



# Annual Report Form For Individual NPDES Permits For Municipal Separate Storm Sewer Systems (RULE 62-624.600(2), F.A.C.)

- This Annual Report Form must be completed and submitted to the Department to satisfy the annual reporting requirements established in Rule 62-621.600, F.A.C.
- Submit this fully completed and signed form and any REQUIRED attachments by email to the NPDES Stormwater Program Administrator or to the MS4 coordinator (<http://www.dep.state.fl.us/water/stormwater/npdes/contacts.htm>). Files larger than 10MB may be placed on the FTP site at: [ftp://ftp.dep.state.fl.us/pub/NPDES\\_Stormwater/](ftp://ftp.dep.state.fl.us/pub/NPDES_Stormwater/). After uploading files, email the MS4 coordinator or NPDES Program Administrator to notify them the report is ready for downloading; or by mail to the address in the box at right.
- Refer to the Form Instructions for guidance on completing each section.
- **Please print or type information in the appropriate areas below.**

**Submit the form and attachments to:**  
 Florida Department of Environmental Protection  
 Mail Station 3585  
 2600 Blair Stone Road  
 Tallahassee, Florida 32399-2400

**SECTION I. BACKGROUND INFORMATION**

<b>A.</b>	Permittee Name: Town of Palm Beach Shores		
<b>B.</b>	Permit Name: Palm Beach County MS4		
<b>C.</b>	Permit Number: FLS000018-004		
<b>D.</b>	Annual Report Year: <input type="checkbox"/> Year 1 <input checked="" type="checkbox"/> Year 2 <input type="checkbox"/> Year 3 <input type="checkbox"/> Year 4 <input type="checkbox"/> Year 5 <input type="checkbox"/> Other, specify Year:		
<b>E.</b>	Reporting Time Period (month/year): 10 / 2017 through 9 / 2018		
<b>F.</b>	Name of the Responsible Authority: Alan Welch		
	Title: Public Works Director		
	Mailing Address: 247 Edwards Lane		
	City: Palm Beach Shores	Zip Code: 33404	County: Palm Beach County
	Telephone Number: 561-844-3457		Fax Number: 561-863-1350
	E-mail Address: awelch@pbstownhall.org		
<b>G.</b>	Name of the Designated Stormwater Management Program Contact (if different from Section I.F above): Alan Welch		
	Title: Public Works Director		
	Department: Public Works		
	Mailing Address: 247 Edwards Lane		
	City: Palm Beach Shores	Zip Code: 33404	County: Palm Beach County
	Telephone Number: 561-844-3457		Fax Number: 561-863-1350
E-mail Address: awelch@pbstownhall.org			

**SECTION II. MS4 MAJOR OUTFALL INVENTORY (Not Applicable in Year 1)**

<b>A.</b>	Number of outfalls ADDED to the outfall inventory in the current reporting year (insert "0" if none): 0 (Does this number include non-major outfalls? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable)
<b>B.</b>	Number of outfalls REMOVED from the outfall inventory in the current reporting year (insert "0" if none): 0 (Does this number include non-major outfalls? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable)
<b>C.</b>	Is the change in the total number of outfalls due to lands annexed or vacated? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable

**SECTION III. PART V.B. ASSESSMENT PROGRAM**

<b>A.</b>	<p>Provide a brief statement as to the status of water quality monitoring plan implementation. Status may include sampling frequency changes, monitoring location changes, or sampling waiver conditions. <i>DEP Note: If permittee participates in a collaborative monitoring plan, permittee may refer to a joint response as defined by the interlocal agreement.</i></p> <p>Name and date of the approved plan: Current approved plan for the Group Monitoring Plan is September 8, 2016 (with issuance of the Cycle 4 permit.) Our newly developed, individual Assessment Plan was submitted on September 8, 2017.</p> <p>Status: The Group Monitoring Report is included in the Cycle 4, Year 2 Joint Annual Report. The new-developed, individual Assessment Plan is awaiting approval by FDEP.</p>
<b>B.</b>	<p>Provide a brief discussion of the monitoring and loading results to date which includes a summary of the water quality monitoring data and / or stormwater pollutant loading changes from the reporting year. <i>DEP Note: Results must be specific to the permittee's SWMP.</i></p> <p>Please refer to the Cycle 4, Year 2 Joint Annual Report for a summary of the Group's water quality monitoring results for the reporting period. Refer to the Cycle 3, Year 6 Joint Annual Report for proposed pollutant loading analysis changes. The best available information on existing pollutant loading estimates is documented in Cycle 3, Year 3 Joint Annual Report.</p> <p>A revised individual Assessment Plan was submitted in January 2019, and is currently under review and awaiting approval by FDEP to be implemented during Year 3 of the permit cycle.</p> <p>Note: That in any future reporting year, the Group's water quality monitoring data for the reporting period may not be available for 4 to 6 months after the reporting period has ended. Consequently, any water quality data from the Group's Program that is used as part of an individual permittee's Assessment Plan for the report period, will be based on the previous year's data.</p>
<b>C.</b>	<p>Attach a monitoring data summary as required by the permit. An analysis of the data discussing changes in water quality and/or stormwater pollutant loading from previous reporting years. <i>DEP Note: Analysis must be specific to the permittee's SWMP.</i></p> <p>See response for Section III.B. above.</p>

**SECTION IV. FISCAL ANALYSIS**

<b>A.</b>	Total expenditures for the NPDES stormwater management program for the current reporting year: \$ 5,046.06
<b>B.</b>	Total budget for the NPDES stormwater management program for the subsequent reporting year: \$45,025.00
<b>C.</b>	<p>Did the current reporting year resources decrease from the previous year? Y <input type="checkbox"/> / N <input checked="" type="checkbox"/></p> <p>If program resources decreased, provide a discussion of the impacts on the implementation of the SWMP.</p>

**SECTION V. MATERIALS TO BE SUBMITTED WITH THIS ANNUAL REPORT FORM**

Only the following materials are to be submitted to the Department along with this fully completed and signed Annual Report Form (check the appropriate box to indicate whether the item is attached or is not applicable):

Attached	N/A	Required Attachments	Permit Citation	Attachment Number/Title
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any additional information required to be submitted in this current annual reporting year in accordance with Part III.A of your permit that is not otherwise included in Section VII below.	Part III.A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	An explanation of why the minimum inspection frequency in Table II.A.1.a. was not met, if applicable.	Part II.A.1	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	A list of the flood control projects that did not include stormwater treatment and an explanation for each of why it did not (if applicable).	Part III.A.4	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A monitoring data summary as directed in Section III.C above and in accordance with Rule 62-624.600(2)(c), F.A.C.	Part V.B.3	Refer to Joint Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	YEAR 1 ONLY: An inventory of all known major outfalls and a map depicting the location of the major outfalls (hard copy or CD-ROM) in accordance with Rule 62-624.600(2)(a), F.A.C.	Part III.A.1	Stormwater Mpa
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 2: A summary review of codes and regulations to reduce the stormwater impact from development.	Part III.A.2	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Year 3 ONLY: The estimates of pollutant loadings and event mean concentrations for each major outfall or each major watershed in accordance with Rule 62-624.600(2)(b), F.A.C.	Part V.A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 3: Summary of TMDL Monitoring Results (if applicable).	Part VIII.B.2	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 3: Bacteria Pollution Control Plan (if applicable).	Part VIII.B.3	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 4: A follow-up report on plan implementation of changes to codes and regulations to reduce the stormwater impact from development.	Part III.A.2	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 4: A report on any amendments to the applicable legal authority (if applicable).	Part III.A.7.a	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 4: Permit re-application information in accordance with Rule 62-624.420(2), F.A.C. <ul style="list-style-type: none"> <li>• The monitoring plan (with revisions, if applicable).</li> <li>• If the total annual pollutant loadings have not decreased over the past two permit cycles, revisions to the SWMP, as appropriate.</li> </ul>	Part V.B.3 Part V.A.3	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	YEAR 4: TMDL Supplemental SWMP (if applicable).	Part VIII.B.3	

**DO NOT SUBMIT ANY OTHER MATERIALS**  
(such as records and logs of activities, monitoring raw data, public outreach materials, etc.)

**SECTION VI. CERTIFICATION STATEMENT AND SIGNATURE**

*The Responsible Authority listed in Section I.F above must sign the following certification statement, as per Rule 62-620.305, F.A.C:*

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name of Responsible Authority (type or print): Alan Welch

Title: Public Works Director

Signature:  Date: 4 / 29 / 19

**SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE**

A.	B.					C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity					Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.1	<b>Structural Controls and Stormwater Collection Systems Operation</b>								
Report the current known inventory.									
Report the number of inspection and maintenance activities conducted for each applicable type of structure included in Table II.A.1.a, and the percentage of the total inventory of each type of structure inspected and maintained.									
<i>Note: Delete structures that are not in your MS4's inventory. The permittee may choose its own unit of measurement for each structural control to be consistent with the unit of measurement in the documentation. Unit options include: miles, linear feet, acres, etc.</i>									
<b>Type of Structure</b>		<b>Number of Structures</b>	<b>Number of Inspections</b>	<b>Percent Inspected</b>	<b>Number of Maintenance Activities</b>	<b>Percent Maintained</b>			
Dry retention systems		0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Underdrain filter systems		0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Exfiltration trench / French drains (If)		4	12	100	12	100	Maintenance Logs	Public Works	Inspect & Clean 4 times Annually
Grass treatment swales (miles)		0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dry detention systems		0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Wet detention systems		0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Detention with filtration systems		0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Alum Injection systems		0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pollution control boxes pump stations		0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Major outfalls		6	12	100	1	100	Inspection Form	Public Works & Outside Contractor	Relined Outfall Pipe #4 Due to Bell Separation From Hurricane Irma
Weirs or other control structures pipes / culverts (miles)		0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		1.5	2	100	1	100	Inspection Form	Public Works & Outside Contractor	(b) (6) Hurricane Irma Sand Intrusion Ocean Ave Catch Basins and Pipes to Outfall Cleaned

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A.	B.					C.		D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity					Number of Activities Performed		Documentation / Record	Entity Performing the Activity	Comments
	Canals	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
	Inlets / catch basins / grates	106	106	50	106	100	Inspection Form	Public Works	N/A	
	Ditches / conveyance swales (miles)	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
	If the minimum inspection frequencies set forth in Table II.A.1.a. were not met, provide as an attachment an explanation of why they were not and a description of the actions that will be taken to ensure that they will be met.					N/A		N/A	N/A	Minimum Requirements Are Achieved



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A.	B.	C.	D.	E.	F.	
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments	
Part III.A.1 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.					
	<b>Strengths:</b> Inspections and maintenance have occurred more frequently due to High King Tides and increased construction activity.					
	<b>Limitations:</b> No limitations experienced to date for the SWMP protocols.					
	<b>SWMP revisions implemented to address limitations:</b> N/A					
Part III.A.2	<b>Areas of New Development and Significant Redevelopment</b>					
	Report the number of significant development projects, including new and redevelopment, reviewed and approved by the permittee for post-development stormwater considerations.					
	<b>Number of significant development projects reviewed</b>		0	N/A	N/A	N/A
	<b>Number of significant development projects approved</b>		0	N/A	N/A	N/A
	Provide in the Year 2 Annual Report the summary report of the review activity. Provide in the Year 4 Annual Report the follow-up report on plan implementation.					
	<b>Year 2 ONLY: Attach the summary report of the review activity</b>		N/A	N/A	N/A	N/A
<b>Year 4 ONLY: Attach the follow-up report on plan implementation</b>		N/A	N/A	N/A	N/A	
Part III.A.2 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.					
	<b>Strengths:</b> Inspections and maintenance have occurred more frequently due to High King Tides and increased construction activity.					
	<b>Limitations:</b> No limitations experienced to date for the SWMP protocols.					
	<b>SWMP revisions implemented to address limitations:</b> N/A					
Part III.A.3	<b>Roadways</b>					
	Report on the litter control program, including the frequency of litter collection, an estimate of the total number of road miles cleaned or amount of area covered by the activities, and an estimate of the quantity of litter collected.					
	<i>Note: If the permittee does not contract activities, delete CONTRACTOR activities.</i>					
	<b>PERMITTEE Litter Control: Frequency of litter collection</b>		Once Per. Week	Weekly Reports	Public Works	N/A
	<b>PERMITTEE Litter Control: Estimated amount of area maintained (lf)</b>		1.5 miles	Weekly Reports	Public Works	N/A
	<b>PERMITTEE Litter Control: Estimated amount of litter collected (cy)</b>		23.2 cu. Yards	Weekly Reports	Public Works	1.5-3 cu. Yd. Per. Month due to High King Tides & Increased Construction.
	<b>CONTRACTOR Litter Control: Frequency of litter collection</b>		N/A	N/A	N/A	N/A
	<b>CONTRACTOR Litter Control: Estimated amount of area maintained (lf)</b>		N/A	N/A	N/A	N/A
	<b>CONTRACTOR Litter Control: Estimated amount of litter collected (cy)</b>		N/A	N/A	N/A	N/A
	OPTIONAL: If an Adopt-A-Road or similar program is implemented, report the total number of road miles cleaned and an estimate of the quantity of litter collected. If you do not participate in an Adopt-A-Road program, report "0".					
	<b>Trash Pick-up Events: Total miles cleaned</b>		N/A	N/A	N/A	N/A
<b>Trash Pick-up Events: Estimated amount of litter collected (cy)</b>		N/A	N/A	N/A	N/A	

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A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	<b>Adopt-A-Road: Total miles cleaned</b>	N/A	N/A	N/A	N/A
	<b>Adopt-A-Road: Estimated amount of litter collected (cy)</b>	N/A	N/A	N/A	N/A
	Report on the street sweeping program, including the frequency of the sweeping, total miles swept, an estimate of the quantity of sweepings collected, and the total nitrogen and total phosphorus loadings that were removed by the collection of sweepings. If no street sweeping program is implemented, provide the explanation of why not in column F.				
	<b>Frequency of street sweeping</b>	As Required	Weekly Reports	Public Works	More Frequent due to High King Tides & Increased Construction.
	<b>Total miles swept</b>	.5	Weekly Reports	Public Works	N/A
	<b>Estimated quantity of sweeping material collected (cy / tons)</b>	4.1 cu. Yd.	FSA ASMT Tool	Public Works	N/A
	<b>Total phosphorous loadings removed (pounds)</b>	1.4	FSA ASMT Tool	Public Works	In Hand Soil Test Method
	<b>Total nitrogen loadings removed (pounds)</b>	1.2	FSA ASMT Tool	Public Works	In Hand Soil Test Method
	Report the equipment yards and maintenances shops that support road maintenance activities, and the number of inspections conducted for each facility.				
	<b>Name of Facility</b>	<b>Number of Inspections</b>			
	Streets Department	N/A	N/A	N/A	N/A
		N/A	N/A	N/A	N/A
<b>Part III.A.3 Summary</b>	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	<b>Strengths:</b> Inspections and Maintenance have occurred more frequently due to High King Tides and Increased construction.				
	<b>Limitations:</b> No limitations experienced to date for the SWMP protocols.				
	<b>SWMP revisions implemented to address limitations:</b> N/A				
<b>Part III.A.4</b>	<b>Flood Control Projects</b>				
	Report the total number of flood control projects that were constructed by the permittee during the reporting period and the number of those projects that did NOT include stormwater treatment. The permittee shall provide a list of the projects where stormwater treatment was not included with an explanation for each of why it was not.				
	Report on any stormwater retrofit planning activities and the associated implementation of retrofitting projects to reduce stormwater pollutant loads from existing drainage systems that do not have treatment BMPs.				
	<b>Flood control projects completed during the reporting period</b>	0	N/A	N/A	N/A
	<b>Flood control projects completed that did <u>not</u> include stormwater treatment</b>	0	N/A	N/A	N/A
	<b>Stormwater retrofit projects planned/under construction</b>	0	N/A	N/A	N/A
	<b>Stormwater retrofit projects completed</b>	0	N/A	N/A	N/A
	If there were projects that did not include stormwater treatment, provide as an				

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	attachment a list of the projects and an explanation for each of why it did not.				
Part III.A.4 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	<b>Strengths:</b> N/A				
	<b>Limitations:</b> N/A				
	<b>SWMP revisions implemented to address limitations:</b> N/A				
Part III.A.5	<b>Municipal Waste Treatment, Storage, and Disposal Facilities Not Covered by an NPDES Stormwater Permit</b>				
	Report the applicable facilities and the number of the inspections conducted for each facility.				
	<b>Name of Facility</b>	<b>Number of Inspections</b>			
	None	N/A	N/A	N/A	N/A
Part III.A.5 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	<b>Strengths:</b> N/A				
	<b>Limitations:</b> N/A				
	<b>SWMP revisions implemented to address limitations:</b> N/A				
Part III.A.6	<b>Pesticides, Herbicides, and Fertilizer Application</b>				
	Report the number of permittee personnel applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified / licensed.				
	Report the number of permittee personnel who have been trained through the Green Industry BMP Program and the number of contracted commercial applicators of fertilizer who are FDACS certified / licensed.				
	<b>PERSONNEL: FDACS public applicators of pesticides/herbicides</b>	0	N/A	N/A	N/A
	<b>CONTRACTORS: FDACS commercial applicators of pesticides/ herbicides</b>	2	License On File	Hulett Pest Contr. & Zimmerman Tree Service	Town Buildings & Town Trees
	<b>PERSONNEL: Green Industry BMP Program training completed</b>	0	N/A	N/A	N/A
	<b>CONTRACTORS: FDACS certified / licensed applicators of fertilizer</b>	1	License On File	Bass Landscaping	Town Property
	Provide a copy of the adopted ordinance with the Year 2 Annual Report. If this provision is not applicable because the permittee is not within the watershed of a nutrient-impaired water body, indicate that in Column F.				
	<b>Year 2 ONLY: Attach copy of adopted Florida-friendly ordinance</b>	<input checked="" type="checkbox"/>			
	Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage citizens to reduce their use of pesticides, herbicides and fertilizers including the type and number of activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable).				
	<b>Public Education and Outreach Program</b>	The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach			



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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
		County Joint Annual Report for the public education and outreach information.			
	Brochures/Flyers/Fact sheets distributed	57	Brochures	Town of Palm Beach Shores	Town Hall Display
	Neighborhood presentations: Number conducted	0	N/A	N/A	N/A
	Neighborhood presentations: Number of participants	0	N/A	N/A	N/A
	Newspapers & newsletters: Number of articles/notices published	3	News Letter	Town of Palm Beach Shores	N/A
	Newsletters: Number of newsletters distributed	603	Hard Copies, Town Website	Town of Palm Beach Shores	Postal Service & Electronic Media
	Public displays (e.g., kiosks, storyboards, posters, etc.)	6	Flyers	Town of Palm Beach Shores	Bulletin Boards
	Radio or television Public Service Announcements (PSAs)	0	N/A	N/A	N/A
	School presentations: Number conducted	0	N/A	N/A	N/A
	School presentations: Number of participants	0	N/A	N/A	N/A
	Seminars/Workshops: Number conducted	0	N/A	N/A	N/A
	Seminars/Workshops: Number of participants	0	N/A	N/A	N/A
	Special events: Number conducted	0	N/A	N/A	N/A
	Special events: Number of participants	0	N/A	N/A	N/A
	Number of visitors to stormwater-related pages	0	N/A	N/A	N/A
Part III.A.6 Summary	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	<b>Strengths:</b> N/A				
	<b>Limitations:</b> N/A				
	<b>SWMP revisions implemented to address limitations:</b> N/A				
Part III.A.7.a	<b>Illicit Discharges and Improper Disposal — Inspections, Ordinances, and Enforcement Measures</b>				
	Report amendments in Year 4.				
	<b>Year 4 ONLY: Attach a report on amendments to applicable legal authority</b>	N/A	N/A	N/A	N/A
Part III.A.7.c	<b>Illicit Discharges and Improper Disposal — Investigation of Suspected Illicit Discharges and/or Improper Disposal</b>				
	Report on the proactive inspection program, including the number of inspections conducted by the permittee, the number of illicit activities found, and the number and type of enforcement actions taken.				
	<b>Proactive inspections for suspected illicit discharges</b>	0	SOP Form & DEP Regulations	Code Enforcement & Public Works	Routine Inspections Job Sites
	<b>Illicit discharges found during a proactive inspection</b>	0	N/A	N/A	N/A
	<b>NOV/WL/citation/fines issued for illicit discharges found during proactive inspection</b>	0	N/A	N/A	N/A

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Report on the reactive investigation program as it relates to responding to reports of suspected illicit discharges, including the number of reports received, the number of investigations conducted, the number of illicit activities found, and the number and type of enforcement actions taken.				
	<b>Reports of suspected illicit discharges received</b>	0	SOP Form & DEP Regulations	Code Enforcement & Public Works	Routine Inspections Job Sites
	<b>Reactive investigations of reports of suspected illicit discharges etc.</b>	0	N/A	N/A	N/A
	<b>Illicit discharges etc. found during reactive investigation</b>	0	N/A	N/A	N/A
	<b>NOV/WL/citation/fines issued for illicit discharges etc. found during reactive investigation</b>	0	N/A	N/A	N/A
	Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training) within the reporting year.				
	<b>Personnel trained</b>	3	Certificates On File	FSA Training & SFWM & FDEP & Table Top	Performing Any Additional Training When Available
	<b>Contractors trained</b>	0	N/A	N/A	Contractors Not Required
<b>Part III.A.7.d</b>	<b>Illicit Discharges and Improper Disposal — Spill Prevention and Response</b>				
	Report on the spill prevention and response activities, including the number of spills addressed.				
	<b>Hazardous and non-hazardous material spills responded to</b>	0	N/A	N/A	N/A
	Report the type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training) within the reporting year.				
	<b>Personnel trained</b>	24	Fire Department	Public Works & Fire Department	Table Top & Outside Contractor
	<b>Contractors trained</b>	0	N/A	N/A	N/A
<b>Part III.A.7.e</b>	<b>Illicit Discharges and Improper Disposal — Public Reporting</b>				
	Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the public reporting of suspected illicit discharges and improper disposal of materials, including the type and number of activities conducted, the type and number of materials distributed, and the number of Web site visits (if applicable).				
	<b>Public Education and Outreach Program</b>				
	<b>Brochures/Flyers/Fact sheets distributed</b>	24	Town Hall	Town Hall	N/A
	<b>Neighborhood presentations: Number conducted</b>	4	Public Works & Fire Department	Storm Water & me, PBC Storm Water System Group,	N/A

**SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE**

A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Neighborhood presentations: Number of participants	15	Fire Department	PBCSWA, FDEP Public Works & Fire Department	N/A
	Newspapers & newsletters: Number of articles/notices published	3	Town Hall	Town of Palm Beach Shores	N/A
	Newsletters: Number of newsletters distributed	603	Town Hall	Town of Palm Beach Shores	N/A
	Public displays (e.g., kiosks, storyboards, posters, etc.)	6	Town Hall	Town of Palm Beach Shores	N/A
	Radio or television Public Service Announcements (PSAs)	0	N/A	N/A	N/A
	School presentations: Number conducted	0	N/A	N/A	N/A
	School presentations: Number of participants	0	N/A	N/A	N/A
	Seminars/Workshops: Number conducted	0	N/A	N/A	N/A
	Seminars/Workshops: Number of participants	0	N/A	N/A	N/A
	Special events: Number conducted	0	N/A	N/A	N/A
	Special events: Number of participants	0	N/A	N/A	N/A
	Number of visitors to stormwater-related pages	0	N/A	N/A	N/A
Part III.A.7.f	<b>Illicit Discharges and Improper Disposal — Oils, Toxics, and Household Hazardous Waste Control</b>				
	Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the proper use and disposal of oils, toxics, and household hazardous waste, including the type and number of activities conducted, the type and number of materials distributed, the amount of waste collected / recycled / properly disposed, and the number of Web site visits (if applicable).				
	<b>Public Education and Outreach Program</b>	The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information.			
	Brochures/Flyers/Fact sheets distributed	0			
	Neighborhood presentations: Number conducted	0			
	Neighborhood presentations: Number of participants	0			
	Newspapers & newsletters: Number of articles/notices published	0			
	Newsletters: Number of newsletters distributed	0			
	Public displays (e.g., kiosks, storyboards, posters, etc.)	0			
	Radio or television Public Service Announcements (PSAs)	0			
	School presentations: Number conducted	0			
	School presentations: Number of participants	0			
	Seminars/Workshops: Number conducted	0			
	Seminars/Workshops: Number of participants	0			
	Special events: Number conducted	0			

**SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE**

A.	B.	C.	D.	E.	F.																								
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments																								
	<p align="center"><b>Special events: Number of participants</b></p> <p align="center"><b>Storm sewer inlets newly marked/replaced</b></p> <p align="center"><b>Number of visitors to stormwater-related pages</b></p>	<p align="center">0</p> <p align="center">0</p> <p align="center">0</p>																											
<b>Part III.A.7.g</b>	<b>Illicit Discharges and Improper Disposal — Limitation of Sanitary Sewer Seepage</b>																												
	<p>Report on the type and number of activities undertaken to reduce or eliminate SSOs and inflow/ infiltration, the number of SSOs or inflow / infiltration incidents found and the number resolved, and the name of the owner of the sanitary sewer system within the permittee's jurisdiction. Report only the SSOs and inflow / infiltration incidents into the MS4.</p>																												
	<p align="center"><b>Owner of the sanitary sewer system</b></p> <p><b>Activity to reduce/eliminate SSOs and I&amp;I: (description)</b></p> <p><b>Activity to reduce/eliminate SSOs and I&amp;I: (description)</b></p> <p align="center"><b>SSO incidents discovered</b></p> <p align="center"><b>SSO incidents resolved</b></p> <p align="center"><b>Inflow / infiltration incidents discovered</b></p> <p align="center"><b>Inflow / infiltration incidents resolved</b></p>	<p align="center">Town of Palm Beach Shores Pumps To The City of Riviera Beach Facility</p> <table border="1"> <tr> <td align="center">0</td> <td align="center">City of Riviera Beach</td> <td align="center">City of Riviera Beach</td> <td align="center">N/A</td> </tr> <tr> <td align="center">0</td> <td align="center">N/A</td> <td align="center">N/A</td> <td align="center">N/A</td> </tr> <tr> <td align="center">0</td> <td align="center">N/A</td> <td align="center">N/A</td> <td align="center">N/A</td> </tr> <tr> <td align="center">0</td> <td align="center">N/A</td> <td align="center">N/A</td> <td align="center">N/A</td> </tr> <tr> <td align="center">0</td> <td align="center">N/A</td> <td align="center">N/A</td> <td align="center">N/A</td> </tr> <tr> <td align="center">0</td> <td align="center">N/A</td> <td align="center">N/A</td> <td align="center">N/A</td> </tr> </table>				0	City of Riviera Beach	City of Riviera Beach	N/A	0	N/A	N/A	N/A	0	N/A	N/A	N/A	0	N/A	N/A	N/A	0	N/A	N/A	N/A	0	N/A	N/A	N/A
0	City of Riviera Beach	City of Riviera Beach	N/A																										
0	N/A	N/A	N/A																										
0	N/A	N/A	N/A																										
0	N/A	N/A	N/A																										
0	N/A	N/A	N/A																										
0	N/A	N/A	N/A																										
<b>Part III.A.7 Summary</b>	<p>For activities required by Part III.A.7: Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.</p> <p><b>Strengths:</b> N/A</p> <p><b>Limitations:</b> N/A</p> <p><b>SWMP Revisions implemented to address limitations:</b> N/A</p>																												
<b>Part III.A.8.a</b>	<b>Industrial and High-Risk Runoff — Identification of Priorities and Procedures for Inspections</b>																												
	<p>Report on the high-risk facilities inventory, including the type and total number of high risk facilities and the number of facilities newly added each year.</p> <p>Report on the high-risk facilities inspection program, including the number of inspections conducted and the number and type of enforcement actions taken.</p>																												
	<p align="center"><b>Type of Facility</b></p> <p align="center"><b>Operating municipal landfills</b></p> <p align="center"><b>Hazardous waste treatment, storage, disposal and recovery (HWTSDR) facilities</b></p> <p align="center"><b>EPCRA Title III, Section 313 facilities (TRI)</b></p> <p align="center"><b>Facilities determined as high risk by the permittee</b></p>	<p align="center"><b>Number of Facilities</b></p> <p align="center">0</p> <p align="center">0</p> <p align="center">0</p> <p align="center">0</p>	<p align="center"><b>Number of Inspections</b></p> <p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p>	<p align="center"><b>Enforcement Actions</b></p> <p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p>	<p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p>	<p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p>	<p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p>	<p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p> <p align="center">N/A</p>																					
<b>Part III.A.8.b</b>	<b>Industrial and High-Risk Runoff — Monitoring for High Risk Industries</b>																												
	<p>Report the number of high risk facilities sampled.</p>																												

**SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE**

A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	<b>High risk facilities sampled</b>	0	N/A	N/A	N/A
<b>Part III.A.8 Summary</b>	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	<b>Strengths:</b> N/A				
	<b>Limitations:</b> N/A				
	<b>SWMP revisions implemented to address limitations:</b> N/A				
<b>Part III.A.9.a</b>	<b>Construction Site Runoff — Site Planning and Non-Structural and Structural Best Management Practices</b>				
	Report the number of permittee and private pre-construction site plans reviewed for stormwater, erosion, and sedimentation controls, and the number approved.				
	<b>PERMITTEE SITES: Construction site plans reviewed</b>	0	N/A	N/A	N/A
	<b>PERMITTEE SITES: Construction site plans approved</b>	0	N/A	N/A	N/A
	<b>PRIVATE SITES: Construction site plans reviewed</b>	7	Planning & Zoning	Safe Built Inspection	Single Family Homes & Condos
	<b>PRIVATE SITES: Construction site plans approved</b>	7	Planning & Zoning	Safe Built Inspection	Single Family Homes & Condos
	Report the number of development permit applicants notified of the ERP and CGP, and the number of applicants who confirmed ERP and CGP coverage.				
	<b>Notified of ERP stormwater permit requirements</b>	0	N/A	N/A	N/A
	<b>Confirmed ERP coverage</b>	0	N/A	N/A	N/A
	<b>Notified of CGP stormwater permit requirements</b>	0	N/A	N/A	N/A
	<b>Confirmed CGP coverage</b>	0	N/A	N/A	N/A
<b>Part III.A.9.b</b>	<b>Construction Site Runoff — Inspection and Enforcement</b>				
	Report on the inspection program for privately-operated and permittee-operated construction sites, including the number of active construction sites during the reporting year, the number of inspections of active construction sites, the percentage of active construction sites inspected, and the number and type of enforcement actions / referrals taken.				
	<b>PERMITTEE SITES: Active construction sites</b>	0	Planning & Zoning	Safe Built Inspection	Single Family Homes & Condos
	<b>PERMITTEE SITES: Pre-, During, and Post inspections of active construction sites for E&amp;S and waste control BMPs</b>	0	Planning & Zoning	Safe Built Inspection	Single Family Homes & Condos
	<b>PERMITTEE SITES: Percentage of active construction sites inspected</b>	100	Planning & Zoning	Safe Built Inspection	Single Family Homes & Condos
	<b>PRIVATE SITES: Active construction sites</b>	1	Construction Inspections Report	Safe Built Inspection	Single Family Homes & Condos
	<b>PRIVATE SITES: Pre-, During, and Post inspections of active construction sites for E&amp;S and waste control BMPs</b>	10	Construction Inspections	Safe Built Inspection	Single Family Homes &

**SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE**

A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	<p><b>PRIVATE SITES: Percentage of active construction sites inspected</b></p> <p><b>Enforcement Action</b></p>	<p>100</p> <p>0</p>	<p>Report</p> <p>Construction Inspections Report</p> <p>Construction Inspections Report</p>	<p>Safe Built Inspection</p> <p>Safe Built Inspection</p>	<p>Condos</p> <p>Single Family Homes &amp; Condos</p> <p>Single Family Homes &amp; Condos</p>
<b>Part III.A.9.c</b>	<b>Construction Site Runoff — Site Operator Training</b>				
	Report the type of training activities, the number of inspectors, site plan reviewers and site operators trained (both in-house and outside training).				
		<b>DEP Certification</b>	<b>Annual Training</b>		
	<b>Permittee construction site inspectors</b>	<b>1</b>	<b>1</b>	Inspector Certification	Safe Built Inspection & Public Works Director
	<b>Permittee construction site plan reviewers</b>		<b>1</b>	Inspector	Safe Built Inspection
	<b>Permittee construction site operators</b>		<b>1</b>	Inspector	Safe Built Inspection
<b>Part III.A.9 Summary</b>	Provide an evaluation of the Stormwater Management Program according to Part VI.B.2 of the permit.				
	<b>Strengths:</b> Regular Training & Continuing Education.				
	<b>Limitations:</b> None				
	<b>SWMP revisions implemented to address limitations:</b> None				



**SECTION VIII. CHANGES TO THE STORMWATER MANAGEMENT PROGRAM (SWMP) ACTIVITIES (Not Applicable in Year 4)**

<b>A.</b>	<b>Permit Citation/ SWMP Element</b>	<b>Proposed Changes to the Stormwater Management Program Activities Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change) — REQUIRES DEP APPROVAL PRIOR TO CHANGE IF PROPOSING TO REPLACE OR DELETE AN ACTIVITY.</b>
		None at this time always under review.
<b>B.</b>	<b>Permit Citation/ SWMP Element</b>	<b>Changes to the Stormwater Management Program Activities NOT Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change)</b>
		None at this time always under review.

**SECTION IX. TMDL Status Report**

<p>YEAR 1 Provide a table summarizing the status of the TMDL process. Include a list of prioritized TMDLs and their monitoring and implementation schedule; and include the Identification number of the outfall prioritized for TMDL monitoring.</p>									
A.	<b>WBID Number</b>	<b>Segment/ Waterbody/ Basin</b>	<b>Pollutant of Concern</b>	<b>TMDL DEP / EPA</b>	<b>Percent Reduction (WLA)</b>	<b>Priority Rank</b>	<b>Priority Outfall</b>	<b>Monitoring Summary / BPCP Due Date</b>	<b>Supplemental SWMP Due Date</b>
	N/A			<input type="checkbox"/> / <input type="checkbox"/>		1		(Year 3 AR)	(Year 4 AR; N/A if BPCP)
				<input type="checkbox"/> / <input type="checkbox"/>					
				<input type="checkbox"/> / <input type="checkbox"/>					
<p>YEAR 3 and annually thereafter, provide a summary of the estimated load reductions that have occurred for the pollutant(s) of concern being discharged from the MS4 to the TMDL water body during the reporting period and cumulatively since the date the Supplemental SWMP was implemented.</p> <p>Year 3: Submit a Monitoring data summary or BPCP (if applicable).</p> <p>Year 4: Submit a Supplemental SWMP (if applicable).</p>									
B.	<b>WBID Number</b>	<b>Pollutant of Concern</b>	<b>Monitoring Summary / BPCP Submitted</b>	<b>Supplemental SWMP Submitted</b>	<b>Projected load reductions OR Actual load reductions to date</b>				
	N/A		(Year 3 AR)	(Year 4 AR; N/A if BPCP)					
<p>C. Provide a brief statement as to the status of TMDL implementation according to Part VIII.B of the permit (e.g. status of monitoring to validate WLA):</p> <p>No Discharge to TMDL WBID at the time of permit issuance.</p>									

Town of Palm Beach Shores  
MS4 Permit No. FLS000018-003  
Part V. – Monitoring Requirements;  
Sub-part A. – Assessment Program

#### Assessment Program Objective

The purpose of this assessment program is to provide information for the Town of Palm Beach Shores to determine the overall effectiveness of its Stormwater Management Program (SWMP) in reducing stormwater pollutant loadings from its Municipal Separate Storm Sewer System (MS4) to receiving water bodies.

#### Assessment Program Components

As required by the MS4 Permit, the following parts make up this Assessment Program:

- A. **A Water Quality Monitoring Plan** – The water quality monitoring plan is intended to identify local sources where urban stormwater is adversely affecting surface water resources.
- B. **A Pollutant Loading Estimate Plan** – The pollutant loading exercise is to estimate the Pollutant Loading from the MS4 contributing area, based on land uses and BMPs.
- C. **An Evaluation and Response Plan** – The response plan is the plan of action to be taken based on the results from A. and B. and will be used to:
  - 1. evaluate trends in pollutants loading from the MS4
  - 2. evaluate trends in water quality (of discharge from the MS4)
  - 3. identify portions of the MS4 to be targeted for loading reduction/corrective action

#### Part A – Water Quality Monitoring Plan

The Town's MS4 lies within the Lake Worth Lagoon Watershed. (see Figure 1). Palm Beach Shores is a ten block Town which consists primarily of residential land properties. Commercial properties are concentrated on Lake Drive and Ocean Ave. the outer perimeter roads. These roadways Lake Drive, Ocean Avenue, and Inlet Way are served by separate drainage control structures in the form of catch basins with grates. The Towns 6 major NPDES outfalls serve residential drainage areas and commercial properties in return discharges into the Lake Worth Inlet Water Way. The Town does not have swales, ditches, retention ponds, lakes, or canals to assist with storm water drainage. The Town intends to make use of the ambient water quality monitoring collected by Palm Beach County Environmental Resource Management (ERM) at the LWL4 monitoring station near Little Munyon Island in the Lake Worth Lagoon. The table in the following section identifies this monitoring station, along with relevant information about the location.

#### Monitoring Location

The monitoring station along with relevant information its location is identified in the following table:

**MS4 Monitoring Stations Table**

Monitoring Station Number	Location Description	Northing /Easting	Receiving Water Body	Verified Impaired?	Adopted TMDL?
LWL-4	LWL-4 is located Lake Worth Lagoon SE of C-17 outfall and Little Munyon Island	898346.67 / 970040.36	Lake Worth Lagoon (North Segment)	No	No

**Sampling Method for LWL4**

Palm Beach County Environmental Resource Management (ERM) performs the sampling at monitoring station LWL4. This site is sampled and initially analyzed in-situ by ERM staff using a multi-parameter water quality-monitoring instrument. Water samples are collected, preserved and stored according to the DEP’s Standard Operating Procedures. Quality assurance / quality control measures include pre-cleaned equipment blanks, field-cleaned equipment blanks, field spikes, and the collection of duplicate samples. Further analysis of samples from all ERM-monitored sites is conducted by an independent laboratory under contract with ERM.

The parameters sampled at monitoring station LWL4 are shown in the table below.

**Parameters and Sampling Table**

Monitoring Station #	Monitoring Parameters	Type of Monitoring	Collection Method	Sampling Frequency
LWL4	Arsenic	Ambient Water Quality	Grab Samples	Quarterly
LWL4	Cadmium	Ambient Water Quality	Grab Samples	Quarterly
LWL4	Chlorophyll-a	Ambient Water Quality	Grab Samples	Monthly
LWL4	Copper	Ambient Water Quality	Grab Samples	Quarterly
LWL4	Dissolved Oxygen	Ambient Water Quality	Grab Samples	Monthly
LWL4	Lead	Ambient Water Quality	Grab Samples	Quarterly
LWL4	Nitrogen, Ammonia	Ambient Water Quality	Grab Samples	Monthly
LWL4	Nitrogen, Nitrate-Nitrite	Ambient Water Quality	Grab Samples	Monthly
LWL4	Nitrogen, Total	Ambient Water Quality	Grab Samples	Monthly
LWL4	pH	Ambient Water Quality	Grab Samples	Monthly
LWL4	Phosphorous, Orthophosphate	Ambient Water Quality	Grab Samples	Monthly
LWL4	Phosphorous, Total Kjeldahl	Ambient Water Quality	Grab Samples	Monthly
LWL4	Salinity	Ambient Water Quality	Grab Samples	Monthly
LWL4	Specific Conductivity	Ambient Water Quality	Grab Samples	Monthly
LWL4	Temperature	Ambient Water Quality	Grab Samples	Monthly
LWL4	Turbidity	Ambient Water Quality	Grab Samples	Monthly
LWL4	Zinc	Ambient Water Quality	Grab Samples	Quarterly



The group's estimated pollutant loading results will be provided to the Town of Palm Beach Shores for use in this assessment effort.

To determine a practical estimate of the current pollutant loading, the Town of Palm Beach Shores will use the land use based pollutant loading estimates provided by the group as the starting point from which pollutant load reductions will be subtracted by applicable Town Stormwater Management Programs (such as Public Education, street sweeping, and litter control). In this way, when future estimates are done, and potentially additional reduction measures or BMPs are put in place, the estimated pollutant loading will reflect the reductions.

### **Part C – Evaluation and Response Plan**

Once the Assessment Program is approved by FDEP, presumably sometime during Year 3 of the permit cycle, the Town of Palm Beach Shores will extract sampling information for site LWL4 from prior joint annual reports for use moving forward. The first annual report on the Assessment Program will be concurrent with the Year 3 Annual Report Form (March 2020).

Water quality monitoring results will be available annually, and the most recent year's data will be compared to that which came before, with respect to sampling site LWL4, which monitors the Lake Worth Lagoon. A summary of the water quality monitoring data, with respect to our MS4 will be developed and included in Assessment Program Annual Report.

Receiving water trending reports/graphs for nutrients (Total Nitrogen and Total Phosphorus), as presented in the Joint Annual Report, will be reviewed, and a discussion will be included in Town of Palm Beach Shores Annual Assessment Report.

Based on the data from the water quality monitoring and the pollutant loading estimates, an effort will be made to determine if one portion of the MS4 should be targeted for additional loading reduction efforts, or additional pollutant control measures.

## Town of Palm Beach Shores Land Development Codes Summary

### List of Regulations Reviewed

Code of Ordinances of the Town of Palm Beach Shores, Florida:

- Chapter 14. Buildings and Building Regulations., Article V. Clearing, Excavation and Filling of Land;
- Chapter 34. Flood Protection and Control., Article IV. Drainage Requirements;
- Chapter 74. Utilities., Article IV. Stormwater Sewer System; and
- Chapter 78. Vegetation., Article III. Landscaping.

### List of Current Techniques Aimed at Reducing the Stormwater Impacts

- *Drainage*: “In addition to meeting the requirements of this chapter and all applicable sections of chapter 34 of the Town Code, the design and performance of all stormwater management systems shall comply with applicable federal, state and local regulations, and requirements of the South Florida Water Management District. In all cases, the strictest of the applicable standards shall apply.” (Sec. 14-166)
- *Subdivision – Minimum Requirements*: “Subdivision proposals shall be reviewed to determine that: (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding; (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and (3) Adequate drainage is provided to reduce exposure to flood hazards and to prevent adverse impacts to adjacent properties from storm water runoff; in zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.” (Sec. 34-66)
- *Subdivision – Minimum Requirements*: “All proposed new development shall be reviewed to determine that: (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding; (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and (3) Adequate drainage is provided to reduce exposure to flood hazards and to prevent adverse impacts to adjacent properties from storm water runoff; in zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.” (Sec. 34-68)
- *Industrial Activity - General Prohibitions*: “Any discharge into the stormwater system in violation of any federal, state, county, municipal or other law, rule, regulation or permit is prohibited.” (Sec. 74-221)
- *Industrial Activity - Specific Prohibitions*: “By adoption of industrial activity stormwater regulations or by issuance of industrial activity stormwater permits, or both, the director may impose reasonable limitations as to the quality of stormwater (including without limitation the designation of maximum levels of pollutants) discharged into the stormwater system from sites of industrial activity. Any promulgation of such



regulations and issuance of permits by the director shall be in accordance with applicable law.” (Sec. 74-222)

- *Illicit Discharges - General Prohibitions:* “Except as set forth under section 74-233 of this article or as in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.” (Sec. 74-231)
- *Illicit Discharges – Specific Prohibitions:* “Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal or other laws, rules, regulations, orders or permits, is prohibited.” (Sec. 74-232)
- *Illicit Connections:* “No person may maintain, use or establish any direct or indirect connection to the stormwater system that results in any discharge in violation of this article. This prohibition is retroactive and applies to connections made in the past, regardless of whether made under a permit, or other authorization, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.” (Sec. 74-234)
- *Spills and Dumping – General Prohibitions:* “Except as set forth under section 74-233 of this article or as in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.” (Sec. 74-241)
- *Spills and Dumping – Specific Prohibitions:* “Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal or other laws, rules, regulations, orders or permits, is prohibited.” (Sec. 74-242)
- *Florida-Friendly Fertilizer Use – Management of Grass Clippings and Vegetative Matter:* “In no case shall grass clippings, vegetative material, and/or vegetative debris intentionally be washed, swept, or blown on to or into stormwater drains, ditches, conveyances, water bodies, wetlands, sidewalks or roadways.” (Sec. 78-90)

#### List of Techniques Recommended/Proposed for Future Incorporation into the Regulations

- After review of current requirements, no additional techniques are recommended. The Town of Palm Beach Shores is built out with all of the Town land area being residential use with accompanying accessory uses.

#### Plan for Implementing Changes

- After review of current requirements, no additional techniques are recommended for implementation.

**ORDINANCE NO. O-5-18**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING CHAPTER 78. VEGETATION. OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH SHORES AT ARTICLE III. LANDSCAPING. BY CREATING AN ENTIRELY NEW DIVISION 3 ENTITLED FLORIDA-FRIENDLY FERTILIZER USE; PROVIDING FOR DEFINITIONS; PROVIDING FOR FINDINGS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR TIMING OF FERTILIZER APPLICATIONS; PROVIDING FOR FERTILIZER FREE ZONES; PROVIDING FOR FERTILIZER CONTENT AND APPLICATION RATES; PROVIDING FOR FERTILIZER APPLICATION PRACTICES; PROVIDING FOR MANAGEMENT OF GRASS CLIPPINGS AND VEGETATIVE MATTER; PROVIDING FOR EXEMPTIONS; PROVIDING FOR TRAINING; PROVIDING FOR LICENSING OF COMMERCIAL APPLICATORS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR APPEAL; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78. VEGETATION. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, pursuant to Section 303(d) of the federal Clean Water Act and the resulting Florida Impaired Waters Rule (Chapter 62-303, Florida Administrative Code), the Florida Department of Environmental Protection (“FDEP”) has classified specific water bodies in Palm Beach County as “impaired” as a result of the presence of excessive nutrients; and

**WHEREAS**, Florida Statute, Section 403.9337 requires local governments located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to Florida Statute, Section 403.067, to adopt an ordinance for Florida-Friendly™ fertilizer use on urban landscapes; and

**WHEREAS**, the FDEP on September 8, 2016 issued its Palm Beach County Municipal Separate Storm Sewer System Permit No. FLS 000018-004 (hereinafter referred to as the “MS4 Permit”) to forty (40) governmental entities including the Town of Palm Beach Shores (“Town”); and

**WHEREAS**, the MS4 permit requires local governments within the watershed of a nutrient impaired water body to adopt FDEP's Model Ordinance for Florida Friendly Fertilizer Use on Urban Landscapes or an Ordinance that includes all the requirements set forth in the Model Ordinance; and

**WHEREAS**, surface water runoff and base flow runoff leaves residential neighborhoods, commercial centers, industrial areas, and other lands of Palm Beach County and enters into natural and artificial stormwater and drainage conveyances and natural water bodies in Palm Beach County; and

**WHEREAS**, phosphorus and nitrogen, the primary nutrients associated with the degradation of surface water, are commonly the primary components of fertilizer for turf and landscape application; and

**WHEREAS**, the quality of streams, lakes, and wetlands is important to environmental, economic, and recreational prosperity and to the health, safety, and welfare of the residents of Palm Beach County; and

**WHEREAS**, algae blooms and accelerated growth of aquatic weeds in Palm Beach County's water bodies have heightened community concerns about water quality and eutrophication of surrounding waters; and

**WHEREAS**, it is generally recognized that Eastern Palm Beach County soils naturally have adequate phosphorus content for most vegetative needs and that additional phosphorus is therefore only occasionally needed to create or maintain a vibrant landscape; and

**WHEREAS**, it has been recognized that proper application of slow-release nitrogen sources is more efficiently used by plants and less likely to leach or runoff; and

**WHEREAS**, this Ordinance is part of a regulatory program to address nonpoint sources of nutrient pollution which is scientifically based, and economically and technically feasible; and

**WHEREAS**, in the process of adoption of this Ordinance, the Town Commission has considered scientific information, including input from the FDEP, the Department of Agriculture and Consumer Services, and the University of Florida Institute of Food and Agricultural Sciences; and

WHEREAS, the Town Commission has determined that such amendments to the Town's Code are in the best interests of the citizens of the Town of Palm Beach Shores.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:

**Section 1:** Chapter 78. VEGETATION, of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Article III. Landscaping. to create an entirely new Division 3 entitled Florida-Friendly Fertilizer Use to provide new definitions and regulations for fertilizer use within the Town; providing that Chapter 78, Article III, Division 3 shall hereafter read as follows:

**DIVISION 3. – FLORIDA-FRIENDLY FERTILIZER USE**

**Sec. 78-81. - Title.**

This Ordinance shall be known as the Florida-Friendly Fertilizer Use Ordinance.

**Sec. 78-82. - Definitions.**

The following terms shall have the meanings set forth below unless otherwise indicated:

Application or Apply means the actual physical deposition of fertilizer to turf or landscape plants.

Applicator means any person who applies fertilizer on turf and/or landscape plants in the Town.

Approved Test means a soil test from the University of Florida, government, or other commercial licensed laboratory that regularly performs soil testing and recommendations.

Best Management Practices means turf and landscape practices or combination of practices based on research, field-testing, and expert review, determined to be the most effective and practical site-specific means, including economic and technological considerations, for improving water quality, conserving water supplies and protecting natural resources.

Code Compliance Officer, Official, or Inspector means any designated employee or agent of the Town whose duty it is to enforce codes and ordinances enacted by the Town.

Turf, Sod, or Lawn means an area of grass-covered soil held together by the roots of the grass.

Urban Landscape means pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or landscape plants. For the purposes of this section, agriculture has the same meaning as provided in section 570.02, F.S.

**Sec. 78-83. - Findings.**

As a result of the Florida Department of Environmental Protection's determination that certain water bodies within Palm Beach County are impaired for excessive nutrient levels, the Town finds that the best management practices contained in the most recent edition of the "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries", are required in this Ordinance.

**Sec. 78-84. – Purpose and Intent.**

This Ordinance regulates the proper use of fertilizers by any applicator; requires proper training of commercial and institutional fertilizer applicators; establishes training and licensing requirements; establishes a Prohibited Application Period; and specifies allowable fertilizer application rates and methods, fertilizer-free zones, and exemptions. This Ordinance requires the use of Best Management Practices to minimize negative environmental effects associated with excessive nutrients in our water bodies. These environmental effects have been observed in and on Palm Beach County's natural and constructed stormwater conveyances, rivers, creeks, canals, lakes, estuaries and other water bodies. Collectively, these water bodies are an asset important to the environmental, recreational, cultural and economic well-being of Palm Beach County residents and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, is anticipated to help improve and maintain water and habitat quality.

**Sec. 78-85. – Applicability.**

This Ordinance shall be applicable to and shall regulate any and all applicators of fertilizer and areas of application of fertilizer to urban landscapes within the area of the Town, unless such application is specifically exempted by Section 78-90 of this Ordinance. This Ordinance shall be prospective only, and shall not impair any existing contracts.

**Sec. 78-86. – Timing of Fertilizer Applications.**

(a) No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period or to saturated soils.

(b) Fertilizer containing nitrogen and/or phosphorus shall not be applied before seeding or sodding a site, and shall not be applied for the first thirty (30) days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc.), or in accordance with the Stormwater Pollution Prevent Plan for that site.

**Sec. 78-87. – Fertilizer Free Zones.**

Fertilizer shall not be applied within ten (10) feet, or three (3) feet if a deflector shield or drop spreader is used, of any pond, stream, water body, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340), Florida Administrative Code or from the top of a seawall or lake bulkhead. Newly planted turf or landscape plants may be fertilized in this zone only for a sixty (60) day period beginning thirty (30) days after planting if needed to allow the vegetation to become well established. Caution shall be used to prevent direct deposition of fertilizer into the water.

**Sec. 78-87. – Fertilizer Content and Application Rates.**

(a) Fertilizers applied to turf within the Town shall be applied in accordance with requirements and directions provided by Rule 5E-1.003(2), Florida Administrative Code, *Labeling Requirements For Urban Turf Fertilizers*. Under Rule 5E-1.003(2), Florida Administrative Code, required application rate and frequency maximums, which vary by plant and turf types, are found on the labeled fertilizer bag or container.

(b) Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in section (a) above for turf, or in University of Florida Institute of Food and Agricultural



Sciences recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.

(c) Fertilizer used for sports turf at golf courses shall be applied in accordance with the recommendations in “Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses”, published by the Florida Department of Environmental Protection, dated January 2007, as may be amended. Fertilizer used at park or athletic fields shall be applied in accordance with Rule 5E-1.003(2), Florida Administrative Code.

**Sec. 78-88. – Fertilizer Application Practices.**

(a) As required in Section 78-87 of this Ordinance, spreader deflector shields shall be used when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.

(b) Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container.

(c) In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

(d) Property owners and managers are encouraged to use an Integrated Pest Management strategy as currently recommended by the University of Florida Cooperative Extension Service publications.

**Sec. 78-89. – Management of Grass Clippings and Vegetative Matter.**

In no case shall grass clippings, vegetative material, and/or vegetative debris intentionally be washed, swept, or blown on to or into stormwater drains, ditches, conveyances, water bodies, wetlands, sidewalks or roadways.

**Sec. 78-90. – Exemptions.**

The provisions set forth above in this Ordinance shall not apply to:

(a) bona fide farm operations as defined in the Florida Right-to-Farm Act, Section 823.14, F.S.

(b) other properties not subject to or covered under the Florida Right-to-Farm Act that have pastures used for grazing livestock.

(c) any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.

**Sec. 78-91. – Training.**

(a) All commercial and institutional applicators of fertilizer within the Town of Palm Beach Shores shall abide by and successfully complete the six-hour training program in the “Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries” offered by the Florida Department of Environmental Protection through the University of Florida/Palm Beach County Cooperative Extension Service “Florida-Friendly Landscapes” program or an approved equivalent program.

(b) Non-commercial and non-institutional applicators not otherwise required to be certified, such as private citizens on their own residential property, are encouraged to follow the recommendations of the University of Florida Institute of Food and Agricultural Sciences “Florida-Friendly Landscape Program” and label instructions when applying fertilizers.

**Sec. 78-92. – Licensing of Commercial Applicators.**

(a) All businesses applying fertilizer to turf or landscape plants (including, but not limited to, residential lawns, golf courses, commercial properties, and multi-family and condominium properties) must ensure that the business owner or his/her designee holds the appropriate “Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries” training certificate prior to the business owner obtaining a Business Tax Receipt. Owners for any category of occupation which may apply any fertilizer to Turf and/or Landscape Plants shall provide proof of completion of the program to the Town Hall as part of their Business Tax Receipt application or renewal. It is the responsibility of the business owner to maintain the “Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries” certificate to receive their Business Tax Receipt annually.

(b) All commercial applicators of fertilizer within the Town shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida

Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per Rule 5E-14.117(18), Florida Administrative Code.

(c) All businesses applying fertilizer to turf and/or landscape plants (including, but not limited to, residential lawns, golf courses, commercial properties and multi-family and condominium properties) must ensure that at least one (1) employee has an appropriate “Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries” training certificate prior to the business owner obtaining a Business Tax Receipt. Standard Business Tax Receipt and transaction fees shall apply.

**Sec. 78-93. – Enforcement.**

The provisions of this Ordinance shall be enforced by the Town’s Special Magistrate pursuant to the authority granted by Chapter 162, Florida Statutes, as may be amended and Chapter 2, Article III, Division 2 of the Town Code, as may be amended. In addition, the Town may enforce the requirements of this ordinance by any other means available by law or equity.

**Sec. 78-94. – Penalties.**

Failure to comply with the requirements of this Ordinance shall constitute a violation of this Ordinance and may be punished by a fine in accordance with Section 2-73 of the Town Code. In addition, any other punishment available by law or in equity, as appropriate, may be imposed upon a violator. Funds generated by penalties imposed from violations of this Ordinance shall be used by the Town for the administration and enforcement of Section 403.9337, Florida Statutes, and the corresponding Sections of this Ordinance, and to further water conservation and nonpoint pollution prevention activities in the Town.

**Sec. 78-95. – Appeals.**

An aggrieved party, including the Town, may appeal a final administrative order of a Special Magistrate in accordance with Section 2-74 of the Town Code.

**Section 2:** Each and every other article, section and subsection of Chapter 78. VEGETATION. of the Code of Ordinances of the Town of Palm Beach Shores, shall remain in full force and effect as previously enacted.

**Section 3:** All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**Section 4:** Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence or word be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance.

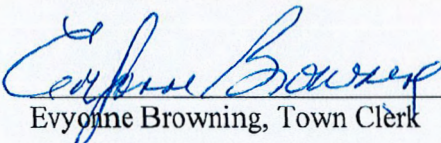
**Section 5:** Specific authority is hereby granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Palm Beach Shores.

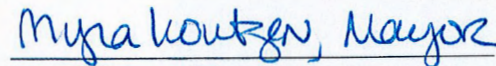
FIRST READING this 16<sup>th</sup> day of July 2018.

SECOND AND FINAL READING this 20<sup>th</sup> day of August 2018.

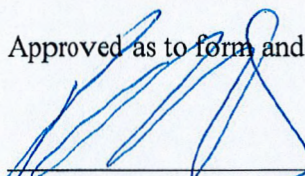
APPROVED this 20<sup>th</sup> day of August 2018.

ATTEST:

  
Evyonne Browning, Town Clerk

  
Myra Koutzen, Mayor  
(Seal)

Approved as to form and legal sufficiency.

  
Keith Davis, Town Attorney

