



Storm Water Phase II Proposed Rule

Public Participation/Involvement Minimum Control Measure

Storm Water Phase II Proposed Rule Fact Sheet Series

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This fact sheet is based on the Storm Water Phase II Proposed Rule. Therefore, the information provided herein is subject to change upon publication of the final Phase II rule in November 1999. A revised series of fact sheets will be provided at that time. A comprehensive list of the current fact sheets is in the text box at left.

This fact sheet profiles the proposed Public Participation/Involvement minimum control measure, one of six measures the owner or operator of a Phase II regulated small municipal separate storm sewer system (MS4) would be required to include in its storm water management program to meet the conditions of its National Pollutant Discharge Elimination System (NPDES) permit. This fact sheet outlines the Phase II Proposed Rule requirements and offers some general guidance on how to satisfy them. It is important to keep in mind that the small MS4 owner or operator would have a great deal of flexibility in choosing exactly how to satisfy the minimum control measure requirements.

Why Is Public Participation and Involvement Necessary?

EPA believes that the public can provide valuable input and assistance to a regulated small MS4's municipal storm water management program and, therefore, suggests that the public be given opportunities to play an active role in both the development and implementation of the program. Having an active and involved community is crucial to the success of a storm water management program because it allows for:

- **Broader public support** since citizens who participate in the development and decision making process are partially responsible for the program and, therefore, may be less likely to raise legal challenges to the program and more likely to take an active role in its implementation;
- **Shorter implementation schedules** due to fewer obstacles in the form of public and legal challenges and increased sources in the form of citizen volunteers;
- **A broader base of expertise and economic benefits** since the community can be a valuable, and free, intellectual resource; and
- **A conduit to other programs** as citizens involved in the storm water program development process provide important cross-connections and relationships with other community and government programs. This benefit is particularly valuable when trying to implement a storm water program on a watershed basis, as encouraged by EPA.

What Is EPA Proposing?

Under the proposed rule, to satisfy this minimum control measure, the owner or operator of a regulated small MS4 would need to:

- Comply with applicable State, Tribal, and local public notice requirements; and
- Determine the appropriate best management practices (BMPs) and measurable goals for this minimum control measure. Some implementation approaches, BMPs (i.e., the program actions and activities), and measurable goals are suggested below.

What Are Some Guidelines for Developing and Implementing This Measure?

Owners or operators of regulated small MS4s should include the public in developing, implementing, and reviewing their storm water management programs. The public participation process should make every effort to reach out and engage all economic and ethnic groups. EPA recognizes that there are challenges associated with public involvement. Nevertheless, EPA strongly believes that these challenges can be addressed through an aggressive and inclusive program. Challenges and example practices that can help ensure successful participation are discussed below.

Implementation Challenges

The best way to handle common notification and recruitment challenges is to know the audience and think creatively about how to gain its attention and interest. Traditional methods of soliciting public input are not always successful in generating interest, and subsequent involvement, in all sectors of the community. For example, municipalities often only use advertising in local newspapers to announce public meetings and other opportunities for public involvement. Since there may be large sectors of the population who do not read the local press, the audience reached may be limited. Therefore, alternative advertising methods should be used whenever possible, including radio or television spots, postings at bus or subway stops, announcements in neighborhood newsletters, announcements at civic organization meetings, distribution of flyers, mass mailings, door-to-door visits, telephone notifications, and multilingual announcements. These efforts, of course, are tied closely to the efforts for the public education and outreach minimum control measure (see Fact Sheet 2.3).

In addition, advertising and soliciting for help could and should be targeted at specific population sectors, including ethnic, minority, and low-income communities; academia and educational institutions; neighborhood and community groups; outdoor recreation groups; and business and industry. The goal is to involve a diverse cross-section of people who could offer a multitude of concerns, ideas, and connections during the process.

Possible Practices (BMPs)

There are a variety of practices that could be incorporated into a public participation and involvement program, such as:

- **Public meetings/citizen panels** allow citizens to discuss various viewpoints and provide input concerning appropriate storm water management policies and BMPs;
- **Volunteer water quality monitoring** gives citizens first-hand knowledge of the quality of local water bodies and provides a cost-effective means of collecting water quality data;
- **Volunteer educators/speakers** who can conduct workshops, encourage public participation, and staff special events;

- **Storm drain stenciling** is an important and simple activity that concerned citizens, especially students, can do;
- **Community clean-ups** along local waterways, beaches, and around storm drains;
- **Citizen watch groups** can aid local enforcement authorities in the identification of polluters; and
- **“Adopt A Storm Drain” programs** encourage individuals or groups to keep storm drains free of debris and to monitor what is entering local waterways through storm drains.

What Would Be Appropriate Measurable Goals?

Measurable goals, which would be required for each minimum control measure, are meant to help gauge permit compliance and program effectiveness. The measurable goals, as well as the BMPs, would greatly depend on the needs and characteristics of the owner/operator and the area served by its small MS4. The measurable goals should be chosen using an integrated approach that would fully address the requirements and intent of the minimum control measure. An integrated approach for this minimum measure could include the following measurable goals:

| <u>Target Date</u> | <u>Activity</u> |
|--------------------|---|
| 1 year..... | Notice of a public meeting in several different print media and bilingual flyers; citizen panel established; volunteers organized to locate outfalls/illicit discharges and stencil drains. |
| 2 years..... | Final recommendations of the citizen panel; radio spots promoting program and participation. |
| 3 years..... | A certain percentage of the community participating in community clean-ups. |
| 4 years..... | Citizen watch groups established in a certain percentage of neighborhoods; outreach to every different population sector completed. |

For Additional Information

Contact

- ☞ U.S. EPA Office of Wastewater Management
 - Phone : 202 260-5816
 - E-mail: SW2@epa.gov
 - Internet: www.epa.gov/owm/sw2.htm

Reference Documents

- ☞ Storm Water Phase II Proposed Rule Fact Sheet Series.
 - Contact the U.S. EPA Water Resource Center at 202 260-7786 or at waterpubs@epa.gov
 - Internet: www.epa.gov/owm/sw2.htm
- ☞ Storm Water Phase II Proposed Rule, published on Jan. 9, 1998 in the *Federal Register* (63 FR 1536).
 - Internet: www.epa.gov/owm/sw2.htm