Recertification Notice of Intent (NOI)
Regulated Small Municipal Separate Storm Sewer Systems (MS4's) General Permit ARR040000

You must complete, certify, and sign this Recertification Notice of Intent (NOI) form and return it along with the updated Stormwater Management Program (SWMP) to the Department in order to continue permit coverage under the General Permit ARR040000. You must submit this form no later than July 1, 2019. Please keep a copy of this form for your records once completed and signed.

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<th>Permittee Name</th>
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<tr>
<td>City of Bella Vista</td>
<td>ARR040059</td>
<td>88-01449</td>
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If any changes or additions need to be made to the information shown below, please update the new information in the corrections section below and/or attach documentation.

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<th>Current Information in ADEQ’s database</th>
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<tr>
<td>Contact Person &amp; Title</td>
<td>Sarah Bingham, Associate Planner</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>(479) 268-4980</td>
</tr>
<tr>
<td>Cognizant Official &amp; Title</td>
<td>Kevin Gambrill, Director of Planning, Building, Code Enforcement</td>
</tr>
<tr>
<td>Responsible Official &amp; Title</td>
<td>Peter A. Christie, Mayor</td>
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Are the mailing and invoice addresses the same?  Yes  No
*If “No,” please provide invoice address:

Additional Comments:

"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 gather and evaluate the information submitted. Based on 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."

I certify that I have read and will comply with all the requirements of the Regulated Small Municipal Separate Storm Sewer Systems (MS4’s) General Permit ARR040000.

Responsible Official Name: Peter A. Christie
Responsible Official Title: Mayor
Responsible Official Signature: [Signature]
Date: 01/14/2018

Return the NOI form to the address below or send it electronically to: water.permit.application@adeq.state.ar.us or via ePortal at the following web address: https://eportal.adeq.state.ar.us/

NPDES Permits Section, Office of Water Quality
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317
City of Bella Vista | STORMWATER MANAGEMENT PROGRAM

July 2019
Permit ARR040059
AFIN 88-01449
August 1, 2019 – July 31, 2024
Prepared by: Community Development Services
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Section I: General Information

Background and Context
This Stormwater Management Program (SWMP or the Plan) has been developed to provide policy and management guidance for activities affecting stormwater throughout the City of Bella Vista. It is intended to help the City fulfill certain State and Federal water quality requirements, and to meet local water resources management objectives. Through the implementation of the policies and management practices embodied in the SWMP, Bella Vista hopes to reduce and prevent the urban stormwater quality issues that negatively impact local rivers and streams while developing and preserving the urban drainage infrastructure in a manner that meets the community’s needs for the future.

State and Federal regulatory programs place significant emphasis on improving water quality and the health of America’s watersheds. As part of the Elk River watershed, Bella Vista further emphasizes the need for local management of urban stormwater and waterways. It becomes even more important that management of these resources occur in a manner that minimizes destructive long-term impacts to drainage infrastructure and the natural features that help protect water quality and control flooding.

Description of Permit Area
The City currently serves a growing population of 26,461 (2010 U.S. census) within the city limits. The geographic boundaries of the MS4 plan are the City limits and the service area for stormwater planning encompasses approximately 46.8 square miles. As defined by the 2010 census, the city became part of the Fayetteville - Springdale urbanized area and includes 45.9 square miles of the incorporated 45.96 square miles (or 99.87%). Based on the Census Bureau’s urbanized area limits, only the very extreme eastern and western portions of Bella Vista fall outside the urbanized area.

Prior to the city’s incorporation in 2007, the community was serviced primarily by the Bella Vista Property Owners Association (BV POA). The BV POA primarily owns the community’s existing lakes, studied floodplains, and most drainage areas as common property for the benefit and enjoyment of the community. As such, the BV POA is a primary partner that the city works with when addressing various drainage issues. The City’s stormwater management practices are evolving to include efficient and cost-effective approaches that reduce or eliminate stormwater pollution and protect the riparian (stream bank) areas of open waterways. These approaches provide natural pollutant removal and stormwater management capacity.

As alluded to in the previous SWMP, the City’s ordinances assisting with stormwater program administration were updated through Council adoption in 2014, and are available on the City’s website.
Purpose of Plan
The purposes of the SWMP are threefold:

1) The Plan characterizes the City’s entire stormwater drainage system, including both the open and piped systems, their connections to the streams, and the overall condition of the system. This characterization is necessary to address relevant State and Federal regulatory requirements while providing baseline information on which to develop focused stormwater management strategies.

2) The Stormwater Plan establishes goals, policies, and implementation actions that will achieve the City’s long-term objectives in a way that is understandable to the public, usable by City staff, and meets regulatory needs.

3) The Plan establishes a means for measuring, reporting, and adaptively managing the City’s water resources, by presenting benchmarks that will ensure meaningful progress, as well as ensuring compliance with applicable laws and permit requirements.

Scope and Areas of Focus
The SWMP addresses stormwater quality management policies and management practices that are to be implemented by the City. The scope is determined primarily by the Federal MS4 permit requirements, but is intended to address local water resources issues as well. These areas of focus in the Stormwater Program include:

- **Pollution incidents and unlawful (illicit) discharges to the City’s stormwater drainage system.** These discharges can be systematic (recurring) or episodic (occasional or one-time) discharges, and include pollutant runoff from parking lots, discharges from industrial outfalls, accidental spills, poor construction site management, and the variety of ways people dispose of pollutants that reach our waterways.

- **On-site management of stormwater to reduce the quantity of stormwater and pollution entering the drainage system.** Similar to illicit discharges, events that cause flooding, system surcharges, or on-going pollutant loadings are possible both up- and down-stream from the city limits, and originate from a variety of causes. These include inadequacies in the type and design of infrastructure, inadequate maintenance, insufficient erosion and/or sediment control practices, and increases in impervious area without provision for on-site infiltration of stormwater into the ground. The City regulates these issues through implementation of various portions of the city ordinances and codes.

- **Reduction and prevention of pollution at City facilities and resulting from City activities and business practices.** The City provides services with a potential for creating water pollution, erosion, and sedimentation. These include field activities (such as ditch cleaning and excavation/maintenance activities) as well as activities at City facilities (such as vehicle washing and maintenance, materials handling, and street sweeper dumping and processing). The Federal NPDES Stormwater Program requires the City to implement pollution prevention practices that reduce or eliminate stormwater pollution discharging from City activities. Beyond this regulatory motivation, it is important that the City lead by example in areas where similar practices and behaviors from citizens and businesses are
required.

- **Public education geared toward broad community stewardship of water resources.** The Federal NPDES Stormwater Program places significant emphasis on public education as part of the long-term solution to stormwater pollution. As such, education is a required element of this SWMP. The long-term success of the City’s efforts will hinge on increased awareness and stewardship throughout the community. The Plan will result in formal, organized educational and outreach efforts that are targeted broadly throughout the municipal area. Many of these efforts are most effectively approached on a Northwest Arkansas Stormwater Compliance Group basis - a cooperative effort between the 21 MS4s located in the Benton and Washington County area and the University of Arkansas’ Cooperative Extension Service.

- **Public awareness and involvement in the City’s Stormwater management program.** Broad awareness and participation in the development and implementation of the SWMP by residents and local area businesses is a key component to ensure effectiveness of the Plan, including a public involvement component that meets the Federal NPDES program.

- **ADEQ-required Municipal Separate Storm Sewer System (MS4) Program elements.** The NPDES Stormwater Program requires that the City submit a MS4 plan in order to acquire a MS4 permit to legally discharge stormwater to the waters of the U.S.

The Federal rules and, therefore, ADEQ’s permit requirements, direct that the City’s MS4 plan address six minimum areas, which are termed “Minimum Control Measures.” These areas are broadly titled in the rules as follows:

1. Public Education and Outreach on Stormwater Impacts;
2. Public Involvement and Participation;
3. Illicit Discharges Detection and Elimination;
4. Construction Site Stormwater Runoff Control;
5. Post-Construction Stormwater Management for New Development & Re-Development; and
6. Pollution Prevention in Municipal Operations.

Under each of these areas described above, the City’s MS4 plan must contain the following information:

- The structural and non-structural Best Management Practices (BMPs) that the permittee or another entity will implement for each of the stormwater Minimum Control Measures;
- The measurable goals and benchmarks for each of the BMPs including, as appropriate, the months and years in which the permittee will undertake required actions, including interim milestones and the frequency of the action; and
- The person or persons responsible for implementing or coordinating the BMPs for the permittee’s MS4 plan.

Stormwater Best Management Practices (BMPs) is a catch-all term or phrase for the various actions and thoughts for managing stormwater to reduce the negative impacts of runoff on the receiving streams. While the term has become widely used by the regulatory agencies and throughout the stormwater management industry, it does NOT imply that each BMP is necessarily the “Best” at achieving a particular stormwater management objective. BMPs are alternatives to
practices that reduce the water quality and flow management functions and benefits of the open drainage system such as piping, filling or hardening open drainage ways. BMPs include, but are not limited to:

- Structural, non-structural, and nature-mimicking devices that reduce or eliminate runoff, or the pollutants that it can carry;
- Creation and protection of natural features such as wetlands or ponds that improve water quality and/or attenuate flow;
- Maintenance or construction practices that prevent erosion, control sedimentation, and reduce pollution entering runoff;
- Regulations, educational strategies, and enforcement programs that inform the public, developers, business/industry, etc. on stormwater pollution, prevention, and protection of water quality;
- Protection and maintenance of: open drainage ways for stormwater treatment and conveyance; Adjacent riparian buffers for natural stormwater filtration and cooling; Long-term channel stability and other stormwater management functions. Avoidance of piping, filling, or deteriorating the condition of open drainage ways.

Overview of Bella Vista’s Stormwater Drainage Systems
The City is responsible for implementing surface water management activities within its boundaries, including the planning, design, construction, operation, and maintenance of the stormwater drainage system. The City performs all operation and maintenance on the public drainage system that is designed and constructed to City standards and located within easements or rights-of-way, or real property that has been conveyed or dedicated to the City. The BV POA and the developer of the various subdivisions within a majority of the City are responsible for maintaining most open channels and public outfalls to natural streams within the City’s jurisdiction, as these often occur on the private (common) property areas owned by those corporations. The geographic area covered by this Plan includes almost 46 square miles inside the Bella Vista’ city limits.

The City’s stormwater drainage systems also include some private stormwater management facilities that help moderate and reduce the volume and pollutant content of stormwater leaving private property and entering the public stormwater drainage system and/or local streams.

Stormwater Drainage Basin Characterization
Surface water runoff from Bella Vista drains several directions within the city limits, but all drain into southwestern Missouri via tributaries of Elk River, which eventually drains to the west into Kansas and then southwest via the Lower Neosho River in Oklahoma to the Arkansas River watershed.

The City can be broken down into several separate tributaries of this stream. A drainage basin can be described as a geographic area within which stormwater drains from many small systems converging on a larger drainage way, ultimately culminating in outfalls to the major drainage way. In Bella Vista the primary discharges occur from the:

1. Tanyard Creek – Little Sugar Creek sub-basin flowing northward via Little Sugar Creek
where it leaves Bella Vista at the state line with Missouri.

2. Browning Creek (Gordon Hollow Creek) – Little Sugar Creek sub-basin by flowing northward through a portion of unincorporated Benton County where it enters the state of Missouri in the vicinity of Gordon Hollow Drive.

3. Mill Creek – Elk River sub-basin from the vicinity of Pamona Drive by flowing northwesterly through unincorporated Benton County into the state of Missouri.

The character and conditions of the drainageways vary significantly throughout the basins, depending on surrounding land uses and contributing drainage areas topography.

Section II: Goals, Policies, and Implementation Actions

This section provides overall guidance to the City in performing stormwater management activities in a manner consistent with State and Federal laws, while meeting local goals and the long-term outcomes the City hopes to achieve. The following goals are derived from long-term key outcomes that have been reviewed. The policies provide specific direction, consistent with the local goals, State and Federal requirements. Implementation actions include BMPs discussed in detail in the MS4 plan and other actions needed to achieve local objectives. The work plan for completion of Implementation actions is in the Stormwater Plan Implementation Action Summary.

Goal 1: Protect citizens and property from flooding.

Policies

1.1 Maintain surface drainage in the City to reduce the threat of flooding, through proper maintenance of the City’s stormwater drainage system and other infrastructure, with practices that are protective of water quality.

1.2 Through the development review process, ensure that new development incorporates adequate stormwater management and infrastructure to avoid up- and down-stream capacity and water quality problems.

1.3 Create and preserve open stormwater drainage networks, where feasible, to best accommodate peak storm flows while providing and maintaining flood storage capacity as well as promoting and improving water quality.

1.4 Adhere to standards, policies, and practices which comply with Federal Emergency Management Agency (FEMA) Flood Management Program requirements to insure that the City maintains flood insurance coverage under this program.

Implementation Actions

1.a. Continue evaluation of City maintenance practices. Implement appropriate BMPs to assure that the City adequately maintains the stormwater drainage system capacity in an environmentally responsible manner.
1.b. Evaluate and refine the City’s drainage program, including education, outreach, inspection, and enforcement components to reduce the negative stormwater impacts from land alteration, erosion, sedimentation, and excessive runoff.

1.c. Implement BMPs consistent with NPDES Minimum Control Measure #1, Public Education and Outreach on Stormwater Impacts, to ensure that residents, businesses, and industries within our jurisdiction are aware of the importance of preventing pollution from entering the streams and water bodies of the State.

1.d. Implement BMPs consistent with NPDES Minimum Control Measure #4, Construction Site Stormwater Runoff Control, to minimize or eliminate erosion and sedimentation in the stormwater drainage system due to new construction.

1.e. Implement BMPs consistent with NPDES Minimum Control Measure #5, Post-Construction Stormwater Management for New Development and Redevelopment, to ensure that new development is in compliance with Local, State and Federal flow-regulating and water quality management practices, such as detention ponds, on-site stormwater storage, etc.

1.f. Implement BMPs consistent with NPDES Minimum Control Measure #6, Pollution Prevention in Municipal Operations, to ensure adequate creation, maintenance, and inspection of the stormwater system.

**Goal 2: Improve surface and sub-surface waters for aquatic life and other beneficial uses.**

**Policies**

2.1 The City will monitor and implement practices and regulatory programs with the objective of improving surface and groundwater quality to, at a minimum, meet State water quality standards, adequately protect threatened and endangered wildlife, and meet the State beneficial use guidelines.

2.2 The City will work with the BV POA to maintain open channels and waterways in a manner that is protective of their natural hydrologic and stormwater management and other habitat functions for the benefit of the citizens, local wildlife (including threatened or endangered species), and for future generations of both.

**Implementation Actions**

2.a. Promote pollution protection educational efforts, including signage, development project review, and public outreach.

2.b. Enhance erosion and illicit discharge detection and compliance efforts, including permitting and Code enforcement.

2.c. Implement BMPs consistent with NPDES Minimum Control Measure #1, Public Education and Outreach on Stormwater Impacts, to enhance citizens’ and businesses’ knowledge regarding water quality regulations as well as the benefits to the community from properly functioning waterways.
2.d. Implement BMPs consistent with NPDES Minimum Control Measure #3, Illicit Discharges Detection and Elimination, to eliminate or minimize toxic discharges from business and industry.

2.e. Implement BMPs consistent with NPDES Minimum Control Measure #4, Construction Site Stormwater Runoff Control, to minimize sedimentation and channel degradation from construction sites.

2.f. Implement BMPs consistent with NPDES Minimum Control Measure #5, Post-Construction Stormwater Management for New Development and Re-Development, to ensure long-term functioning of newly- and re-developed sites.

2.g. Implement BMPs consistent with NPDES Minimum Control Measure #6, Pollution Prevention in Municipal Operations, to ensure that municipal properties - including the stormwater drainage system - are maintained in properly-functioning and environmentally-friendly conditions.

Goal 3: Preserve and maintain surface waters, wetlands, and riparian areas.

Policies

3.1 Through the development plan review process, the City will ensure that development is protective of significant open waterways, wetlands, and riparian areas.

3.2 The City will implement permitting programs, educational outreach, compliance inspections and enforcement activities as needed to reduce erosion, sedimentation, illicit discharges, and other pollution impacts to the City’s waterways.

Implementation Actions

3.a. The City will review and refine its drainage program, which addresses erosion, sedimentation, and the impacts of land alteration, including permitting, inspections, technical education, public outreach, and enforcement.

3.b. The City will review development proposals for impacts on open drainage ways, wetlands, and riparian areas, and protect the functions and benefits of these areas as provided for in the Municipal Code and other requirements.

3.c. The City will work cooperatively with the BV POA, citizens, businesses, and agencies to protect surface waterways, seek opportunities for stewardship partnerships, further enhance educational opportunities, and continue participation in intergovernmental work groups.

3.d. The City will implement and continue to refine/improve BMPs for all City activities with potential to impact water quality and/or the functions of waterways, wetlands, and riparian areas.

3.e. Implement BMPs consistent with NPDES Minimum Control Measure #4, Construction Site Stormwater Runoff Control, to reduce or eliminate sedimentation from construction sites as one of several contributors to poor water quality and quantity management.
3.f. Implement BMPs consistent with NPDES Minimum Control Measure #5, Post-Construction Stormwater Management for New Development and Redevelopment, so developments maintain the function and capacity of the stormwater drainage system, as well as preventing the contribution to future degradation of either.

3.g. Implement BMPs consistent with NPDES Minimum Control Measure #6, Pollution Prevention in Municipal Operations, which is critical to maintaining properly functioning wetlands, riparian areas, open channels, and the overall system.

Goal 4: Citizens, businesses, and industries understand the need to protect water quality.

Policies

4.1 The City will develop targeted education and outreach and technical assistance programs regarding practices and obligations for keeping debris and pollutants out of the stormwater drainage system and train stakeholder groups in appropriate erosion control and sediment prevention practices, as well as stormwater management BMPs.

4.2 The City will seek to form partnerships with neighborhoods and other community groups interested in providing stewardship of local waterways.

4.3 The City will develop, implement, and enforce appropriate building and municipal codes to address water quality compliance issues (including pollution, habitat, and aesthetic issues) and to encourage the development of urban waterways that are positive amenities in the community.

Implementation Actions

4.a. The City will implement outreach and education efforts regarding water quality, riparian and wetland areas, including business, contractor, resident, and developer outreach programs to educate these parties about their impacts on stormwater quality.

4.b. Continue maintenance, enforcement, and compliance activities - including inspections, technical assistance, and Code enforcement.

4.c. Implement BMPs consistent with NPDES Minimum Control Measure #1, Public Education and Outreach on Stormwater Impacts, to engage the public in the efforts to create positive urban amenities.

4.d. Implement BMPs consistent with NPDES Minimum Control Measure #3, Illicit Discharges Detection and Elimination, to ensure that waterways are safe; meet Local, State, and Federal water quality standards; and can function as amenities to the whole region.
Goal 5: Urban drainage ways become community amenities.

Policies

5.1 The City will conduct education and outreach activities to appropriate target groups to increase understanding of the importance of maintaining safe and clean drainage ways, and to seek volunteers willing to be caretakers for water features near them.

5.2 The City will protect existing significant open waterways and encourage site planning and landscaping that enhances the attractiveness and natural functions of the water features.

5.3 The City will maintain all public drainage ways in a manner that provides for safe and attractive conditions within the limits of its fiscal constraints.

Implementation Actions

5.a. Enhance the City’s erosion control program, including educating developers and the community regarding the positive aspects of open waterways to promote acceptance, and integrating effective compliance and enforcement components.

5.b. Provide adequate funding within the City's restraints for public maintenance of the stormwater drainage system, and ensure ongoing maintenance of private stormwater features through development agreements.

5.c. Increase educational outreach to schools and other youth groups to increase awareness of children regarding the need to keep litter and pollutants out of urban drainage ways.

5.d. Implement all six of the NPDES Minimum Control Measure BMPs. Implementing all of the provisions of the MS4 plan will ultimately result in improved water quality and quantity management, improved habitat and resource protection, and, ultimately, enhance urban waterways as desirable community amenities.

SECTION III: Municipal NPDES MS4 Program

City Stormwater Management Program – Responsible Parties

The City is responsible for implementing surface water management activities within its boundaries, including the planning, design, construction, operation, and maintenance of the stormwater drainage system. In response to the NPDES Phase II stormwater requirements, the City has developed a MS4 plan addressing each of the six required Minimum Control Measures, as specified in the Federal-NPDES Phase II rules. The City’s stormwater management program is the responsibility of the Community Development Services Department. Other departments within the City will receive training to recognize stormwater issues related to their facility, the fieldwork they do, and for reporting these and other activities around town to the Department for review, investigation, education, enforcement, and/or legal action. Public Education and Involvement
would also be encouraged with their co-workers, families, and neighbors. This same training will be made available to the employees of the BV POA and Village Waste Water.

City of Bella Vista Organizational Chart
The current organizational chart for the City of Bella Vista can be found in Appendix A.

NPDES Phase II BMP Requirements
Specific BMPs are proposed for each Minimum Control Measure (MCM), which are intended to support the reduction of discharges of pollutants in stormwater runoff to the maximum extent practicable (MEP) as required by the Federal-NPDES Phase II rules. Each MCM section provides the following information:

- Permit requirements
- A list of planned BMPs (proposed MS4 plan activities);
- A list of the responsible parties for the implementation;
- A summary of measurable goals for each planned BMPs; and
- Performance standards
- The development/implementation of each BMP will occur within the program timeframe as noted below.

The BMP list shows what activities will occur within the Program. More specific dates are not given since weather conditions as well as the availability of funds from future city budgets may affect the schedule for the various actions. Early or late completion of one activity may also affect the schedule for starting or finishing the next one. The current Arkansas State NPDES Permit implementation schedule covers calendar years 2019 through 2024.

Minimum Control Measure #1: Public Education and Outreach

Permit Requirements
Regulation 40 CFR 122.34(b)(1): “The permittee must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff.”

Decision Process
The NWA Stormwater Compliance Group meets to discuss stormwater pollution prevention and provide input on education activities. The NWA Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests) convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater pollutants, education needs, target audiences, program methods, and public relations strategies.
Public Education/Outreach BMPs
Develop and distribute educational materials. Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides the emphases of electronic and printed educational materials. Once topics are identified, materials will be developed, adapted, and/or gathered for distribution at public meetings, in support of presentations, and with educational displays. Examples may include fact sheets, videos, social media content, website content, newsletters, press releases, and PSAs.

- Measureable Goals:
  - Mechanism types and numbers of educational materials will be documented.
  - Develop 5 educational materials across the permit term.
  - Attendance of MS4 Stormwater Compliance Group and Education Steering Committee meetings will be documented.

Conduct stormwater education activities. Educational presentations will be given to illustrate stormwater dynamics, identify potential pollutants and pathways, describe techniques to reduce stormwater pollution and encourage voluntary BMP implementation according to the annual topic/audience emphases outlined in the following table.

- Measureable Goal:
  - Stormwater education programs will be conducted and documented.

Responsible Party
The Northwest Arkansas Regional Planning Commission and the University of Arkansas Cooperative Extension Service have contracted with the municipality to be responsible for the development and implementation of the public education efforts. A copy of that agreement is included in this plan.

Performance Standard
Urban stormwater outreach/education programs will reach at least 50% of the urbanized area population.

5 Year Implementation Schedule (MCM #1)

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**Minimum Control Measure #2: Public Involvement / Participation**

**Permit Requirements**
“The permittee must, at a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program.”

**Decision Process**
The NWA Stormwater Compliance Group meets to discuss stormwater pollution prevention and provide input on education activities. The NWA Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests) convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater pollutants, education needs, target audiences, program methods, and public relations strategies.

**Target Audience**
The audience for public involvement programs and activities will be the general public and may include businesses, trade associations, environmental groups, homeowners, and civic organizations.

**Public Involvement/Participation BMPs**
*Engage Residents in Public Participation/Involvement Activities*
Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides the emphases of educational materials, educational programs, and public involvement efforts. Residents will participate in public involvement activities. Examples may include stormwater compliance meetings, stormwater steering meetings, clean ups, etc.

*Measureable Goal:*
Public participation activities will be documented.

**Responsible Party**
The Northwest Arkansas Regional Planning Commission and the University of Arkansas Cooperative Extension Service have contracted with the municipality to be responsible for the development and implementation of the public involvement efforts. A copy of that agreement is included in this plan.
Performance Standard
At least 5 public participation and involvement activities will be coordinated over the permit term.

Minimum Control Measure #3: Illicit Discharge Detection and Elimination

Permit Requirements: The permittee must:

- “Develop, implement and enforce a program to detect and eliminate illicit discharges [as defined in 40 CFR §122.26(b)(2)] into the permittee’s small MS4, including notifying adjacent interconnected MS4 when discharges occur;
- “Develop and continue to update a storm sewer system map, showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls, including catch basins, pipes, ditches and public and private stormwater facilities;
- “Effectively prohibit (through ordinances or other regulatory mechanisms to the maximum extent allowable under Local, State, and Federal laws) non-stormwater discharges into the permittee’s storm sewer system and implement appropriate enforcement procedures and actions for non-compliance;
- “Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the permittee’s system;

- “Inform public employees, businesses, and the general public of the hazards associated with illegal discharges and improper disposal of waste to the stormwater system;
- “Address all categories of non-storm water discharges or flows (illicit discharges) if identifies as significant contributor of pollutants to the permittee’s small MS4;

- “Develop a list of occasional incidental non-storm water discharges that will NOT be addressed as illicit discharges because of reasonably expectations (based on information available) that the source would not be a significant source of pollutants. These will primarily be due to the nature of the discharges or conditions the City of Bella Vista’ storm water management program plan has established for allowing these discharges to the permittee’s MS4; and

- “Develop a process to respond to and document complaints relating to illicit discharges. “

Applicable City BMPs

IDDE1: *Ordinance: Monitoring and Revisions.*

- Article II, Stormwater Discharges is the mechanism to prohibit illicit discharges.
- Create and annually review for revisions to stormwater ordinances are needed to keep the ordinance, its enforcement actions, and any related items up-to-date with the state and federal regulations that are in affect.
- *Measurable Goals: Annual assessment of regulations and standards regarding MCM #3 /
IDDE1 observations available for review.

IDDE2: Reporting and Response System for Suspicious / Illicit Discharges.
- Suspicious discharges shall be reported and responded to in timely manners so that clean-up and enforcement can take place.
- City Staff to report any concerns observed and inspect/assess incidents.
- All reports shall be documented.
- Incidents to be reported to state / federal agencies as applicable or when City is uncertain of applicability.
- Investigation includes notification to responsible party and plan of resolution/mitigation.
- Measurable Goals: Number of reports received and incidents resolved

IDDE3: Outfall Inventory/Mapping and Dry-Weather Screenings.
- Continual inventorying of stormwater outfalls and dry-weather screenings makes it easier to track back to locate the source of the discharge when one occurs.
- Outfall, culvert, and other drainage infrastructure inventorying is complete.
- Measurable Goals: Stormwater inventory map complete and in digital GIS format for reference—to be used and updated as applicable.

IDDE4: City-wide Illicit Discharge Detection and Elimination Plan.
- Reports / complaints to be documented.
- Review and revise the pollution practices and policies for each city-operated site as needed.
- Measurable Goals: Timeliness of elimination and response to reported situations

IDDE5: Collecting, Identifying, and Assessing Non-Stormwater Discharges.
- Complete an assessment of non-stormwater discharges along with implementing local controls where identified as needed.
- Determine extent to which certain non-stormwater discharges effect our watershed.
- Measurable Goals: Summary of items to be removed from the exempt-status discharge list to a list of identified discharges that may and/or do affect the stormwater system - either the structures or the water quality of the waterway or the downstream receiving water bodies. Increase in property owner resolution regarding clogged culverts via organic/yard debris.

Responsible Party
- Director of Community Development Services and/or his/her designee
- Bella Vista Street Department
- Bella Vista POA, especially Lakes Dept., as contracted for water sampling
- Village Waste Water laboratory staff, as needed for sample testing of suspicious discharges and “dry” weather screenings

Performance Standard
The successful maintenance of a tracking and elimination program that includes complete GIS map of the storm drainage system, and annual assessment documents of stormwater / discharge ordinance review.
Minimum Control Measure #4: Construction Site Runoff Regulations and Controls

**Permit Requirements** “The permittee must develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the permittee’s small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the permittee’s program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more.” For stormwater discharges associated with any construction activity must comply with 40 CFR §122.26(b)(15)(i) by developing, implementing, and enforcing a program to reduce pollutant discharges from such sites. The permittee’s program must include the development and implementation of, at a minimum:

- An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under Federal, State or Local laws;
- Requirements for site operators to implement appropriate erosion and sediment control Best Management Practices;
- Requirements for construction site operators to prevent or control waste that may cause adverse impacts to water quality such as building materials and their packing systems, concrete truck washout, chemicals, litter, equipment & fluid leaks, and sanitary waste at the construction site;
- Procedures for site plan review and land division that incorporate measures to prevent or control potential water quality impacts;
- Procedures for receipt and consideration of information submitted by the public; and
- Procedures for site inspection and enforcement of control measures.”

**Applicable City BMP’s**

**CRC1:** *Ordinance: Monitoring and Revisions.*
- Article XIII – *Grading, Erosion Control, and Stormwater Pollution Prevention Standards and Article XIV – Stormwater Drainage and Management* are the mechanisms to guide and enforce construction site runoff controls.
- Create and periodically review for revisions to stormwater ordinances, Drainage Manual, and applications to keep mechanisms up-to-date with local needs, as well as state and federal regulations that are in effect.

**CRC2:** *Site Inspections and Enforcement for Sediment and Erosion Control.*
- Monthly documented site inspections of construction and other development sites to answer questions, resolve potential problems, and prevent failures of stormwater preventative measures as well as structural items that could result in stop work orders, delay in inspections (and/or approvals to continue), and increase cost of completing the project.
- Prevention of reoccurring issues / themes begins with proactive and consistent communication
of requirements and expectations to the cognizant officials and other key stakeholders. A memorandum is needed within the next year clarifying minimum construction erosion control requirements per the Ordinance and Permit acknowledgement sections.

- **Measurable Goals:** Memorandum or other document proactively communicating construction compliance requirements and minimum standards to be issued; Assessment of enforcement actions needed vs. proactive, consistent compliance.

CRC3: *Complaint/Inquiry Reporting and Response System.*

- Maintain and utilize iWorq system for citizens to report suspected non-compliance or inquiries at construction sites. This allows Staff to follow an orderly process for response, review, and mitigation as necessary.
- Annually monitor, review, evaluate, and assess the reporting/response data.
- **Measurable Goals:** Number of complaints received and followed up/resolved.

**Responsible Party**
The City’s Planning Department maintains the City Code of Ordinances related to construction and coordinates the Site Plan and Drainage Review process. The Planning Department staff and their consulting engineer are responsible for implementation and inspection of approved land alteration and development projects for overall development criteria as well as erosion and sediment control and construction site runoff controls. Enforcement of these areas of the City’s Codes is conducted in coordination with the Office of the City Attorney if necessary.

**Performance Standard**
Annual tracking of compliance and avoidance of impacts to water quality from land alteration and construction.

**Minimum Control Measure #5: Post-Development Construction Standards**

**Permit Requirements**
The permittee must:

- “Develop, implement, and enforce a program to ensure reduction of pollutants in storm water runoff to the maximum extent practicable (MEP) from new development and redevelopment projects within the permittee’s jurisdiction that disturb one acre or more, are part of a larger common plan of development or sale, and/or discharge into the permittee’s small MS4. The permittee’s program must ensure that developers are aware that controls needed to prevent and minimize water quality impacts.
- “Develop and implement strategies that include a combination of structural and/or non-structural BMPs appropriate for the permittee’s community.
- “Use an ordinance or other legal regulatory mechanism to address construction and post-construction runoff from new and re-development projects to the maximum extent allowable under Federal, State and/or Local laws.
- “Ensure adequate long-term operation and maintenance of permanent and long-term BMPs; and
“Ensure adequate enforcement of ordinance or alternative regulatory program.”

Applicable City BMPs

PDS1: *Ordinance: Creation and Revisions.*
- Create and periodically review for revisions to stormwater ordinances and adopted Drainage Manual are needed to keep the ordinance, its enforcement actions, and any related items up-to-date with the state and federal regulations that are in affect.
- 107-386 Inspection and Enforcement provides “All revegetation, grading, and erosion control plan improvements and stabilization of the exposed soil shall be in place before a certificate of occupancy shall be issued.”
- Measurable Goals: annual review of effectiveness of ordinances and other mechanisms in place, in regard to MCM #5.
- Documentation of understanding and proactive compliance with stabilization requirements amongst the cognizant officials and other key stakeholders.

PDS2: *Post-Construction Requirements.*
- Stormwater, grading, erosion control, and illicit discharge ordinance for post-construction requirements is in place.
- Improve community and cognizant official understanding of requirements through comprehensive and constructive response to inquiries and proactive communication to contractors.
- Measurable Goals: documentation of understanding and proactive compliance with stabilization requirements amongst the cognizant officials and other key stakeholders.

PDS3: *Post Construction Maintenance Inspections and Compliance/Enforcement.*
- Stabilization requirements for post construction mitigation are required on a sliding scale based on finished slope, with greater measures required for steeper slopes (107-382).
- Section 107-386 Inspection and Enforcement provides “All revegetation, grading, and erosion control plan improvements and stabilization of the exposed soil shall be in place before a certificate of occupancy shall be issued.”
- Measurable Goals: Memorandum or other document proactively communicating construction compliance requirements and minimum standards to be issued; Assessment of enforcement actions needed vs. proactive, consistent compliance.

PDS4: *Long-Term Operations and Management Plans/Agreements.*
- Agreements that private property owners, property- or home-owner associations, and/or developers have with the City of Bella Vista stating that the maintenance and operation of post-construction BMPs will be paid for and overseen by the non-government party.
- Agreements give the City of Bella Vista the right to periodically inspect the BMP and to enforce maintenance, repairs, replacement, upgrades, improvements, and/or other actions to preserve the purpose and function of the BMP.
- Regular maintenance and inspections of post-construction stormwater controls can answer neighborhood questions, resolve potential purpose and usage problems, and prevent failures.
- Measurable Goal: number of cases requiring response and mitigation.
PDS5: Low Impact Development.
- Other methods and options exist that will minimize the impact of stormwater runoff from development.
- Analyze and continue to identify, monitor, revise, and remove impediments to LID.
- Measurable Goal: Code review to include possible LID regulation provisions.

Responsible Parties
Community Development Services maintains the City Code of Ordinances related to construction and coordinates the Site Plan and Drainage Review process.

Performance Standard
Annual monitoring / review of mechanisms and success/challenges regarding MCM #5, as provided in final Grading / Erosion control inspections.

Minimum Control Measure #6: Operation Maintenance for Pollution Prevention in Municipal Operations

Permit Requirements
The permittee must:

- “Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations;
- “Using training materials and/or programs that are available, train employees to prevent and reduce stormwater pollution from activities including, but not limited to, park and open space maintenance, fleet and building maintenance, new municipal facility construction and related land disturbances, design and construction of street and storm drain systems, and stormwater system maintenance;
- “Develop a list of city-owned or operated sites with industrial activities that are subject to ADEQ’s Industrial Stormwater General Permit. Include the ADEQ permit number or a copy of the Industrial NOI form for each facility. For the municipal facilities that conduct activities described in 40 CFR 122.26(b)(14) that are not required to obtain Industrial Stormwater General Permit coverage shall develop and implement a Stormwater Pollution Prevention Plan (SWPPP) of coverage being granted under this permit. The SWPPP shall conform to the requirements of ADEQ’s Industrial Stormwater General Permit in effect at the time coverage under this permit is granted; and
- “Develop a list of individual NPDES permits for discharges of stormwater associated with industrial activity that ultimately discharge to the MS4. Include the ADEQ permit number or a copy of the Industrial NOI form for each facility.”

Applicable City BMPs
O&M1: Employee training.
- Training multiple department staffs puts more eyes "on the ground" for finding, reporting,
and/or responding to sites where requirements are not being met.

- UA Cooperative Extension provides annual stormwater training to City of Bella Vista Staff, including street crews.
- Measurable Goals: Summary of employee training program(s) implemented with the number of employees that attended.

O&M2: Operation and Maintenance program.

- Maintain adopted O&M program for each city-owned or operated site. Revise and upgrade as needed.
- Review pollution control guidelines for each municipal facility.
- Measurable Goals: Review of incidents and timeliness of mitigation of any incidents on an annual basis.

O&M3: Pollution Control Guidelines (PCGs) and Stormwater Facilities Master Plan (SFMP).

- Guides for when employees need to deal with some sort of spill or other non-hazardous pollution clean-up that is not part of their regular duties.
- Review, monitor, and revise each department's Pollution Control Guidelines (PCG) and Stormwater Facilities Masterplan (SFMP) for each property they maintain for changes needed due to usage change, location change, or change in services provided to the public.
- Measurable Goals: Maintenance and upgrades to PCGs and SFMPs.

O&M4: Minimizing the Use of Potential Pollutants.

- Minimizing and/or reducing the use certain potential pollutants (such winter’s road salt, sand, and runway deicer; pesticides; herbicides; fertilizers) decreases the risk of a spill and the need for containment equipment. Options to their use should be undertaken to better understand their need. Containments should be regularly reviewed for soundness, breaks, leaks, repairs, and/or replacements. BV POA (parks department and water department), Village Wastewater (sewer), and the City street department all play a role.
- Measurable Goals: Review of each annual report, showing a decrease or low use of potential pollutants throughout the MS4.

**Responsible Party**

BV POA, Village Wastewater, UA Cooperative Extension, and City of Bella Vista

**Performance Standard**

All O&M’s to be reviewed by each facility with any comments, concerns, questions, or suggestions communicated, to achieve monitoring and revision as necessary. Key staff to attend stormwater training each year as offered by UA Cooperative Extension.
Appendixes

A. Organizational Chart

B. Legal Authority and SWMP Resources

Below is the website for the City’s Municode, containing the City’s ordinances and regulations supporting the Stormwater Management Program.

https://library.municode.com/ar/bella_vista_city/codes/code_of_ordinances?nodeId=COORBEVIA

C. Municipal Information and Forms

- Reference guides and applications:

- Grading and Erosion Control Application:

- Large Scale Development Application: