

1. Overview of Annual Report

1.1. Introduction

This Annual Report describes storm water pollution control activities implemented by MDOT over the past reporting period of July 1, 2002, to June 30, 2003, to comply with reporting requirements described in the National Pollutant Discharge Elimination System (NPDES) Permits (No. MI0053911, MI0053929, MI0053937, MI0053953, MI0053945, hereinafter referred to as Permits). These permits were issued by the Michigan Department of Environmental Quality (MDEQ) to the Michigan Department of Transportation (MDOT) for MDOT-operated storm water drainage system in the communities of Ann Arbor, Flint, Grand Rapids, Sterling Heights, and Warren, respectively. The NPDES permits authorize MDOT to discharge from all of its existing Municipal Separate Storm Sewer Systems (MS4s) outfalls that serve roadways in these communities to surface waters of the State in the Clinton River, Flint River, Grand River, and Huron River Watersheds, and Lake St. Clair. This annual report is also meant to parallel and act as a supplement to MDOT's *Storm Water Management Plan (SWMP)*, last updated on October 1, 2002. The Permits were issued on September 27, 2001, and will expire on October 1, 2006.

The objectives for this report are as follows:

- To provide information regarding the development and implementation of storm water pollution prevention activities conducted in the communities of Ann Arbor, Flint, Grand Rapids, Sterling Heights, and Warren, as needed.
- To evaluate and assess the appropriateness and effectiveness of all parts of MDOT's storm water program.
- To ensure that MDOT is in compliance with Permit conditions.
- To give updates on action items identified in the SWMP.
- To present information about new programs developed by MDOT.

For ongoing SWMP and permit requirements, this Annual Report covers the reporting period of July 1, 2002, to June 30, 2003 (fiscal year 2003).

1.2. Storm Water Regulations that Apply to MDOT

Storm water regulations that apply to MDOT, as described in Section 1.2. of the SWMP, are reiterated below in this section. Additional regulations went into place in 2003, as the criteria for small construction projects was reduced from 5 acres to 1 acre (0.5 hectares) of total land disturbance, unless the project is part of a larger common plan for development. MDOT is complying with these regulations.

Federal environmental regulations based on the Clean Water Act (CWA) require the control of pollutants from MS4s, construction sites, and industrial activities. Discharges from such sources were brought under the NPDES permit process by the 1987 CWA amendments and the subsequent promulgation of storm water regulations by the U.S.

Environmental Protection Agency (U.S. EPA). In Michigan, the U.S. EPA has delegated administration of the federal NPDES program to the MDEQ. The MDEQ has issued general NPDES storm water permits for designated types of construction and industrial activities and has also developed MDOT's MS4 Permits.

Under the federal storm water regulations, portions of MDOT properties, facilities, and activities come under the jurisdiction of NPDES storm water regulations for two primary reasons:

- MDOT highways and highway-related properties, facilities, and activities are served by storm drain systems that in urban areas are often connected to, and are considered to be comparable to, MS4s, which are covered explicitly in the federal storm water regulations.
- Construction of MDOT's highways and related facilities often result in soil disturbance of areas greater than one acre and, therefore, are subject to specific requirements prescribed by the federal storm water regulations.

The Code of Federal Regulations (CFR), at 40 CFR 122.26(a)(iii) and (iv), requires that NPDES storm water permits be issued for discharges from large and medium MS4s. The regulations define the term, "municipal separate storm sewer systems" to mean "a conveyance or system of conveyances (including roads and drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains): (i) owned or operated by a state, city, town, borough, county...." MDOT, as the owner and operator of a MS4, is subject to a NPDES MS4 permit in those areas of Michigan specified under federal regulation (urban areas with population greater than 100,000).

Furthermore, federal regulations (40 CFR 122.26) require discharges of storm water associated with construction activity, including clearing, grading and excavation activities, to obtain an NPDES permit. MDOT permits for the five Phase I cities require permits for construction projects that disturb greater than one acre of total land area and that are not part of a larger common plan of development, are exempted from NPDES permit requirements.

1.3. Organization of this Annual Report

The remainder of this document will provide information on work that has been performed by MDOT over the fiscal year of July 1, 2002 to June 30, 2003, to improve water quality in the State of Michigan through public education and job-related public training, illicit discharge identification and elimination, construction and post-construction storm water runoff controls, and pollution prevention/good housekeeping in keeping with the permits issued by MDEQ. A brief summary of each of the following chapters is listed below.

- Chapter 2, Program Management, describes applicable changes in the organization and responsibilities for overall Permit compliance, current MDOT contacts for the program, updates on coordination of the program with municipal

organizations and with the public, and an analysis of any changes in the legal authority of MDOT

- Chapter 3, Public Education BMPs, describes progress made on MDOT's Public Education Program (PEP) Best Management Practices (BMPs)
- Chapter 4, Public Involvement/Participation BMPs, describes any changes in the mechanisms MDOT uses for public involvement and participation
- Chapter 5, Illicit Discharge Elimination Program BMPs, describes the Illicit Discharge and Elimination Program (IDEP) for the five Phase I communities
- Chapter 6, Project Post Construction BMPs, describes the progress made toward implementation of BMPs for new construction and/or re-development projects following the completion of construction activities
- Chapter 7, Construction Erosion and Sediment Runoff Control BMPs, describes the progress made toward implementation of the BMPs utilized before and during construction and earth moving activities
- Chapter 8, Pollution Prevention/Good Housekeeping BMPs, describes the progress made toward implementation of BMPs used for pollution prevention and good housekeeping for maintenance activities performed by MDOT
- Chapter 9, Program Assessment and Reporting, describes compliance with reporting issues that were required by the Permit
- Chapter 10, Location Specific Information, provides location specific issues for each of the Phase I communities
- Appendix A, Public Education Database
- Appendix B, Articles Written by MDOT for Public Education
- Appendix C, Excerpt from MDOT Drainage Manual
- Appendix D, Web site Document Downloads
- Appendix E, Updates to Construction Permit Manual
- Appendix F, Internal Training Modules