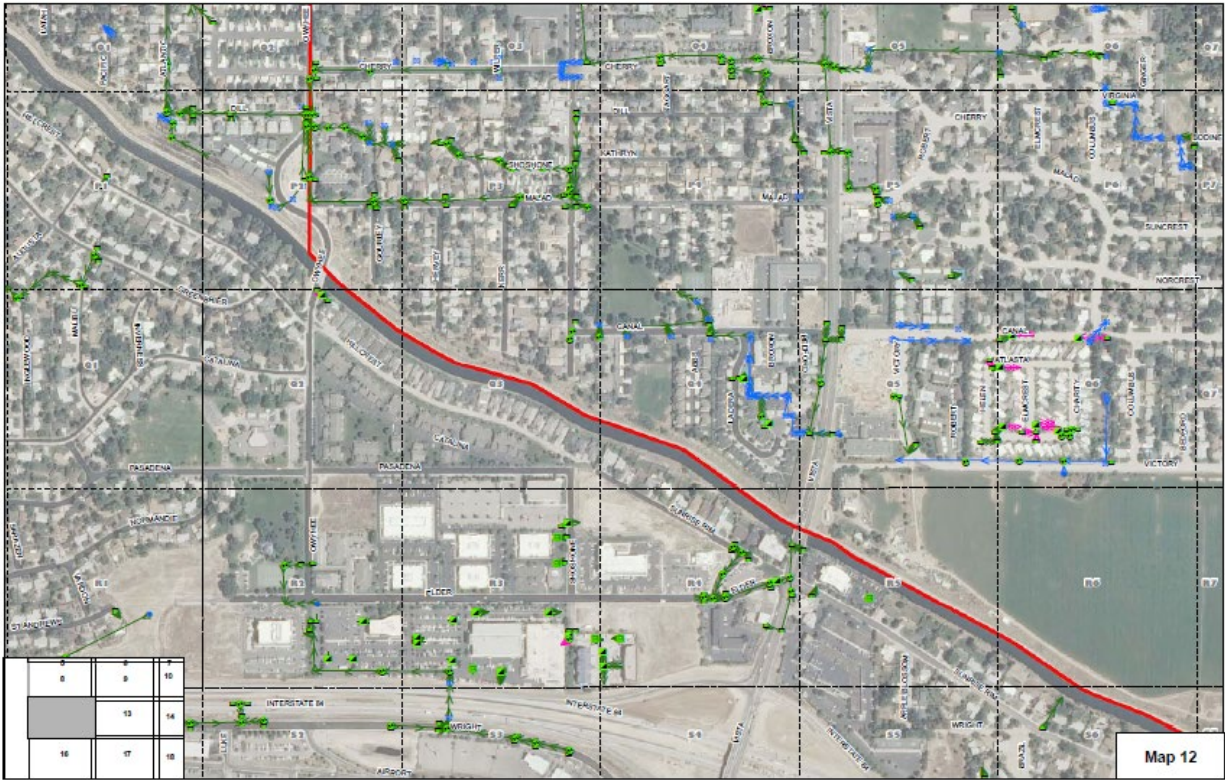


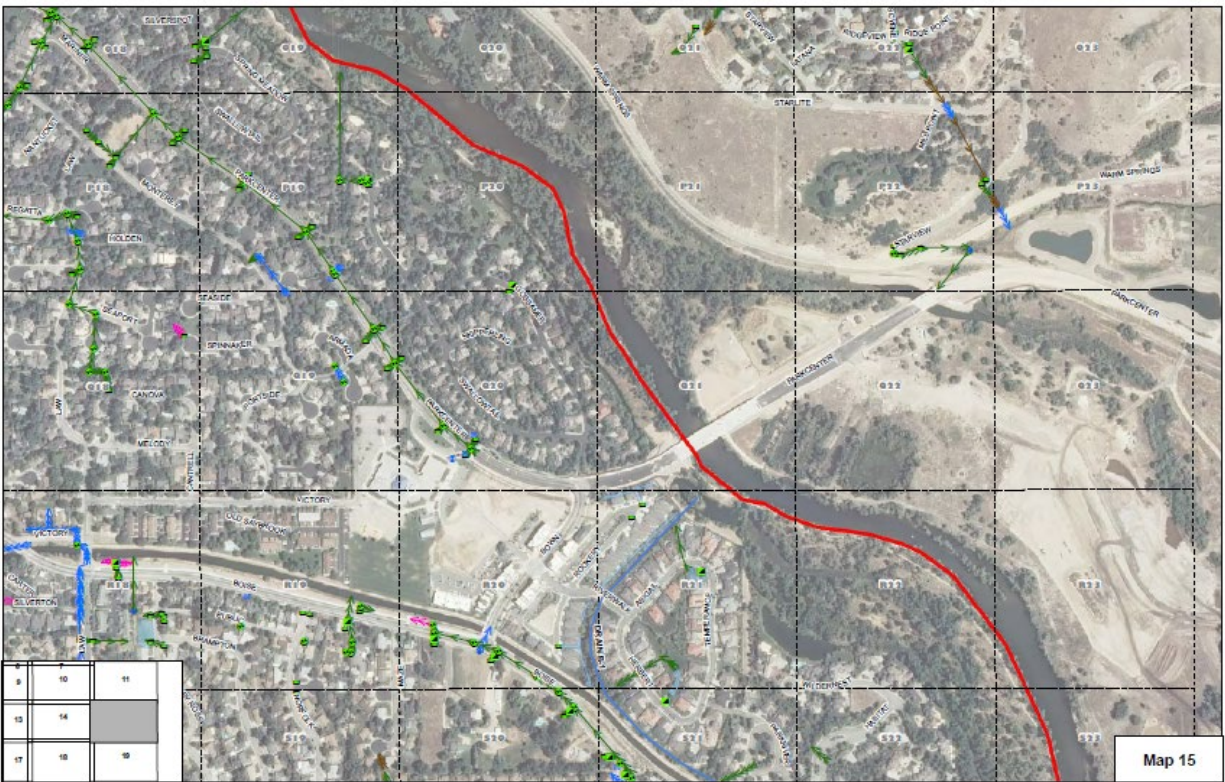
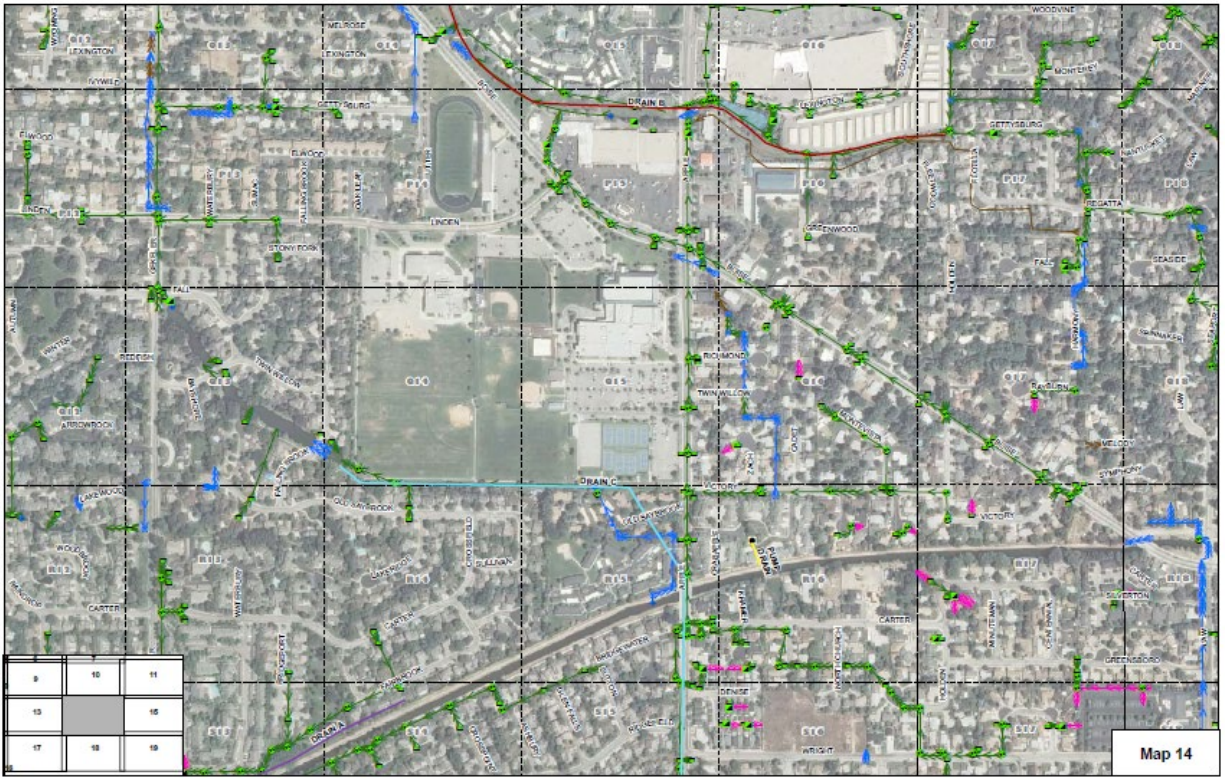
Map 8

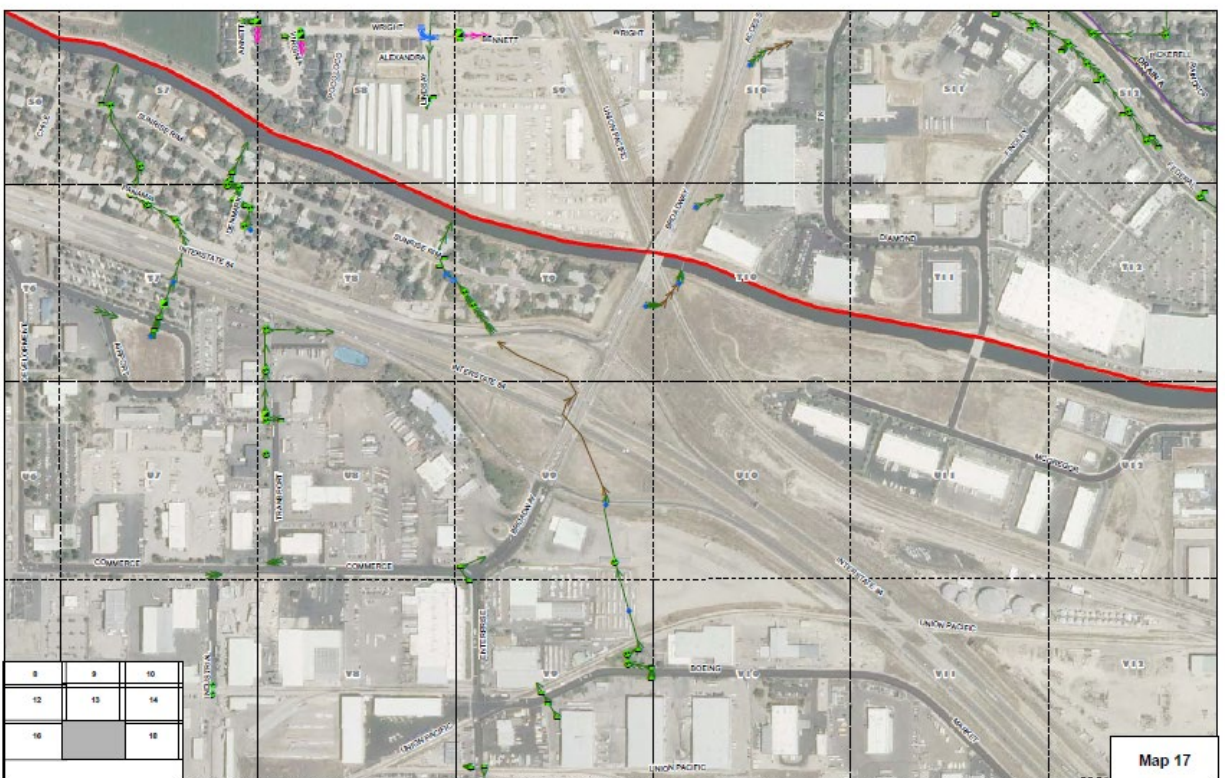
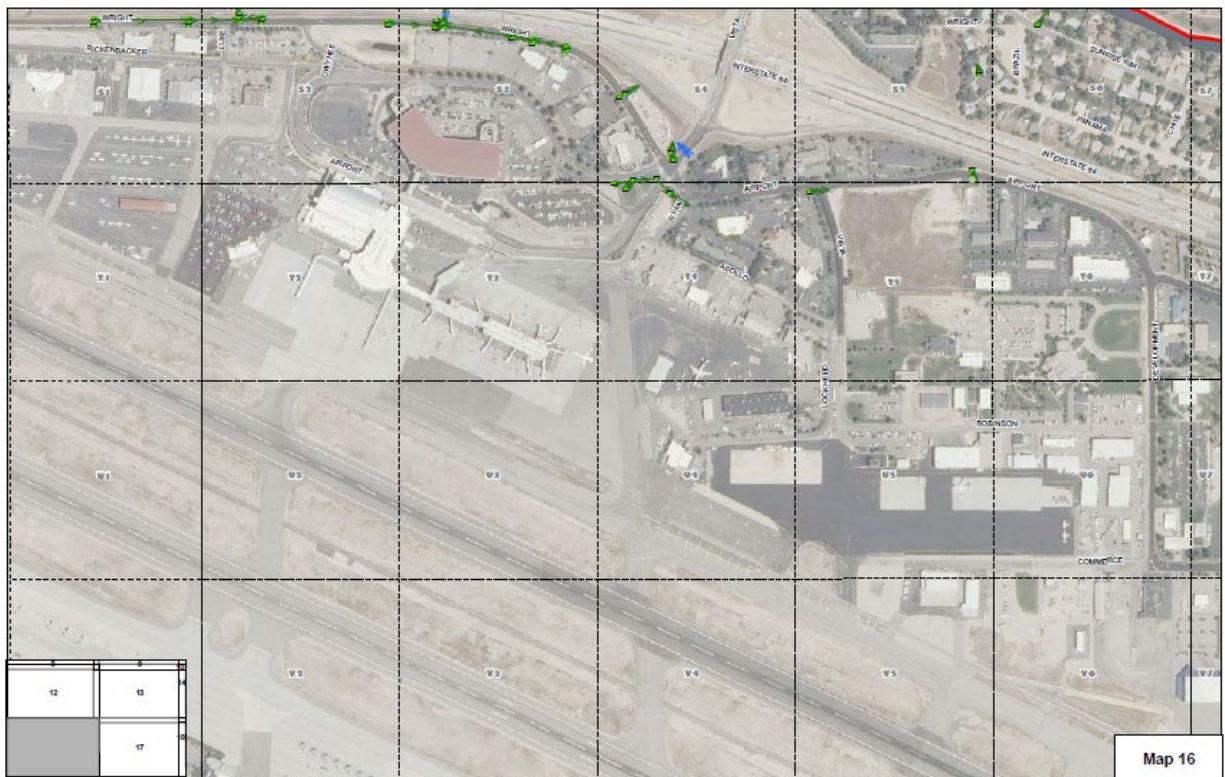


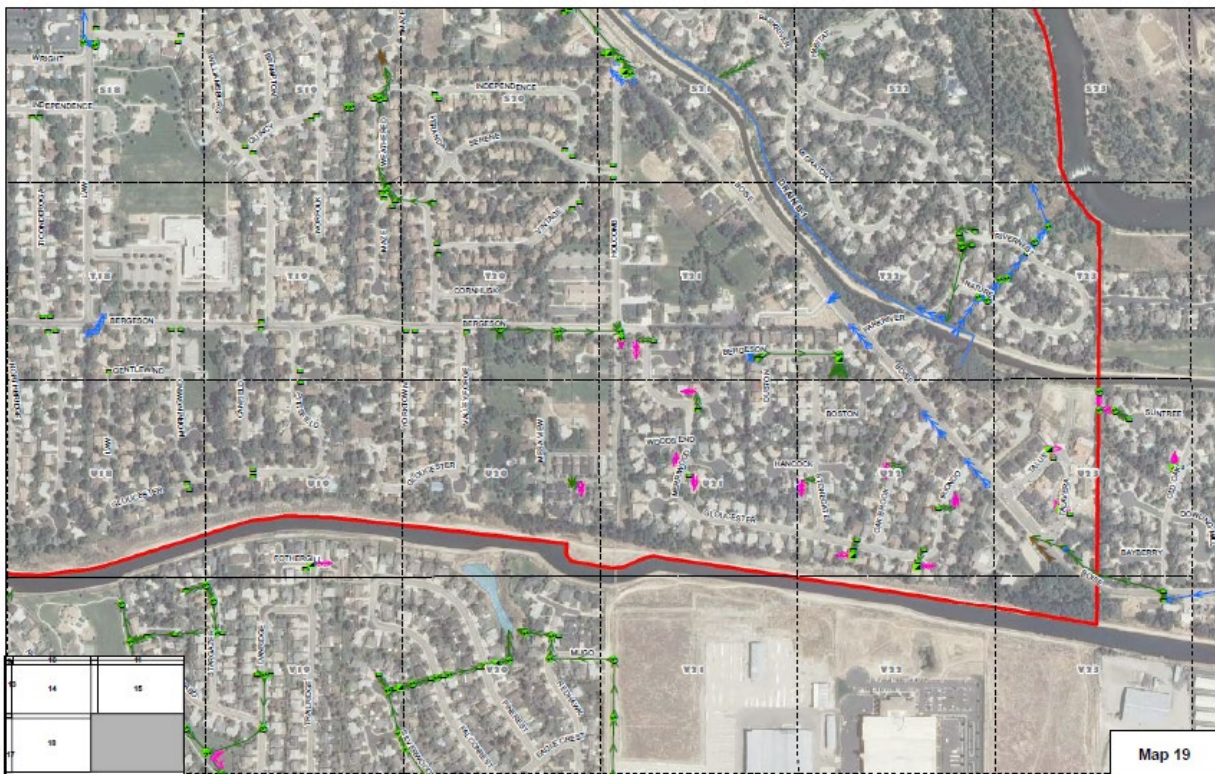
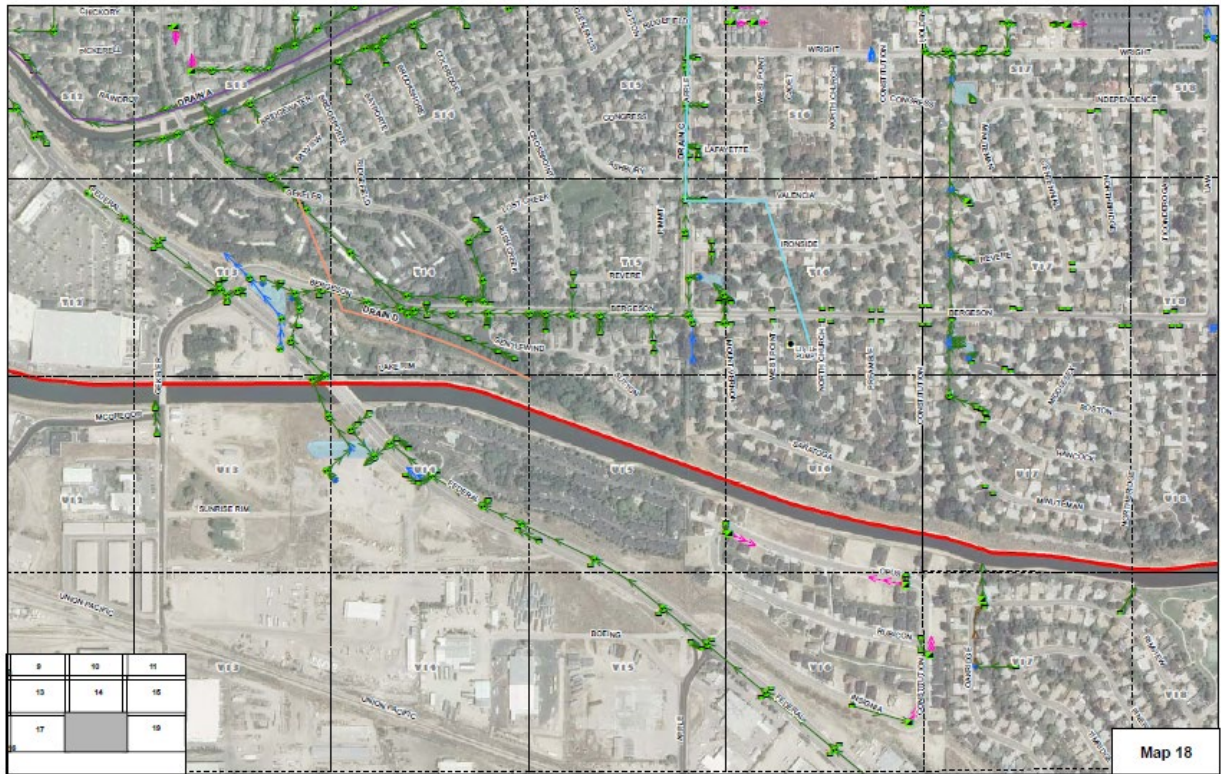
Map 9











# Appendix C

## Operation and Maintenance System Plan and BMPs

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# OPERATION AND MAINTENANCE SYSTEM PLAN AND BMPs

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ADA COUNTY DRAINAGE DISTRICT #3

UPDATED OCTOBER, 2022

PREPARED BY ABIGAIL R. GERMAINE

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## INTRODUCTION

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The National Pollutant Discharge Elimination System, the provisions of the Clean Water Act, 33 U.S.C. § 151 et seq, as amended by the Water Quality Act of 1987, Public Law 100-4 (“Clean Water Act”), and the Rules Regulating the Idaho Pollutant Discharge Elimination System Program (IDAPA 58.01.25) (“Rules and Regulations”) are designed to control pollutants associated with stormwater discharges through the use of the National Pollutant Discharge Elimination System (“NPDES”) Municipal Separate Storm Sewer System (MS4) permits which allows the lawful discharge of stormwater into the waters of the United States.

On February 1, 2013, to Ada County Highway District (“ACHD”), Boise State University, city of Boise, city of Garden City, Ada County Drainage District No 3 (“DD3”), and the Idaho Transportation Department District #3, referred to as the “Permittees”, received NPDES Permit #IDS027561, which was administratively extended until October 1, 2021.

On July 1, 2021, the Idaho Department of Environmental Quality (“IDEQ”), with delegated authority from the U.S. Environmental Protection Agency (“EPA”), took over primacy for the NPDES MS4 permits in Idaho and became responsible for the issuing of permits and assuring compliance with all permit requirements. Following this delegation, the Permittees received National Pollutant Discharge Elimination System (“NPDES”) Permit IDS027561 (the “Permit”), effective October 1, 2021.

The Permit contains inspection procedures and reporting requirements; operation and maintenance activities and criteria used to determine when maintenance is needed; public education and outreach requirements; complaint and illicit discharge response procedures; and record keeping practices. Each Permittee is required to implement and enforce a Storm Water Management Program (SWMP) including best management practices (BMPs), controls, system design, reporting requirements, engineering methods, and other provisions appropriate to control and minimize the discharge of pollutants from the MS4s.

## ROLES AND RESPONSIBILITIES

Responsibility for control of stormwater runoff and discharges to the MS4 stormwater system is shared by a number of entities within Boise City. Each Permittee is individually responsible for permit compliance related only to portions of the MS4 owned or operated solely by that Permittee and where the permit requires specific action. Each Permittee is jointly responsible for activities relating to the MS4 where operational or SWMP implementation authority has been transferred to all the Permittees in accordance with an intergovernmental agreement or agreement between the Permittees; related portions of the MS4 where Permittees jointly own or operate a portion of the MS4; related to the submission of individual reports or other documents required by the Permit; and where the Permit requires the Permittee to take action.

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## INSPECTION PROCEDURES AND SCHEDULES

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Inspections are conducted to evaluate the operational status of the DD3 system and to identify problems and necessary maintenance actions. The District has several outfalls and drains under the purview of the Permit.

### PERMITTEE INSPECTION FREQUENCY

In conjunction with ACHD as the lead Permittee, for the reporting period of each year, October 1 – September 30, 2022, wet weather stormwater outfall monitoring is conducted by ACHD in accordance with Part 6.2.1 of the Permit and the Storm Water Outfall Monitoring Plan. The details concerning stormwater sampling events are under the control of ACHD through cooperative actions of all the Permittees. Permittees must conduct visual dry weather screening of at least 20% of their total outfalls per year and screening must be conducted within the June 1 and September 30 timeframe for at least one third of the total outfalls to be screened annually. DD3 having less than seven (7) outfalls is permitted to conduct dry weather screening of one outfall, per year (Part 3.2.5.2). This dry weather screening is conducted by ACHD on DD3's behalf, through separate agreement. DD3 undertakes its own inspection and other activity of its system primarily during the irrigation season, generally from April through September of each year.

Inspection and maintenance forms are used to document potential problems and maintenance recommendations. Each system component is inspected to determine the conditions present.

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## OPERATION AND MAINTENANCE

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Inspection and maintenance are performed primarily during the irrigation season. The type of maintenance is determined by inspection results and the maintenance schedule.

Routine maintenance typically consists of removal of debris and cleaning of discharge points. Litter is picked up as needed to keep open ditches clear of debris. Non-routine maintenance is occasionally required, e.g., beaver obstruction, illegal dumping, accidental spills, massive sediment, and debris inflow. When removing debris, all collected debris will be managed and disposed of in a manner such as to prevent such pollutants from entering the water of the U.S.

If there is an accidental spill, it will be isolated to keep it from reaching other water bodies. Stormwater system flow points, such as gates, valves, orifices, and outlet pipes, are kept closed to isolate the spill. If the spill consists of flammable or hazardous materials, the Boise City Fire Department or 911 is contacted for assistance.

### INSPECTION SAFETY

The individual inspecting the stormwater system should always consider safety as the first priority. The inspector should have the proper safety equipment (heavy duty gloves, boots, and first aid kits, for example) before conducting any inspections. Although the safety precautions

listed here are common sense, they should not be disregarded. Neglecting to follow even the simplest safety precaution can potentially cause serious injury. If the stormwater system inspection reveals a safety problem, then site activities may be modified to reduce or eliminate the safety risk.

## WASTE DISPOSAL

Most storm water system waste consists of trash, leaves, grass, and sediment. The quality of waste is typically small and non-hazardous because of frequent inspection and maintenance activities. When removing debris, all collected debris will be managed and disposed of in a manner such as to prevent such pollutants from entering the water of the U.S.

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## COMPLAINT RESPONSE PROCEDURES

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Inspections will also be conducted when a complaint is received from the public or referred by another agency.

### RECEIPT AND REFERRAL OF COMPLAINT

When a complaint is received, a determination will be made of the severity of the situation. If the complaint involves hazardous substances or large quantities of substances that may pose a threat to life, health, and safety, the Fire Department will be notified (911). ACHD or other drainage entities should also be notified if their systems are impacted by the problem.

If the complaint is outside the District's jurisdiction or involves another Permittees infrastructure or stormwater system, it is referred to the appropriate agency or district.

### COMPLAINT INVESTIGATION

The inspector will visit the site of reported complaint and will determine if immediate action is needed to keep pollutants out of the stormwater system or receiving water body. It is the responsibility of the liable party to keep pollutants from entering the stormwater system. However, when the inspector arrives on site, it may be necessary to assist in spill cleanup by using materials to absorb, contain, or divert pollutants to keep them from reaching the storm drain system. The inspector should educate the responsible party on proper cleanup and disposal methods. The inspector will also need to determine whether the system of another jurisdiction has been impacted and notify the appropriate entity, if necessary.

Once all immediate threats to the stormwater system or other water body have been addressed, or if there are no immediate threats, a site investigation will be completed. Information will be gathered, and the situation will be discussed with witnesses or responsible person. If necessary, photographs will be taken with a label containing date, location, time, and initials. All information shall be documented on a records form.

## FOLLOW-UP PROCEDURES

The inspector ensures, by either a site drive-by or a follow-up investigation, that cleanup has occurred, and the problem is taken care of.

## COMPLAINT REFERRALS

Complaints are referred to the appropriate agency for investigation. If the complaint is forwarded, through mutual agreement, the city can offer support to DD3 to resolve the problem.

## ENFORCEMENT REFERRALS

The inspector should have a good understanding of what regulatory requirement was violated and how. An explanation of how a party failed to comply with the regulatory requirements is required in the referral report. Compliance determinations must be based solely on the factual information collected.

A determination of whether an enforcement action is warranted is based on what the determination is based on.

## FACTORS RELATING TO IMPACT

An initial site visit and assessment should occur as soon as possible after the complaint is received.

## FACTORS RELATING TO RESPONSIBLE PARTY

A referral package should be prepared and should include the inspection report and a list of violations alleged, along with the evidence. The referral package should contain a narrative summary including, and among other things, the following information: 1) the factual evidence in support of the alleged violation(s) and 2) inspector's determination, along with supporting facts, of whether this is a one-time, continuing, or recalcitrant violation.

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## RECORD KEEPING AND REPORTING

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Proper records management is important to preserve information for reporting purposes and to support any enforcement action. The information related to inspection, maintenance, or complaint response activities comprise documentation of the Operation and Maintenance Plan and BMPs' activities and findings. Inspection forms, maintenance forms, and complaint response forms will be retained and filed. All information collected in an investigation of a complaint or violation will also be retained. This may include photographs, laboratory reports, drawings, or other forms of information that document site conditions.

An annual summary is prepared of inspection and maintenance activities for inclusion in the annual report to the IDEQ. The forms are organized by activity and system section and are filled out whenever one of these activities is undertaken.

## ANNUAL REPORT

The Permit requires submission of an annual report that contains certain information related to program implementation. The information will be tracked on an ongoing basis and compiled quarterly. The annual report will be prepared consistent with the Permit reporting requirements.