

## Michigan Municipal Separate Storm Sewer System (MS4) Permit Storm Water Pollution Prevention Initiative and Storm Water Management Program Alternative Approaches

Alternative approaches are allowed for any of the standard Storm Water Pollution Prevention Initiative (SWPPI) requirements in the Watershed General Permit, Part I.A.4.b., page 9. The Jurisdictional General Permit, Part I.A.4.b.4, page 6, allows for alternatives in the Storm Water Management Plan (SWMP) relating to E. Coli and Phosphorus Total Maximum Daily Loads (TMDLs), to performing dry-weather screening of each Municipal Separate Storm Sewer System (MS4) discharge point at a minimum of every five years as part of the Illicit Discharge Elimination Plan (IDEP) program (Part I.A.7.b.3, page 10) and to the Post-Construction Storm Water Control Requirements for New Development and Redevelopment Projects (Watershed General Permit, Part I.A.8, page 11). Requests for alternative approaches, along with details of the alternatives, shall be submitted for approval with the SWPPI/SWMP, by the SWPPI/SWMP submittal date identified in the certificate of coverage (COC). Any alternative requests submitted after the SWPPI/SWMP due date will not be accepted.

Permittee's are strongly encouraged to coordinate with the Department of Natural Resources and Environmental (DNRE) district staff on alternative approaches early on in the process and well prior to SWPPI submittal, to increase the likelihood of approval of the alternative approach. Watershed permittees that are interested in alternative approaches are also encouraged to collaborate with watershed partners to seek innovative watershed-based alternatives for meeting SWPPI requirements, where allowed in the permit.

Upon submittal, alternatives will be initially reviewed internally by Department staff to ensure statewide consistency. An internal procedure for the review of alternative approach requests has been developed to assist DNRE, Water Bureau staff. The MS4 Implementation Team will review, provide comments, and help to get the word out on these alternatives. Approved alternatives will be posted on the DNRE internet site in an excel spreadsheet. The MS4 Implementation Team consists of Department staff, MS4 permittees, and agencies assisting MS4 permittees. The permittee shall implement alternative approaches upon approval from the DNRE.

The DNRE may deny an alternative approach or request that it be modified before approval. If the permittee is notified that an alternative approach is denied, or the requested modifications to the alternative are not completed satisfactorily within six (6) months of SWPPI/SWMP submittal, or some other date set by the DNRE, then the permittee shall revise the SWPPI/SWMP to replace the alternative with the applicable standard permit requirement(s) and begin implementation of those standard requirements within 90 days of notification from the DNRE.

Alternative approach submittals shall include clearly-defined methods for evaluating their effectiveness and a description of why the alternative approach will be at least as effective as the standard permit requirement.



Please ensure that the following content is also included in alternative approach submittals, and where possible in early communications with district staff about alternatives:

- A detailed description of the alternative approach.
- The permittees that are participating in the alternative approach.
- The part(s) of the permit the alternative fulfills.
- Where the alternative will be implemented (options may include: within a permittee's jurisdiction, everywhere within a watershed, everywhere within a county, etc.).
- The implementation schedule for the alternative approach.
- For alternative approaches that include multiple permittees, describe the roles and responsibilities of each permittee in the implementation of the approach, and the roles and responsibilities of each permittee in progress reporting related to the alternative approach.
- A detailed description of how the alternative will be at least as effective as the standard permit requirements.
- The benefits and drawbacks of the utilizing the alternative approach.
- The methods that will be used to report progress and evaluate the effectiveness of the approach.
- A description of actions that will be taken in the event that the alternative effectiveness assessment demonstrates that the alternative is ineffective.

Another factor to consider when reviewing proposed alternative approaches is the permittee's past performance in effectively carrying out and meeting permit requirements.

Approved alternative approaches become part of the SWPPI/SWMP. Failure to comply with an approved alternative approach, or to implement the alternative by the expiration of the COC issued under this permit, is a violation of the MS4 permits.

It is important to note that an alternative approach for one geographic area may not be suitable for another geographic area due to a variety of potential factors (i.e., amount of available data, geology, open/enclosed drains, impervious area, etc.).