



FLORIDA DEPARTMENT OF Environmental Protection

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Phase I Municipal Separate Storm Sewer System (MS4) NPDES Stormwater Audit Report

I. BACKGROUND INFORMATION

MS4 Permit Name: Palm Beach County
Permittee: Town of Lake Clarke Shores
Permit Number: FLS000018 (Cycle 4)
Annual Report Year: Year 2
Reporting Period: 10/2017 – 9/2018
Audit Date/Time: June 11, 2019 1:00 pm - 5:00 pm

Inspector(s):

Name	Title	Phone/ Email
Stephen Cioccia	Environmental Specialist	850-245-8568 Stephen.Cioccia@floridadep.gov

Permittee Representative(s) Maintenance Yard Site Visit & Records Audit:

Name	Title	Phone
Damon Gammons	Utilities Superintendent	561-642-7870 dgammons@lakeclarke.org
Eliza Hansen	Special Projects Coordinator	561-964-1515 EHansen@lakeclarke.org
Mary Pinkerman	Town Clerk	561-964-1515 MPinkerman@lakeclarke.org
Joseph Kusnir	Consultant	561-242-0028 JKusnir@gmail.com
Alan Wertepny	MS4 Coordinator, Mock-Roos	561-683-3113 Alan.Wertepny@mockroos.com

II. GENERAL COMMENTS

The purpose of the MS4 audit was discussed. The annual report submitted for year 2 was reviewed. The permittee’s yr. 2 reporting challenge was failure to conduct required annual training for construction inspectors and plan reviewers. Discussed with the permittee the causes of these inspection shortfalls and potential remedies to achieve the required inspection frequency. The upcoming Year 3 Annual Report submittal requirements were discussed. Overview of MS4: Limited MS4 structural inventory and very small spatial area to maintain. A1A is maintained by FDOT and residents/business maintain ROW of private roads. City Hall complex and small parks are maintained by town.

During the audit, a records review was conducted to verify the Cycle 4 Year 1 Annual Report and confirm the status of the permittee’s implementation of the Stormwater Management Program (SWMP) elements specified

in Part III.A of the MS4 permit. The review required the permittee to make available all documentation/ records specified in Section VII, Column D of its Cycle 4 Year 1 Annual Report.

A group meeting for all co-permittees was held at the Northern Palm Beach County Improvement District's Offices from 10 – 11 am on 6/11/2019. The meeting addressed annual reporting requirements, common challenges/remedies and the Assessment Program.

III. SWMP IMPLEMENTATION REVIEW

A. **Ordinances/Codes Providing Adequate Legal Authority:** Ordinances reviewed
 N/A (Ordinance have been previously reviewed)

B. **Records/Procedures Documenting Implementation of the SWMP per the Annual Report**

1) **Major MS4 Outfalls Map & Inventory (per Section II and V of the AR):**

N/A Satisfactory Unsatisfactory, explain why:

2) **Records/Procedures Verification (per Section VII of the AR):**

Assessment Program

Satisfactory Unsatisfactory Not Applicable

Not discussed during audit.

Fiscal Analysis

Not discussed during audit.

TMDL Prioritization

Satisfactory Unsatisfactory Not Applicable

Not discussed during audit.

Part III.A.1: Structural Controls and Stormwater Collection Systems Operation

Satisfactory Unsatisfactory Not Applicable

General Comments: Cleaning and maintenance related works are performed by in-house crews. Larger activities are contracted out.

SOP Review: Reviewed the permittee's SOP for "Part III.A.1 -Structural Controls and Stormwater Collection Systems Operation' in association with the audit. The SOP appeared to contain the required elements upon cursory examination. The SOP checklists were in use and contained the essential observations to confirm nominal operation of the structural control BMPs.

Major Outfall Inventory: There has been no changes following the yr. 1 AR major outfalls map & inventory submittal.

Structural Control Inventory: The permittee's structural inventory is well defined and all required inspection frequencies were achieved. The permittee's MS4 is limited and consists of inlets/catch basins/grates and pipes/culverts.

Structural Control Inspections: The permittee achieved or exceeded all minimum required structural inventory inspection required frequencies for their Structural Control inventory elements.

Structural Controls Pro-active Inspections: Pro-active inspections are conducted daily by Code Enforcement and Public Works Departments staff as part of the inspection and inventory program for the stormwater structures in the permittee’s MS4 inventory.

Structural Control Inspection Documentation:

The permittee achieved all required inspection frequencies for their MS4 inventory. Reviewed the inspection documentation for required inspections of the permittee’s MS4 inventory elements of Major Outfalls, Dry Detention Pond and Dry Retention Ponds. The inspection checklists contained essential observations, adequate inspection documentation was present to confirm nominal function of BMPs, presence/absence of illicit discharge is recorded and number of inspections agreed with AR reported value.

Part III.A.2: Areas of New Development and Significant Redevelopment

- Satisfactory Unsatisfactory Not Applicable

New/Redevelopment Projects: Not discussed during audit.

Summary of Year 2 Codes Review: Review submitted with the Annual reporting activity was adequate.

Part III.A.3: Roadways

- Satisfactory Unsatisfactory Not Applicable

General Comments: The principal roadway, A1A, is maintained by FDOT and is a component of the FDOT’s MS4. Residents/business maintain ROW of private roads. City Hall complex and small parks litter removal is accomplished and maintained by the permittee.

Litter Control / Street Sweeping: Adequate activity as reported in the current Annual Report. There are no roadways with curb/gutter within the MS4, the permittee does not and is not required to conduct street sweeping.

Part III.A.4: Flood Control Projects

- Satisfactory Unsatisfactory Not Applicable

Not reviewed during audit.

**Part III.A.5: Municipal Waste Treatment, Storage, and Disposal Facilities
Not Covered by an NPDES Stormwater Permit**

- Satisfactory Unsatisfactory Not Applicable

Waste Storage Facilities: Not reviewed during audit.

Part III.A.6: Pesticides, Herbicides, and Fertilizer Application

- Satisfactory Unsatisfactory Not Applicable

General Comments: Annual reporting activity was adequate.

SOP Review: The permittee submitted post-audit their revision to ‘Pesticide, Herbicide & Fertilizer Minimization Procedures SOP’ 8/15/2019. Reviewed the permittee’s SOP in association with the audit. The SOP appeared to contain the required elements.

**Part III.A.7.a: Illicit Discharges and Improper Disposal —
Inspections, Ordinances, and Enforcement Measures**

Satisfactory Unsatisfactory Not Applicable

Not reviewed during audit.

**Part III.A.7.c: Illicit Discharges and Improper Disposal —
Investigation of Suspected Illicit Discharges and/or Improper Disposal**

Satisfactory Unsatisfactory Not Applicable

General Comments: Staff are observant for illicit discharges/improper disposal when conducting daily field activities. The inspections are covered by two methods – daily drive around during normal maintenance activities and as an annual system-wide inspection based on a detailed system map. The Town inspects 100% of system by a grid system. Each grid has an associated inspection sheet which identifies all the system components to be inspected. Code enforcement does in-lake inspections for illicit discharges.

SOP Review: Reviewed the permittee’s SOP in association with the audit. The SOP appeared to contain the required elements. The permittee submitted post-audit their revision to ‘Town of Lake Clarke Shores Proactive Inspection Program SOP’ 7/1/2019.

Proactive Inspections: The permittee’s proactive inspections are concentrated on identified priority areas/facilities within the MS4. Pro-active inspections are conducted by personnel, including inspection for evidence of illicit discharges/improper disposal. For proactive facility inspections, the trained inspector conducts an unannounced visit to the facility. A standardized inspection form is used. For general areas that have been designated to have a reasonable potential of containing illicit discharges/connections/dumping, a drive-around procedure is followed. The trained inspector(s) patrols the prioritized area searching for indications of illicit discharges/connections/dumping. The Utility Department is responsible for inspections.

Reactive Inspections: Not reviewed during audit.

Enforcement: The Town’s Codes and Ordinances Department is responsible for inspections and enforcement.

Training: The permittee provided confirmation of attendance of inspectors during the required annual training (via attendance log) and provided examples of the training materials. It was discussed that any staff performing inspections should have training. Permittee personnel are trained through Mock-Roos training events/videos.

**Part III.A.7.d: Illicit Discharges and Improper Disposal —
Spill Prevention and Response**

Satisfactory Unsatisfactory Not Applicable

Spills: Adequate activity conducted during reporting period.

Training: The permittee conducted the required annual training.

**Part III.A.7.e: Illicit Discharges and Improper Disposal —
Public Reporting**

Satisfactory Unsatisfactory Not Applicable

Website/Phone: Not reviewed during audit.

Public Education: Not reviewed during audit.

**Part III.A.7.f: Illicit Discharges and Improper Disposal —
Oils, Toxics, and Household Hazardous Waste Control**

Satisfactory Unsatisfactory Not Applicable

Solid Waste department: Not reviewed during audit.

Public Education: Not reviewed during audit.

**Part III.A.7.g: Illicit Discharges and Improper Disposal —
Limitation of Sanitary Sewer Seepage**

Satisfactory Unsatisfactory Not Applicable

General Comments: Not reviewed during audit.

**Part III.A.8.a: Industrial and High-Risk Runoff —
Identification of Priorities and Procedures for Inspections**

Satisfactory Unsatisfactory Not Applicable

High risk facilities: The permittee indicated in the AR there are zero HRF facilities within the MS4 system’s area during this reporting period. Discussed with the permittee the option to designate local sources/activities with a high potential to discharge to the MS4 or problematic activities as ‘Facilities determined as high risk by the permittee’.

**Part III.A.8.b: Industrial and High-Risk Runoff —
Monitoring for High Risk Industries**

Satisfactory Unsatisfactory Not Applicable

Monitoring: Not reviewed during audit.

**Part III.A.9.a: Construction Site Runoff —
Site Planning and Non-Structural and Structural Best Management Practices**

Satisfactory Unsatisfactory Not Applicable

General Comments: The permittee’s MS4 service area is predominately built-out, only minor re-development activities occur.

Site Plan Review: The permittee indicated there were no construction site plan reviews conducted during the reporting period.

CGP/ERP Permit Notification/Confirmation Process: No construction project applicants met the threshold for CGP or ERP notification/confirmation during this reporting period. Confirmed a process is in-place should a construction activity require this SWMP element.

Part III.A.9.b: Construction Site Runoff — Inspection and Enforcement

Satisfactory Unsatisfactory Not Applicable

SOP Review: The permittee submitted post-audit their revision to 'Town of Lake Clarke Shores Construction Site Inspection Plan and Inspection Form SOP' 7/11/2019. Reviewed the permittee's SOP in association with the audit. The SOP appeared to contain the required elements upon cursory review.

General Comments: Building Department staff conduct construction site inspections for E&SC BMPs. Most sites are below the one-acre threshold for CGP permitting.

Permittee or Private construction sites: The permittee indicated there were no construction site plan reviews conducted during the reporting period. It was discussed that the inspection checklist submitted with the Standard Operating Procedure (SOP) be used for E&SC inspections where conducted. The need to ensure that E&SC inspections are being performed throughout the life of each construction project was discussed along with the permit's inspection frequency minimum requirement.

Enforcement: Instances of non-compliance will be handled with successively more rigorous enforcement measures. The permittee's enforcement actions include the issuance of NOV, imposition of Stop Work order and fines. Enforcement process is described in the permittee's SOP.

Part III.A.9.c: Construction Site Runoff — Site Operator Training

Satisfactory Unsatisfactory Not Applicable

Inspector E&SC Training: Confirmed documentation of E&SC certification for all active construction BMP inspectors. Adequate annual training was conducted during the reporting period. Documentation of annual/refresher training for inspectors was confirmed.