

City of Fairfax, Virginia

Municipal Separate Storm Sewer (MS4)
Program Plan



City of Fairfax, Virginia
Public Works – Stormwater
10455 Armstrong Street, Room 200
Fairfax, VA 22030

Version 05/2024

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MS4 PROGRAM PLAN RECORD OF REVISIONS

Revisions to the MS4 Program Plan are expected as part of the iterative process to reduce pollutant loading and protect water quality to the maximum extent practicable (MEP). The City must summarize revisions to the MS4 Program Plan as part of the MS4 annual reporting process and document these modifications in **the space below**.

MS4 Program Plan Revisions

Revision Date	Program Plan Section	Revision Description	Effective Date
06/2022	Appendix 1	Update of BMP 2A to include additional SOP language	07/2022
05/2024	All	Update to reflect 2023 MS4 General Permit Reissuance	05/2024



MS4 PROGRAM PLAN CERTIFICATION

As required by the MS4 General Permit, Part IV K 4

"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."

Name: Satoshi Eto

Signature: _____

Title: Public Works Program Manager

Date: 05-30-2024

ACRONYMS

The following acronyms are utilized in this document.

BMP	Best Management Practice
CBPA	Chesapeake Bay Preservation Act
CDP	City of Fairfax, VA – Department of Community Development and Planning
CFD	City of Fairfax, VA Fire Department
City	City of Fairfax, VA
CWA	Federal Clean Water Act
DEQ	Virginia Department of Environmental Quality
DPR	City of Fairfax, VA – Department of Parks and Recreation
DPW	City of Fairfax, VA – Department of Public Works
DPW – AED	DPW – Administration and Environmental Division
DPW – Operations	DPW – Operations Division
DPW – Streets	DPW – Streets Division
DPW – Wastewater	DPW – Wastewater Division
ESC	Environmental Sustainability Committee
EPA	United States Environmental Protection Agency
ESC	Erosion and Sediment Control
FPS	City of Fairfax Public Schools
GH	Good Housekeeping
GIS	Geographic Information System
GMU	George Mason University
HUC	Hydrologic Unit Code
IDDE	Illicit Discharge Detection and Elimination
MCM	Minimum Control Measure
MEP	Maximum Extent Practicable
MOA	Memorandum of Agreement
MS4	Municipal Separate Storm Sewer System
NMP	Nutrient Management Plan
NPDES	National Pollutant Discharge Elimination System
NVRC	Northern Virginia Regional Commission
NVCWP	Northern Virginia Clean Water Partners
NVSWCD	Northern Virginia Soil and Water Conservation District
PEOP	Public Education and Outreach Program
PFM	Public Facilities Manual
POTW	Publicly Owned Treatment Works



POC	Pollutants of Concern
PY	Permit Year
SOP	Standard Operating Procedure
SWCB	State Water Control Board
SWM	Stormwater Management
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
UA	United States Census Bureau Urbanized Area
US	United States
VA	Virginia
VAC	Virginia Administrative Code
VCAP	Virginia Conservation Assistance Program
VESCP	Virginia Erosion and Sediment Control Program
VDOT	Virginia Department of Transportation
VPDES	Virginia Pollutant Discharge Elimination System
VSMP	Virginia Stormwater Management Program

MS4 PROGRAM PLAN REFERENCE LIBRARY - DOCUMENTS

The following documents are referenced in this document and are necessary for the implementation of the MS4 Program. These documents, combined with the MS4 Program Reference Web Pages, are identified as the City’s MS4 Program Plan Reference Library.

Name	Version Date
City of Fairfax MS4 General Permit – Notice of Coverage	11/2023
City of Fairfax Stormwater Public Education and Outreach Opportunities and Documentation Form	03/2022
City of Fairfax Stormwater Public Participation Initiative and Documentation Form with Northern Virginia SWCD MOU	03/2022
Northern Virginia Regional Commission FY22 NVCWP Invoice	01/2022
Notice of Potential Physically Interconnected Stormwater Systems – Fairfax County	10/2015
Notice of Potential Physically Interconnected Stormwater Systems – George Mason University	10/2015
Notice of Potential Physically Interconnected Stormwater Systems – VDOT	10/2015
Illicit Discharge Detection and Elimination Procedures	03/2021
City of Fairfax Site Plan Package	10/2016
City of Fairfax House Grading Plan	10/2016
ESC Policies and Procedures – Inspection	03/2022
ESC Policies and Procedures – Enforcement	03/2022
City of Fairfax – DEQ VSMP Authorization	07/2014
City of Fairfax VSMP Responsibility Chart	07/2014
VSMP Policies and Procedures – General Overview	07/2014
VSMP Authority Permit Application (>1 acre)	07/2014
VSMP Authority Permit Application (<2,500 sq. ft. – <1 acre)	07/2014
Standard Best Management Practices Facilities Maintenance and Monitoring Agreement	02/2018
VSMP Policies and Procedures – Inspection	03/2022
VSMP Policy and Procedures – Enforcement	03/2022
VSMP Policy and Procedures – City SWM Facility Inspection & Maintenance	03/2022
VSMP Policy and Procedures – Private SWM Facility Inspection & Maintenance	03/2022
GH SOP – General Pollution Prevention and Good Housekeeping	03/2022
GH SOP – Illicit Discharges and Spill Response	03/2022
GH SOP – Landscaping and Grounds Maintenance	03/2022
GH SOP – Non-Stormwater Discharges	03/2022
GH SOP – Road Street and Parking Lot Maintenance	03/2022
GH SOP – Storm Drainage System Cleaning	03/2022

Name	Version Date
GH SOP – Vehicle and Equipment Fueling	03/2022
GH SOP – Vehicle and Equipment Maintenance	03/2022
GH SOP – Vehicle and Equipment Washing	03/2022
High Priority Stormwater Pollution Prevention Plan – Fairfax Property Yard (Updates in original)	06/2017
Nutrient Management Plan – Daniels Run ES	01/2024
Nutrient Management Plan – Green Acres Center	01/2024
Nutrient Management Plan – Kutner Park	01/2024
Nutrient Management Plan – Katherine Johnson MS	01/2024
Nutrient Management Plan – Pat Rodio	01/2024
Nutrient Management Plan – Providence ES	01/2024
City of Fairfax Training Program	05/2024

MS4 PROGRAM PLAN REFERENCE LIBRARY – WEB PAGES

The following webpages are referenced in this document and are necessary for the implementation of the MS4 Program. These webpages, combined with the MS4 Program Reference Documents, are identified as the City’s MS4 Program Plan Reference Library.

Title	Webpage Link
Stormwater Package for Land Disturbance > 2,500 sq. ft. and < 1 acre	https://www.fairfaxva.gov/home/showpublisheddocument/6869/635975243760600000
Stormwater Package for Land Disturbance > 1 acre	https://www.fairfaxva.gov/home/showpublisheddocument/13772/637007015127200000
City of Fairfax, Virginia Code of Ordinances	https://library.municode.com/va/fairfax/codes/code_of_ordinances
City Zoning Ordinance	https://www.fairfaxva.gov/government/city-clerk/city-code
Fairfax Stormwater and Floodplain Management	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/flood-plain-information
NVCWP Only Rain Down the Drain	https://www.onlyrain.org/
"Please Clean Up After Your Pet" Video	https://www.youtube.com/watch?v=KaP-FGeRYOk
City of Fairfax Site Plan Package	https://www.fairfaxva.gov/home/showpublisheddocument/3934/636891884560030000
City of Fairfax Single Lot Grading Plan Package	https://www.fairfaxva.gov/home/showpublisheddocument/7971/636891884970200000
City of Fairfax Public Facilities Manual	https://www.fairfaxva.gov/government/public-works/public-facilities-manual
Accotink Creek Chloride TMDL Action Plan, 2021	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/municipal-separate-storm-sewer-system-ms4
Accotink Creek Sediment TMDL Action Plan, 2021	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/municipal-separate-storm-sewer-system-ms4
Bull Run Sediment TMDL Action Plan, 2020	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/municipal-separate-storm-sewer-system-ms4
Popes Head Creek TMDL Action Plan, 2020	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/municipal-separate-storm-sewer-system-ms4

Title	Webpage Link
Accotink Creek Fecal Coliform TMDL Action Plan, 2020	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/municipal-separate-storm-sewer-system-ms4
Difficult Run Sediment TMDL Action Plan, 2020	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/municipal-separate-storm-sewer-system-ms4
Difficult Run E. coli TMDL Action Plan, 2020	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/municipal-separate-storm-sewer-system-ms4
Occoquan River E. coli TMDL Action Plan, 2020	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/municipal-separate-storm-sewer-system-ms4
Second Phase of the Chesapeake Bay TMDL Action Plan	https://www.fairfaxva.gov/government/public-works/stormwater-and-floodplain-management/municipal-separate-storm-sewer-system-ms4

1.0 INTRODUCTION

MS4s are conveyances, or a system of conveyances, owned and operated by government entities that are designed or used in the collection or conveyance of stormwater runoff and are not part of a combined sewer or part of a Publicly Owned Treatment Works (POTW). Discharges from MS4s are classified as point sources of pollutants as a result of 1987 modifications to the federal Clean Water Act (CWA). Operators of regulated MS4s, identified as small, medium, or large MS4s in regulatory language, are required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for their MS4 discharges. Under the first phase of NPDES permit implementation, operators of medium and large MS4s were required to obtain individual NPDES permits. Operators of small MS4s were required to obtain NPDES permit coverage for their discharges as part of the second phase of regulatory implementation. The number of regulated small MS4s is not static and continues to increase based on population growth identified in each US Census.

1.1 MS4 Permitting in Virginia

The federal Environmental Protection Agency (EPA) has delegated authority to the Commonwealth of Virginia to implement the NPDES program within its jurisdictional boundaries. As such, DEQ, under the oversight of the SWCB, issued its first VPDES MS4 General Permit in 2003, under which operators of small MS4s in Virginia, including the City, obtained coverage, and agreed to comply with the permit conditions. As a general permit, the MS4 General Permit has a five-year lifespan. As such, the City must reapply for coverage under a renewed general permit and agree to comply with the renewed general permit conditions. The currently applicable MS4 General Permit became effective November 1, 2023, and will expire on October 31, 2028.

1.2 MS4 Permitting and City of Fairfax

The City is an independent political subdivision of the Commonwealth of Virginia (local government) that encompasses approximately 6.2 square miles in the center of Fairfax County, VA. The entire City lies within the 2020 US Census Washington DC-VA-MD Urbanized Area boundaries.

The City has maintained coverage under a MS4 General Permit since Virginia's initial 2003 permit issuance. During such time, the City has continued to implement both structural and non-structural best management practices (BMPs) to comply with the conditions of each successive permit. The City received its Notice of Coverage under the MS4 General Permit on November 1, 2023.

By applying for and receiving coverage under the MS4 General Permit, the City agrees to comply with the MS4 General Permit conditions and authorizations specific to City MS4 discharges. This includes the development, implementation, and enforcement of an MS4 Program that is designed to reduce the discharge of pollutants to the maximum extent practicable (MEP), protect water quality, and satisfy the appropriate water quality requirements of the State Water Control Law and its attendant regulations. This MS4 Program Plan describes the BMPs chosen by the City as part of its MS4 Program and provides guidance for the City in MS4 Program implementation.

1.3 Virginia MS4 General Permit

The current MS4 General Permit authorizes the City to discharge stormwater from its MS4 in accordance with its conditions. The MS4 General Permit applies to all discharges from City-owned or operated stormwater conveyances that are not covered under a separate VPDES permit. The MS4 General Permit is the legal authority upon which City VPDES compliance is determined. Failure to meet the conditions and requirements contained in the MS4 General Permit can lead to State or Federal authority

compliance actions. Under the CWA, third parties may also utilize citizens' lawsuits to ensure compliance.

The MS4 General Permit is divided into the following four (4) parts: Part I – Discharge Authorization and Special Conditions; Part 2 – Total Maximum Daily Load (TMDL) Special Conditions; Part III – DEQ BMP Warehouse Reporting; and Part IV – Conditions Applicable to all State and VPDES Permits.

Part I – Discharge Authorization and Special Conditions

Part I of the MS4 General Permit contains the MS4 Program Plan and Annual Reporting requirements, as well as the requirements for each of the following six (6) Minimum Control Measures (MCMs):

- MCM 1 – Public Education and Outreach
- MCM 2 – Public Involvement and Participation
- MCM 3 – Illicit Discharge Detection and Elimination
- MCM 4 – Construction Site Stormwater Runoff and Erosion and Sediment Control
- MCM 5 – Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands
- MCM 6 – Pollution Prevention and Good Housekeeping for Facilities Owned and Operated by the City

Part II – Total Maximum Daily Load (TMDL) Special Conditions

Part II of the MS4 General Permit contains special conditions specific to how the City must address discharges to impaired waters that have a TMDL. The MS4 General Permit contains two special conditions, both of which apply to the City. The first is the Chesapeake Bay TMDL Special Condition, which applies to all MS4s discharges in the Chesapeake Bay watershed. The second establishes the MS4 General Permit's special conditions for addressing discharges to local impaired local waters with an approved TMDL.

Part III – DEQ BMP Warehouse Reporting

Part III of the MS4 General Permit contains the requirements for reporting information on BMPs using the DEQ BMP Warehouse, including reporting new BMPs, reporting newly discovered BMPs that were not previously reported, and reporting the most recent inspection date for BMPs inspected between July 1 and June 30.

Part IV – Conditions Applicable to all State and VPDES Permits

Part IV of the MS4 General Permit is comprised of standard VPDES permit conditions including, but not limited to, records retention, reporting of unauthorized discharges and unusual discharges, signatory requirements, certification requirements, and authorization for DEQ entry to conduct inspections.

The official Commonwealth of Virginia MS4 General Permit, effective as of November 1, 2023, can be found at <https://law.lis.virginia.gov/admincode/title9/agency25/chapter890/>.

2.0 MS4 PROGRAM PLAN

The purpose of this MS4 Program Plan is to provide and maintain a clear and concise description of the BMPs selected by the City for implementation under MS4 General Permit.

2.1 MS4 Program Plan Menu of BMPs

This MS4 Program Plan includes individual BMPs chosen for implementation by the City. BMPs applicable for each MCM or Special Condition are referenced in the applicable MS4 Program Plan section. Appendix A summarizes each BMP selected for implementation to satisfy the requirements of the MS4 General Permit and identifies the specific referenced documents and webpages specific to each BMP listed in the preface of this document. The MS4 Program Plan Reference Documents and MS4 Program Plan Reference Web Pages are collectively known as the Reference Library and are included in the preface of the MS4 Program Plan. The MS4 Program Plan Reference Documents are available for public review by contacting the Department of Public Works-Administration and Engineering Division (DPW-AED).

2.2 MS4 Program Plan Updates

The MS4 Program Plan is intended to guide the City on implementation in a manner compliant with the MS4 General Permit. However, MS4 program implementation is an iterative process and revisions to the MS4 Program Plan are expected throughout the five-year MS4 General Permit cycle. The MS4 Program Plan must be reviewed annually as part of City MS4 annual reporting process. Revisions must be made as necessary and summarized in each annual report. Each iteration of the MS4 Program Plan should be saved as an updated version with the effective date identifying the version. Additionally, City staff must be informed of MS4 Program Plan modifications if the revisions alter their day-to-day operations.

To ensure that impacted City employees have access to the up-to-date documents and webpage links, the current information must be maintained in the Reference Library. To ensure this, DPW-AED must:

- Update the individual BMPs in Appendix A to reflect any modifications in their implementation.
- Insert the updated material into the Reference Library, when applicable and update the version date in the Reference Library.
- Document the modification of the MS4 Program Plan in the MS4 Program Plan Record of Revisions table on Page iv of this document.
- Notify impacted City Departments or Partner Organizations of the newly developed or modified document, material, or MS4 Program Plan element.

2.3 MS4 Program Plan and its Relationship to Other City Programs

The MS4 Program Plan is the link between City programs and the MS4 General Permit conditions. While MS4 General Permit conditions and requirements apply to all City activities and actions, all City activities and actions are not implemented solely to address the MS4 General Permit requirements. Similarly, individual activities and actions are often impacted by other regulatory mandates that influence their application. As such, the MS4 Program Plan identifies the roles, responsibilities, and efforts undertaken to comply with MS4 General Permit conditions, such as the implementation of standard operating procedures (SOPs), while also identifying the existing City programs applicable for meeting MS4 General Permit requirements, such as the City's local Virginia Erosion and Sediment Control Program (VESCP) and Virginia Stormwater Management Program (VSMP).

3.0 CITY OF FAIRFAX'S MS4 PROGRAM PLAN ADMINISTRATION

The conditions and requirements contained in the MS4 General Permit for discharges from the City's MS4 apply to all discharges from City-owned or operated storm drainage conveyances located within the City. Section 3 of this MS4 Program Plan describes the roles and responsibilities of City departments, agencies, and partners in administering the MS4 Program Plan.

3.1 Roles and Responsibilities

Many City departments and agencies share responsibility in ensuring that their individual department's activities and actions are compliant with MS4 General Permit requirements. DPW-AED is responsible for the administrative oversight of the City's efforts and includes, among other responsibilities, coordinating with and aiding other City departments and agencies in MS4 Program Plan implementation and communicating with DEQ, other regulatory agencies, and the general public.

3.1.1 City of Fairfax Departments

A City organizational chart is provided in **Figure 1**. Individual City department roles and responsibilities in the implementation of the MS4 Program Plan are summarized in **Table 1**.

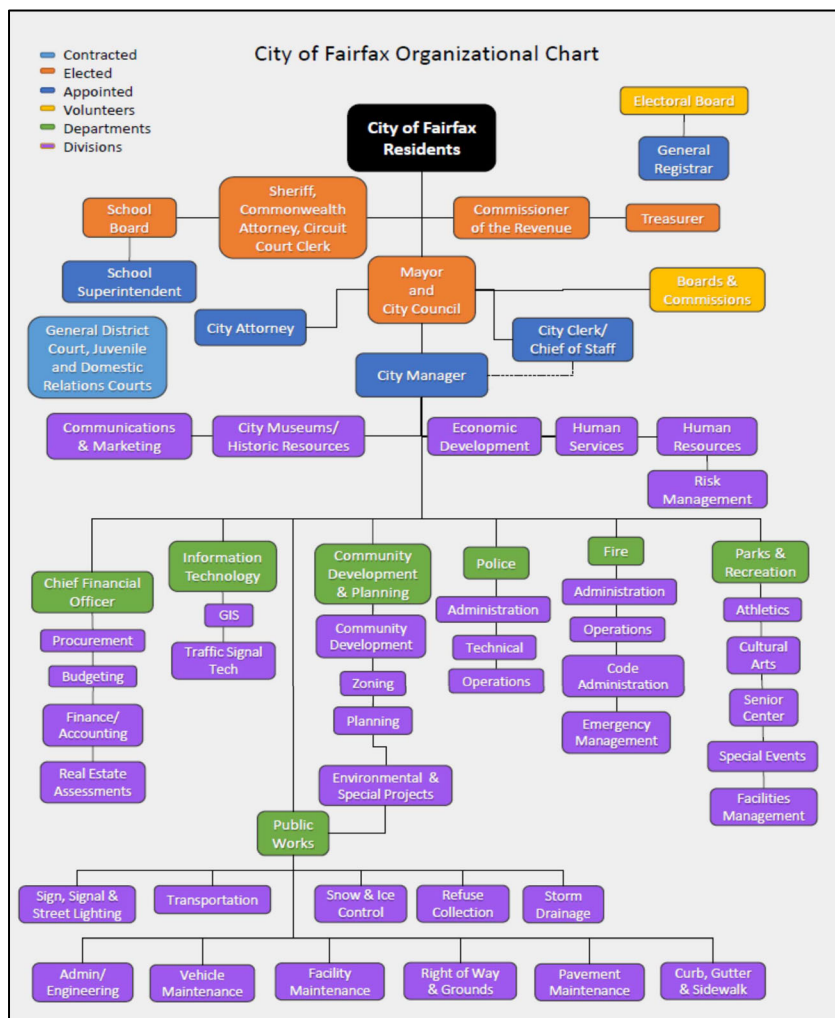


Figure 1. City of Fairfax Organizational Chart

Table 1. Department/Agency-Specific MS4 Program Plan Implementation Role, and Applicable MCM

Department/Agency	MS4 Program Plan Implementation Role	Applicable MCM
City Attorney	Provide legal assistance in the enforcement of City ordinances utilized to implement the MS4 Program Plan.	All
	Review contracts and other legal documents to ensure legal documents are consistent with the MS4 Program Plan.	
City Manager	Provide administrative support to ensure necessary resources and inter-departmental cooperation is secured and to ensure compliance with applicable laws and regulations.	All
	Signatory authority.	
Communication & Marketing	Serves as a general inquiry center for city government-related information, managing a comprehensive communications program to keep residents, business owners, visitors, and the media informed of municipal services and activities. Manage Channel 12 (TV), publish Cityscene, the City’s monthly newsletter, and administer the City’s social media outlets (e.g., YouTube, and Facebook).	MCM 1 & MCM 2
Community Development & Planning (CDP)	Assist with the implementation of the VESCP and VSMP by acting as the central hub for City permitting. CDP coordinates with DPW-AED on ensuring land disturbing and development plans are approved before City permit issuance.	MCM 4 & MCM 5
	Approve erosion and sediment control plans.	MCM 4
Public Works – Administration and Engineering Division (DPW-AED)	Administration of the MS4 Program. DPW-AED is responsible for the implementation of all portions of the MS4 Program Plan not specifically assigned to other City departments. Provide guidance regarding MS4 Program Plan implementation to other City departments, agencies, and contractors.	MCM 1 & MCM 2 MCM 3 & MCM 4 MCM 5 & MCM 6
	Maintain on City-owned or operated SWM facilities.	MCM5
	Inspection and ensure compliance of privately operated SWM facilities	MCM 5
	Implement pollution prevention and good housekeeping practices at City projects.	MCM 6
	Organize training events as specified in the MS4 Training Program.	MCM 6

Department/Agency	MS4 Program Plan Implementation Role	Applicable MCM
Department of Public Works (DPW)	Provide refuse pickup and disposal as part of cleanup programs. Coordinate with Community Appearance Committee efforts.	MCM 2
	Implement the Wastewater Lateral Repair and Replacement Program.	MCM 2
	Eliminate illicit discharges of wastewater originating from the public sanitary infrastructure.	MCM 3
	Monitor for illicit discharges as part of normal operations.	MCM 3
	Implement pollution prevention and good housekeeping standard operating procedures (SOPs) at City facilities.	MCM 6
	Implement City Property Yard SWPPP.	MCM 6
	Participate in training events as specified in the MS4 Training Plan.	MCM 6
	Perform maintenance and cleaning of public storm drainage conveyance structures.	MCM 6
	Implement the City Property Yards SWPPP.	MCM 6
	Participate in training events as specified in the MS4 Training Plan.	MCM 6
Code Administration / Fire Department	Investigate reports of illicit discharges and enforce City Code to eliminate illicit discharges (Fire Marshal’s Office).	MCM 3
	Respond to spills and hazardous materials releases.	MCM 3
	Emergency response hazardous materials training.	MCM 6
Parks & Recreation	Coordinate public stream clean-ups in City parks.	MCM 2
	Implement pollution prevention and good housekeeping SOPs at Park facilities and projects.	MCM 6
	Implement Nutrient Management Plans (NMPs).	
	Participate in training events as specified in the MS4 Training Plan.	
Police Department	Provide a point of contact for public reporting of illicit discharges during non-business hours.	MCM 3
	Enforce Animal Control Ordinance (Chapter 6 of the City Code of Ordinances) compliance regarding pet wastes.	MCM 3

3.1.2 Partner Organizations

The City partners with public organizations to administer local government services when it is beneficial to the City. These partnerships are part of a broader local government services provision mechanism and not necessarily specific to implementing MS4 Program Plan. Partner organizations, along with their relationship to the City and their role specific to MS4 Program Plan implementation are contained in **Table 2**.

Table 3. Partner Organizations and their Potential Involvement in the City of Fairfax’s MS4 Program Plan Implementation

Organization	Relationship	Role	Legal Agreement	MCM
Environmental Sustainability Committee (ESC)	Volunteer Committee that advises the City Council and all other Board & Commissions on environmental and energy conservation issues.	Sponsor opportunities for speaking engagements as a Public Education and Outreach (MCM 1).	N/A	MCM 1
		Sponsor educational events as an opportunity for Public Involvement and Participation (MCM 2).		MCM 2
City of Fairfax Public Schools (FPS)	FPS is a separate local government entity that receives funding from the City. FPS land disturbing projects are permitted through the City’s VSMP program. FPS stormwater management facilities are inspected and maintained by the City’s DPW.	Eliminate illicit discharges on FPS properties upon City notification.	School Services Agreement	MCM 3
		Obtain land disturbing permits through CDP.		MCM 4 & MCM 5
		Implement written pollution prevention and good housekeeping SOPs at FPS facilities.		MCM 6
		Participate in City training as outlined in the City training plan.		MCM 6
Northern Virginia Clean Water Partners (NVCWP)	NVCWP is a regional partnership overseen by the Northern Virginia Regional Commission (NVRC) that implements a regional public education and outreach program.	NVCWP implements the <i>Only Rain Down the Drain</i> regional stormwater education initiative and other outreach initiatives agreed upon by members of the Partnership. Initiatives include surveys to gauge public awareness of stormwater issues.	Annual dues paid to the NVRC to cover the cost of the NVCWP	MCM 1
Northern Virginia Soil and Water Conservation District (NVSWCD)	The City established an independent partnership with NVSWCD to extend Virginia Conservation Assistance Program (VCAP) eligibility to City property owners.	NVSWCD administers the VCAP program within the City boundaries. The City promotes VCAP as part of its public involvement program.	NVSWD Memorandum of Understanding	MCM 2

Organization	Relationship	Role	Legal Agreement	MCM
George Mason University (GMU)	GMU conducts stormwater monitoring for the City as part of its TMDL Action Plan implementation.	GMU acts as a contractor for the City in completing bacteria sampling as part of the City's TMDL Action Plan implementation.	Annual purchase order to pay GMU to conduct requested monitoring	TMDL Special Conditions

3.2 Legal Authorities

Implementation of the MS4 Program Plan requires that the City formalize numerous legal authorities. These necessary legal authorities are summarized in **Table 3**.

Table 3. City of Fairfax Stormwater Legal Authorities Summary

Legal Authority	Code Summary	Relationship to MS4 Program Plan
City Code, Chapter 6 – Animals	Requires parties to immediately remove a dog's excrement from any property other than the dog owner's property.	General bacteria pollutant reduction
		Bacteria TMDL implementation
City Code, Chapter 110 – Zoning	<p>The City's Zoning Ordinance provides the necessary legal authorities to implement the following stormwater-related programs:</p> <ul style="list-style-type: none"> Floodplain protection Erosion and sediment control Post-construction stormwater management Chesapeake Bay Preservation Act (CBPA) Illicit Discharge Detection and Elimination (IDDE) 	Illicit discharge prohibition
		Address discharges from regulated construction activities
		Require post development stormwater management from regulated new development and redevelopment on prior developed lands
		Enforce long-term stormwater facility maintenance responsibilities
Public Facilities Manual (PFM)	The PFM contains the information needed by design engineers, developers, and contractors to facilitate design, development, and construction of municipal infrastructure within the City of Fairfax service area. The City utilizes the PFM for providing design standards for private development, as well.	Erosion and sediment control (ESC) requirements
		Post-development stormwater management requirements
		Pollution prevention requirements

Web page links to the current version of the **City of Fairfax Virginia Code of Ordinances**, the **City Zoning Ordinance**, and the **City's PFM** are provided in the Reference Library.

The City has developed additional policies, procedures, guidance, and other documents based on its legal authorities. These additional materials are referenced throughout the MS4 Program Plan and Reference Library. Digital copies of the most current versions of these materials are available from DPW-AED.

3.3 Specific Compliance Dates/Schedules

The MS4 General Permit contains compliance requirements that are either part of an annual compliance schedule or a one-time compliance requirement. These compliance items and associated compliance dates are identified in Sections 4 and 5 of this MS4 Program Plan.

3.3.1 MS4 Annual Reporting to DEQ

As a condition of the MS4 General Permit, the City is required to submit to DEQ an MS4 Annual Report no later than October 1 of each year. Each MS4 Annual Report is required to include the information specified throughout the MS4 General Permit regarding the City’s accomplishments completed between July 1 of the previous year and June 30 of the current year as identified in **Table 4**.

Table 4. Annual MS4 Reporting Dates

Permit Year (PY)	PY Reporting Period		Annual Report Due Date	Responsible City Department
	Begins	Ends		
PY1	July 1, 2023	June 30, 2024	October 1, 2024	DPW-AED
PY2	July 1, 2024	June 30, 2025	October 1, 2025	DPW-AED
PY3	July 1, 2025	June 30, 2026	October 1, 2026	DPW-AED
PY4	July 1, 2026	June 30, 2027	October 1, 2027	DPW-AED
PY5	July 1, 2027	June 30, 2028	October 1, 2028	DPW-AED

Each MS4 Annual Report must include the following information:

- The permittee, system name, and permit number (**City of Fairfax, Virginia; City of Fairfax MS4; VAR040064**)¹;
- The reporting period for which the MS4 Annual Report is being submitted (**See Table 5**);
 - A signed certification² by a principal executive officer, ranking elected official, or an individual employed in a duly authorized position (**see Signatory Authorizations at the beginning of this MS4 Program Plan**);
- Each annual reporting item specified in one of the six (6) MCMs;
- An evaluation of the MS4 program implementation, including a review of each MCM, to determine the MS4 Program’s effectiveness and whether changes to the MS4 Program Plan are necessary;³

¹ DEQ Notice of Coverage under the MS4 General Permit is included in the Reference Library.

² All persons signing a document for which a signature is required must make the following certification, "*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.*"

³ In accordance with the MS4 General Permit, the MS4 Program Plan and all MS4 Annual Reports are to be maintained separately. Proposed modifications identified and listed in an MS4 Annual Report must be incorporated separately into a revised MS4 Program Plan.

- A status report on the implementation of the local TMDL Action Plans, including the specific reporting requirements identified in the MS4 General Permit Special Condition Part II B for local TMDLs in which the City MS4 has been allocated a pollutant wasteload; and
- A summarized list of MS4 Program Plan modifications.

Each MS4 Annual Report covering the term of the MS4 General Permit will be placed on the City Stormwater webpage and be considered part of the Reference Library.

3.3.2 Chesapeake Bay TMDL Implementation Annual Status Report

As a condition of the MS4 General Permit, the City is required to submit to DEQ a Chesapeake Bay TMDL implementation annual status report in a method (i.e., how the permittee must submit) and format (i.e., how the report shall be laid out) as specified by the department no later than October 1 of each year. The report shall cover the previous year from July 1 to June 30. Additional requirements are contained in Section 5.1.

3.3.3 Duty to Reapply for Continued MS4 General Permit Coverage

Per the MS4 General Permit, Part IV M, the City must submit a new Registration Statement to DEQ before Wednesday, August 3, 2028, unless a later date is granted by DEQ.

4.0 MCM BMPs AND STRATEGIES

The six (6) MCMs form the MS4 General Permit's backbone and make up the basics of what is required in the City's MS4 Program and MS4 Program Plan. Each MCM requires the City to address several specific requirements throughout the MS4 General Permit cycle. This section identifies the following for each of the MCMs:

- Permit conditions for the specific MCM;
- BMPs and strategies selected and implemented by the City; and
- Reference library documents necessary for implementation of the identified BMPs and strategies.

Descriptions of individual BMPs and strategies are found in the MS4 Program Plan Menu of BMPs. Each individual BMP description in the Menu of BMPs includes:

- Description of selected BMPs and strategies
- Objective/expected results
- SOPs or policies necessary to implement BMP
- Department(s) responsible for implementing BMP
- Measurable goal by which each BMP or strategy will be evaluated
- Method utilized to determine the effectiveness
- Compliance dates/ schedules
- Annual reporting requirements

4.1 MCM 1 – Public Education and Outreach

MCM 1 contains the expectations and requirements of the City's efforts to increase public knowledge and awareness regarding stormwater pollution, community impacts on water quality, and local water quality concerns.

4.1.1 MS4 General Permit Compliance Requirements

The City is required to implement a public education and outreach program (PEOP) that is designed to:

- Increase the public's knowledge of how to reduce stormwater pollution, placing priority on reducing impacts to impaired waters and other local water pollution concerns;
- Increase the public's knowledge of hazards associated with illicit discharges and improper disposal of waste, including pertinent legal implications; and
- Implement a diverse program with strategies that are targeted toward individuals or groups most likely to have significant stormwater impacts.

The City is required to select and utilize two (2) or more strategies listed in the MS4 General Permit Table 1 in communicating with the public the high-priority stormwater issues identified per Part I E 1 B, including how to reduce stormwater pollution (Table 5).

Table 5. MS4 Strategies for Public Education and Outreach (MS4 General Permit – Table 1)

Strategies	Examples (provided as examples and are not meant to be all-inclusive or limiting)
Traditional Written Materials	Informational brochures, newsletters, fact sheets, utility bill inserts, or recreational guides for targeted groups of citizens
Alternative Materials	Bumper stickers, refrigerator magnets, t-shirts, or drink koozies
Signage	Temporary or permanent signage in public places or facilities, vehicle signage, billboards, or storm drain placards
Media Materials	Information disseminated through electronic media, radio, televisions, movie theater, newspaper, or GIS story maps
Speaking Engagements	Presentations to school, church, industry, trade, special interest, or community groups
Curriculum Materials	Materials developed for school-aged children, students at local colleges or universities, or extension classes offered to local citizens
Training Materials	Materials developed to disseminate during workshops offered to local citizens, trade organizations, or industrial officials
Public education activities	Booth at community fair, demonstration of stormwater control projects, presentation of stormwater materials to schools to meet applicable education Standards of Learning or curriculum requirements, or watershed walks
Public meetings	Public meetings on proposed community stormwater management retrofits, green infrastructure redevelopment, ecosystem restoration projects, TMDL development, climate change's effects on stormwater management, voluntary residential low impact development, or other stormwater issues

4.1.2 High Priority Stormwater Issues

The City has identified the three following high priority stormwater issues for emphasis in their public education and outreach efforts:

- **Bacteria Pollution.** The rationale for the selection of bacteria pollution as a high-priority stormwater issue is that the majority of the City MS4 drainage area discharges to local waterbodies for which bacteria TMDLs have been developed. The City's MS4 discharges to

Accotink Creek, Difficult Run, Popes Head Creek, and the Occoquan River – all of which suffer from bacterial impairments and for which TMDLs have been developed and approved.

- **Nutrient Pollution.** The rationale for the selection of nutrient pollution as a high-priority stormwater issue is that the City discharges to the Chesapeake Bay. The Chesapeake Bay TMDL has identified nutrients as a source of impairment to the Bay.
- **Illicit Discharge of Chemical Contaminants.** The rationale for the selection of illicit discharge of chemical contaminants as a high-priority stormwater issue is that the City is already developed. As such, the majority of the pollutants entering the MS4 enter the drainage system either through direct discharge or by being washed into the drainage system during wet weather events. The elimination of both the direct discharges and the proper control and management of potential chemical contaminants will reduce pollutants in the City MS4 discharges.

The City has partnered with other Northern Virginia localities and MS4s to form the NVCWP to develop uniform messaging regarding the actions and measures that the public can take to minimize the impact of high-priority stormwater issues. These measures and actions can be found at the ***NVCWP Only Rain Down the Drain*** website. Additional information specific to the City can be obtained by contacting the City's Public Works Program Manager at (703) 273-6073.

4.1.3 Selected BMPs and Strategies

The City will utilize the following BMPs as described in Appendix A to meet the MS4 General Permit requirements for MCM 1:

- **BMP 1A – Public Education and Outreach Program**

4.2 MCM 2 – Public Involvement and Participation

MCM 2 is designed to both keep the public informed of the City's efforts at minimizing pollutant discharge through its MS4 and to encourage public involvement and participation in pollution prevention efforts.

4.2.1 MS4 General Permit Compliance Requirements

The City is required to develop and implement procedures regarding public communication and participation that address:

- Receiving public reporting of potential illicit discharges, improper disposal, or spills to the MS4, complaints regarding land disturbing activities, or other potential stormwater pollution concerns;
- Receiving public input on the permittee's MS4 program plan;
- Responding to public input received on the MS4 program plan or complaints; and
- Maintaining documentation of public input received on the MS4 program and associated MS4 program plan and the permittee's response.

The City is required to maintain a website dedicated to the MS4 Program and stormwater pollution prevention. The webpage, which was required to be updated by February 1, 2024, must provide public access to the following:

- The effective MS4 General Permit and coverage letter;
- The most current MS4 Program Plan or location where the MS4 Program Plan can be obtained;
- The annual report for each year of the term covered by this permit;

- The most current Chesapeake Bay TMDL action plan or location where the Chesapeake Bay TMDL action plan can be obtained;
- The Chesapeake Bay TMDL implementation annual status reports or location where the Chesapeake Bay TMDL implementation annual status reports can be obtained;
- A mechanism for the public to report potential illicit discharges, improper disposal, or spills to the MS4, complaints regarding land disturbing activities, or other potential stormwater pollution prevention concerns in accordance with Part I E 2 a (1); and
- Methods for the public to provide comments on the MS4 Program Plan in accordance with Part I E 2 a (2) and the Chesapeake Bay TMDL action plan in accordance with Part II A 13.

The City is required to provide no less than four (4) opportunities annually for the public to be involved with the improvement of water quality and to support local restoration and clean-up projects. The opportunities must correspond with at least two (2) of the categories listed in Table 2 of the MS4 General Permit (**Table 6**).

Table 6. MS4 Public Involvement Opportunities (MS4 General Permit Table 2)

Public Involvement Opportunities	Examples (provided as examples and are not meant to be all-inclusive or limiting)
Monitoring	Establish or support citizen monitoring group
Restoration	Stream, watershed, shoreline, beach, or park clean-up day, adopt-a-waterway program, tree plantings, and riparian buffer plantings
Public Education Activities	Booth at community fair, demonstration of stormwater control projects, climate change's effects on stormwater management, presentation of stormwater materials to schools to meet applicable education Standards of Learning or curriculum requirements, or watershed walks
Public Meetings	Public meetings on proposed community stormwater management retrofits, green infrastructure redevelopment, ecosystem restoration projects, TMDL development, voluntary residential low impact development, climate change's effects on stormwater management, or other stormwater issues
Disposal or Collection Events	Household hazardous chemicals collection, vehicle fluids collection
Pollution Prevention	Adopt-a-storm drain program, implement a storm drain marking program, promote the use of residential stormwater BMPs, implement pet waste stations in public areas, adopt-a-street program

4.2.2 Selected BMPs and Strategies

The City will utilize the following BMPs as described in Appendix A to meet the MS4 General Permit requirements for MCM 2:

- **BMP 2A – Public Involvement Procedures**
- **BMP 2B – Stormwater and Floodplain Management Webpage**
- **BMP 2C – Stormwater Public Participation Initiative**

4.3 MCM 3 – Illicit Discharge Detection and Elimination

MCM 3 requires the City to maintain a map of the storm sewer system owned and operated by the City and implement and enforce illicit discharge identification and elimination prohibitions and procedures, including dry weather screening.

4.3.1 MS4 General Permit Compliance Requirements

Under the MS4 General Permit, the City is required under MCM 3 to do the following:

- Update a map of the MS4 owned or operated by the City no later than 24 months after the permit effective date that includes:
 - MS4 outfalls discharging to surface waters, except as follows:
 - In cases where the outfall is located outside of the MS4 permittee's legal responsibility, the permittee may elect to map the known point of discharge location closest to the actual outfall; and
 - In cases where the MS4 outfall discharges to receiving water channelized underground, the permittee may elect to map the point downstream at which the receiving water emerges above ground as an outfall discharge location. If multiple outfalls are discharging to an underground channelized receiving water, the map shall identify that an outfall discharge location represents more than one outfall. This is an option a permittee may choose to use and recognizes the difficulties in accessing outfalls to underground channelized stream conveyances for purposes of mapping, screening, or monitoring.
 - A unique identifier for each mapped item required in Part I E 3;
 - The name and location of receiving waters to which the MS4 outfall or point of discharge discharges;
 - MS4 regulated service area; and
 - SWM facilities are owned or operated by the permittee.
- Maintain an outfall information table associated with the MS4 map that includes the following information for each outfall or point of discharge for those cases in which the permittee elects to map the known point of discharge in accordance with Part I E 3 a (1) (a). The outfall information table may be maintained as a shapefile attribute table. The outfall information table shall contain the following:
 - A unique identifier as specified on the MS4 map;
 - The latitude and longitude of the outfall or point of discharge;
 - The estimated regulated acreage draining to the outfall or point of discharge;
 - The name of the receiving water;
 - The 6th Order Hydrologic Unit Code (HUC) of the receiving water;
 - An indication as to whether the receiving water is listed as impaired in the Virginia 2022 305(b)/303(d) Water Quality Assessment Integrated Report; and
 - The name of any EPA-approved TMDLs for which the permittee is assigned a waste load allocation.
- No later than 24 months after permit issuance, the permittee shall submit to DEQ a format file geodatabase or two shapefiles that contain at a minimum:

- A point feature class or shapefile for outfalls with an attribute table containing outfall data elements required in accordance with Part I E 3; and
- A polygon feature class or shapefile for the MS4 service area as required in accordance with Part I E 3 a (1) (d) with an attribute table containing the following information:
 - o MS4 operator name;
 - o MS4 permit number (VAR04); and
 - o MS4 service area total acreage rounded to the nearest hundredth.
- Provide written notification to any downstream adjacent MS4 of any known physical interconnection established or discovered after the effective date of the permit.
- Prohibit through legal mechanism unauthorized non-stormwater discharges into the City’s MS4 and address authorized non-stormwater discharges or flows if the City identifies them as a significant contributor of pollutants contributing to the MS4.
- Maintain, implement, and enforce IDDE written procedures designed to detect, identify, and address unauthorized non-stormwater discharges, including illegal dumping, to the small MS4 to effectively eliminate the unauthorized discharge. Written procedures shall include:
 - A description of the legal authorities, policies, standard operating procedures, or other legal mechanisms available to the permittee to eliminate identified sources of ongoing illicit discharges including procedures for using legal enforcement authorities;
 - Dry weather field screening protocols to detect, identify, and eliminate illicit discharges to the MS4;
 - A mechanism to track required dry weather screening information, including:
 - o The unique outfall identifier;
 - o Time since the last precipitation event;
 - o The estimated quantity of the last precipitation event;
 - o Site descriptions (e.g., conveyance type and dominant watershed land uses);
 - o Whether or not a discharge was observed; and
 - o If a discharge was observed, the estimated discharge rate (e.g., width and depth of discharge flow rate) and visual characteristics of the discharge (e.g., odor, color, clarity).
 - A timeframe upon which to conduct an investigation to identify and locate the source of any observed unauthorized non-stormwater discharge;
 - Methodologies to determine the source of all illicit discharges;
 - Methodologies for conducting a follow-up investigation for illicit discharges; and
 - A mechanism to track all illicit discharge investigations to document required information.
- All file geodatabase feature classes or shapefiles shall be submitted in the following data format standards:
 - Point data in NAD83 or WGS84 decimal degrees global positional system coordinates;
 - Data projected in Virginia Lambert Conformal Conic format;

- Outfall location accuracy shall be represented in decimal degrees rounded to at least the fifth decimal place for latitude and longitude to ensure point location accuracy (e.g., 37.61741, -78.15279); and
- Metadata that shall provide a description of each feature class or shapefile dataset, units of measure as applicable, coordinate system, and projection.
- No later than October 1 of each year, the permittee shall update the MS4 map and outfall information table to include any new outfalls constructed or TMDLs approved or both during the immediately preceding reporting period.
- Provide written notification to any downstream adjacent MS4 of any known physical interconnection established or discovered after the effective date of the permit.
- Prohibit through legal mechanism unauthorized non-stormwater discharges into the City's MS4 and address authorized non-stormwater discharges or flows if the City identifies them as a significant contributor of pollutants contributing to the MS4.
- Maintain, implement, and enforce IDDE written procedures designed to detect, identify, and address unauthorized non-stormwater discharges, including illegal dumping, to the small MS4 to effectively eliminate the unauthorized discharge. Written procedures shall include:
 - A description of the legal authorities, policies, standard operating procedures, or other legal mechanisms available to the permittee to eliminate identified sources of ongoing illicit discharges including procedures for using legal enforcement authorities;
 - Dry weather field screening protocols to detect, identify, and eliminate illicit discharges to the MS4. The protocol shall include:
 - A prioritized schedule of field screening activities and rationale for prioritization determined by the permittee based on such criteria as age of the infrastructure, land use, historical illegal discharges, dumping, or cross connections;
 - If the total number of MS4 outfalls is equal to or less than fifty (50), a schedule to screen all outfalls annually.
 - If the total number of MS4 outfalls is greater than fifty (50), a schedule to screen a minimum of fifty (50) outfalls annually such that no more than 50% are screened in the previous 12-month period. The 50% criterium is not applicable if all outfalls have been screened in the previous three years.
 - The permittee may adopt a risk-based approach to dry weather screening identifying observation points based upon illicit discharge risks upstream of an outfall. Observation points may include points of interconnection, manholes, points of discharge, conveyances, or inlets suspected to have a high likelihood of receiving illicit discharges;
 - Each observation point screened may be counted as one outfall screening activity equivalent and counted towards the requirements of Part I E 3 c (2) (b) or (2) (c); however, at least 50% of the minimum annual screening events must include outfall screening;
 - Illicit discharges reported by the public and subsequent investigations may not be counted as screening events; however, once the resolution of the investigation and the date the investigation was closed has been documented, an observation point may be established for future screening events; and

- A mechanism to track required dry weather screening information, including:
 - The unique outfall identifier;
 - Time since the last precipitation event;
 - The estimated quantity of the last precipitation event;
 - Site descriptions (e.g., conveyance type and dominant watershed land uses);
 - Observed indicators of possible illicit discharge events, such as floatables, deposits, stains, and vegetative conditions (e.g., dying or dead vegetation, excessive vegetative growth);
 - Whether or not a discharge was observed;
 - If a discharge was observed, the estimated discharge rate and visual characteristics of the discharge (e.g., odor, color, clarity) and the physical condition of the outfall; and
 - For observation points, the location, downstream outfall unique identifier, and risk factors or rationale for establishing the observation point.
- A timeframe upon which to conduct an investigation to identify and locate the source of any observed unauthorized non-stormwater discharge;
- Methodologies to determine the source of all illicit discharges;
- Methodologies for conducting a follow-up investigation for illicit discharges; and
- A mechanism to track all illicit discharge investigations to document required information, which must include:
 - The dates that the illicit discharge was initially observed, reported, or both;
 - The results of the investigation, including the source, if identified;
 - Any follow-up to the investigation;
 - Resolution of the investigation; and
 - The date that the investigation was closed.

4.3.2 Selected BMPs and Strategies

The City will utilize the following BMPs as described in Appendix A to meet the MS4 General Permit requirements for MCM 1:

- **BMP 3A – Geographic Information System Mapping**
- **BMP 3B – MS4 Outfall Data Management Tracking**
- **BMP 3C – Downstream MS4 Interconnection – Operator Notification**
- **BMP 3D – Prohibition of MS4 Illicit Discharges**
- **BMP 3E – Illicit Discharge Detection and Elimination**
- **BMP 3F – Dry Weather Screening**

4.4 MCM 4 – Construction Site Stormwater Runoff and Erosion and Sediment Control

MCM 4 contains the MS4 General Permit conditions to address discharges to the MS4 from regulated construction site stormwater runoff.

4.4.1 MS4 General Permit Compliance Requirements

The MS4 General Permit conditions associated with construction site stormwater runoff are consistent with those contained in the Virginia ESC Law (§62.1-44:15:51 et seq. of the Code of Virginia) and the Virginia ESC Regulations (9VAC25-840) in which the City is required to implement a local VESCP. Under the MS4 General Permit, the City is also required to ensure the implementation of appropriate controls to prevent non-stormwater discharges to the MS4 from construction activities regulated under the City's VSMP. Employees and contractors serving as plan reviewers, inspectors, program administrators, and construction site operators shall obtain the appropriate certifications as required under the Virginia Erosion and Sediment Control Law and its attendant regulations.

4.4.2 Selected BMPs and Strategies

The City will utilize the following BMPs as described in Appendix A to meet the MS4 General Permit requirements for MCM 4:

- **BMP 4A – DEQ – Authorized VESCP**

4.5 MCM 5 – Post-Construction Stormwater Management for New Development and Development on Prior Developed Lands

MCM 5 contains the MS4 General Permit conditions to address discharges from post-development stormwater runoff.

4.5.1 MS4 General Permit Compliance Requirements

Under the MS4 General Permit, the City is required under MCM 5 to do the following:

- Address post-construction stormwater runoff that enters the MS4 from the following land disturbing activities by implementing a post-construction stormwater runoff management program as follows:
 - Implement the VSMP consistent with the Virginia Stormwater Management Act (§ 62.1-44.15:24 et seq. of the Code of Virginia) and VSMP Regulations (9VAC25-870) as well as maintain an inspection and maintenance program in accordance with Part I E 5 b and c.
- Implement an inspection and maintenance program for those stormwater management facilities owned or operated by the permittee as follows:
 - Within six months of the permit effective date, the permittee shall develop and maintain written inspection and maintenance procedures in order to ensure adequate long-term operation and maintenance of its stormwater management facilities;
 - Employees and contractors implementing the stormwater program shall obtain the appropriate certifications as required under the Virginia Stormwater Management Act and its attendant regulations;
 - The permittee shall inspect stormwater management facilities owned or operated by the permittee no less frequently than once per year. The permittee may choose to implement an alternative schedule to inspect these stormwater management facilities based on facility type and expected maintenance needs provided that the alternative schedule and rationale is included in the MS4 program plan. The alternative inspection frequency shall be no less often than once per five years; and

- If during the inspection of the stormwater management facility conducted in accordance with Part I E 5 b (2), it is determined that maintenance is required, the permittee shall conduct the maintenance in accordance with the written procedures developed under Part I E 5 b (1).
- Implement an inspection and enforcement program for stormwater management facilities not owned by the permittee (i.e., privately owned) that includes:
 - An inspection frequency of no less often than once per five years for all privately owned stormwater management facilities that discharge into the MS4; and
 - Adequate long-term operation and maintenance by the owner of the stormwater management facility by requiring the owner to develop and record a maintenance agreement, including an inspection schedule to the extent allowable under state or local law or other legal mechanism.
- Utilize legal authority for enforcement of the maintenance responsibilities in accordance with 9VAC25-870-112 if maintenance is neglected by the owner;
- The permittee may develop and implement a progressive compliance and enforcement strategy provided that the strategy is included in the MS4 program plan;
- The permittee may utilize the inspection reports provided by the owner of a stormwater management facility as part of an inspection and enforcement program in accordance with 9VAC25-870-114 C.

4.5.2 Selected BMPs and Strategies

The City will utilize the following BMPs as described in Appendix A to meet the MS4 General Permit requirements for MCM 5:

- **BMP 5A – DEQ-Authorized VSMP**
- **BMP 5B – City-Owned/Operated SWM Facility Inspections**
- **BMP 5C – City-Owned/Operated SWM Facility Maintenance**
- **BMP 5D – Private SWM Facility Inspection and Long-Term Compliance**

4.6 MCM 6 – Pollution Prevention and Good Housekeeping for City Facilities

MCM 6 defines the MS4 General Permit’s conditions and requirements for minimizing pollutant discharge associated with City facilities and operations.

4.6.1 MS4 General Permit Compliance Requirements

Under the MS4 General Permit, the City is required under MCM 6 to do the following:

- Develop and implement written pollution prevention/good housekeeping procedures for activities at facilities owned or operated by the permittee designed to:
 - Prevent illicit discharges;
 - Ensure the proper disposal of waste materials, including landscape wastes and prevent waste materials from entering the MS4;
 - Prevent the discharge of wastewater or permittee vehicle wash water not authorized in accordance with 9VAC25-890-20 D 3 u, into the MS4 without authorization under a separate VPDES permit; and
 - Minimize the pollutants in stormwater runoff.

- Written good housekeeping procedures shall be developed for the following activities:
 - Road, street, sidewalk, and parking lot maintenance and cleaning;
 - Renovation and significant exterior maintenance activities (e.g., painting, roof resealing, and HVAC coil cleaning) not covered under a separate VSMP construction general permit;
 - Discharging water pumped from construction and maintenance activities not covered by another permit covering such activities;
 - Temporary storage of landscaping materials;
 - Maintenance of permittee owned or operated vehicles and equipment (i.e., prevent pollutant discharges from leaking permittee vehicles and equipment);
 - Application of materials, including pesticides and herbicides shall not exceed manufacturer's recommendations; and
 - Application of fertilizer shall not exceed maximum application rates established by applicable nutrient management plans. For areas not covered under nutrient management plans where fertilizer is applied, application rates shall not exceed manufacturer's recommendations.
- The City cannot apply any deicing agent containing urea or other forms of nitrogen or phosphorus to parking lots, roadways, sidewalks, or other paved surfaces.
- The City shall require through the use of contract language, training, written procedures, or other measures within the permittee's legal authority that contractors employed by the permittee and engaging in activities described in Part I E 6 b follow established good housekeeping procedures and use appropriate control measures to minimize the discharge of pollutants to the MS4.
- The City must use contract language, training, standard operating procedures, or other measures within the permittee's legal authority to require that contractors employed by the permittee and engaging in activities with the potential to discharge pollutants use appropriate control measures to minimize the discharge of pollutants to the MS4. In addition, the City must develop and implement a written training plan for applicable staff and contractors that utilize the written pollution prevention/good housekeeping procedures and ensure the following:
 - Field personnel receive training in the recognition and reporting of illicit discharges no less than once per 24 months;
 - Employees performing road, street, and parking lot maintenance receive training in pollution prevention and good housekeeping associated with those activities no less than once per 24 months;
 - Employees working in and around maintenance, public works, or recreational facilities receive training in good housekeeping and pollution prevention practices associated with those facilities no less than once per 24 months;
 - Employees and contractors hired by the permittee who apply pesticides and herbicides are trained or certified by the Virginia Pesticide Control Act (§ 3.2-3900 et seq. of the Code of Virginia). Certification by the Virginia Department of Agriculture and Consumer Services (VCACS) Pesticide and Herbicide Applicator program shall constitute compliance with this requirement;

- Employees working in and around high-priority facilities with a stormwater pollution prevention plan (SWPPP) shall receive training in applicable site specific SWPPP procedures no less often than once per 24 months;
- Employees whose duties include emergency response have been trained in spill response. Training of emergency responders such as firefighters and law enforcement officers on the handling of spill releases as part of a larger emergency response training shall satisfy this training requirement and be documented in the training plan.
- The City shall maintain documentation of each training activity conducted by the permittee to fulfill the requirements of Part I E 6 d for a minimum of three years after training activity completion. The documentation shall include the following information:
 - The date when applicable employees have completed the training activity;
 - The number of employees who have completed the training activity; and
 - The training objectives and good housekeeping procedures required under Part I E 6 a covered by training activity.
- Within 12 months of permit coverage, the City shall identify any new high-priority facilities located in expanded 2020 census urban areas with a population of at least 50,000.
- Within 36 months of permit coverage, the City shall implement SWPPPs for high-priority facilities meeting the conditions of Part I E 6 i and which are located in expanded 2020 census urban areas with a population of at least 50,000.
- The permittee shall maintain and implement a site specific SWPPP for each high-priority facility as defined in 9VAC25-890-1 that does not have or require separate VPDES permit coverage, and which any of the following materials or activities occur and are expected to have exposure to stormwater resulting from rain, snow, snowmelt, or runoff:
 - Areas where residuals from using, storing, or cleaning machinery or equipment remain and are exposed to stormwater;
 - Materials or residuals on the ground or in stormwater inlets from spills or leaks;
 - Material handling equipment;
 - Materials or products that would be expected to be mobilized in stormwater runoff during loading or unloading or transporting activities (e.g., rock, salt, fill dirt);
 - Materials or products stored outdoors (except final products intended for outside use where exposure to stormwater does not result in the discharge of pollutants);
 - Materials or products that would be expected to be mobilized in stormwater runoff contained in open, deteriorated, or leaking storage drums, barrels, tanks, and similar containers;
 - Waste material except waste in covered, nonleaking containers (e.g., dumpsters);
 - Application or disposal of process wastewater (unless otherwise permitted); or
 - Particulate matter or visible deposits of residuals from roof stacks, vents, or both not otherwise regulated (i.e., under an air quality control permit) and evident in the stormwater runoff.
- No later than June 30 of each year, the permittee shall annually review any high-priority facility owned or operated by the permittee for which an SWPPP has not been developed to determine if the

facility meets any of the conditions described in Part I E 6 g. If the facility is determined to need an SWPPP, the permittee shall develop an SWPPP meeting the requirements of Part I E 6 h no later than December 31 of that same year. The permittee shall maintain a list of all high-priority facilities owned or operated by the permittee not required to maintain an SWPPP in accordance with Part I E 6 g and this list shall be available upon request.

- The permittee shall review the contents of any site specific SWPPP no later than 30 days after any unauthorized discharge, release, or spill reported in accordance with Part IV G to determine if additional measures are necessary to prevent future unauthorized discharges, releases, or spills. If necessary, the SWPPP shall be updated no later than 90 days after the unauthorized discharge.
- The SWPPP shall be kept at the high-priority facility and utilized as part of employee SWPPP training required in Part I E 6 d (4). The SWPPP and associated documents may be maintained as a hard copy or electronically as long as the documents are available to employees at the applicable site.
- If activities change at a facility such that the facility no longer meets the definition of a high-priority facility, the permittee may remove the facility from the list of high-priority facilities with a high potential to discharge pollutants.
- If activities change at a facility such that the facility no longer meets the criteria requiring SWPPP coverage as described in Part I E 6 g, the permittee may remove the facility from the list of high-priority facilities that require SWPPP coverage.
- The permittee shall maintain and implement turf and landscape nutrient management plans that have been developed by a certified turf and landscape nutrient management planner in accordance with § 10.1-104.2 of the Code of Virginia on all lands owned or operated by the permittee where nutrients are applied to a contiguous area greater than one acre. If nutrients are being applied to achieve final stabilization of a land disturbance project, application shall follow the manufacturer's recommendations.
- Within 12 months of permit coverage, the permittee shall identify contiguous areas greater than one acre located in expanded 2020 census urban areas with population of at least 50,000 and within the permittee's MS4 service area requiring turf and landscape nutrient management plans.
- Within 36 months of permit coverage, the permittee shall implement turf and landscape nutrient management plans on contiguous areas greater than one acre located in expanded 2020 census urban areas with a population of least 50,000 and within the permittee's MS4 service area.
- If nutrients are being applied to achieve final stabilization of a land disturbance project, application shall follow the manufacturer's recommendations. For newly established turf where nutrients are applied to a contiguous area greater than one acre, the permittee shall implement a nutrient management plan no later than six months after the site achieves final stabilization.
- Nutrient management plans developed in accordance with Part I E 6 n shall be submitted to the Department of Conservation and Recreation (DCR) for approval.
- Nutrient management plans that are expired as of the effective date of this permit shall be submitted to DCR for renewal within six months after the effective date of this permit. Thereafter, all nutrient management plans shall be submitted to DCR at least 30 days prior to nutrient management plan expiration. Within 36 months of permit coverage, no nutrient management plans maintained by the permittee in accordance with Part I E 6 n shall be expired due to DCR documented noncompliance with 4VAC50-85-130 provided to the permittee.

4.6.2 Selected BMPs and Strategies

The City will utilize the following BMPs as described in Appendix A to meet the MS4 General Permit requirements for MCM 6:

- **BMP 6A –Pollution Prevention and Good Housekeeping Standard Operating Procedures**
- **BMP 6B – High Priority City Facility Evaluations**
- **BMP 6C – HP-SWPPP for the City Property Yard**
- **BMP 6D – Turf and Landscape Nutrient Management Plans**
- **BMP 6E – Contractor Management and Oversight**
- **BMP 6F – Stormwater Management Training**

5.0 COMPLIANCE WITH TMDL SPECIAL CONDITIONS

DEQ evaluates Virginia waterbodies (i.e., streams, reservoirs, and estuaries) on a biennial basis as part of the 305(b)/303(d) Water Quality Assessment process. Individual water bodies are categorized based on whether they meet the State-adopted water quality standards. Those that do not meet the water quality standards are considered impaired. A subset of the impaired waterbodies undergoes a more thorough evaluation involving long-term monitoring and computer modeling known as a TMDL study. Each TMDL study identifies a source (pollutant) causing the waterbody impairment and calculates the maximum pollutant load that can be introduced into the waterbody without causing the impairment. The allowable pollutant load is then divided up between non-regulated non-point dischargers such as undeveloped lands and agriculture and regulated point source discharges, including MS4s. The MS4 General Permit Part II Special Conditions apply to MS4s when and where TMDLs have allocated a pollutant load (wasteload) to the specific MS4 discharge. The City is required to address applicable MS4 General Permit Special Permit Conditions through the development and implementation of action plans for each applicable TMDL. TMDL action plans identify the means and methods that the City will utilize to meet the Special Conditions pertaining to the pollutant load.

5.1 Chesapeake Bay TMDL for Nitrogen and Phosphorus

The City operates an MS4 in the watershed of the Potomac River, which is a tributary to the Chesapeake Bay. As such, the MS4 General Permit Part II A, Chesapeake Bay TMDL Special Condition, applies to the City's MS4 discharges. The CB Special Condition requires that the City develop and maintain a Chesapeake Bay TMDL Action Plan that addresses nitrogen and phosphorus. (i.e., pollutants of concern, or POCs) from the following:

- Transitional Sources
- New Sources
- Nutrient Application on City Facilities
- Existing Sources

The City must also submit a Chesapeake Bay TMDL Implementation Annual Status Report explaining how the program is meeting the requirements and goals outlined in the Chesapeake Bay TMDL Action Plan.

5.1.1 Chesapeake Bay TMDL Action Plan

The City will implement the BMPs, and strategies described in its Phase III Chesapeake Bay TMDL Action Plan. **Table 7** contains items that must be included in the Phase III Chesapeake Bay TMDL Action Plan submitted to DEQ.

Table 7. Items Required for the Chesapeake Bay TMDL Action Plan

Items Required for the Chesapeake Bay TMDL Action Plan
Any new or modified legal authorities, such as ordinances, permits, policy, specific contract language, orders, and interjurisdictional agreements, implemented or needing to be implemented to meet the requirements of Part II A 3, A 4, and A 5.
The load and cumulative reduction calculations for each river basin calculated in accordance with Part II A 3, A 4, and A 5.
The total reductions achieved as of November 1, 2023, for each pollutant of concern in each river basin.
A list of BMPs implemented prior to November 1, 2023, to achieve reductions associated with the Chesapeake Bay TMDL, including the date of implementation and the reductions achieved.
The BMPs to be implemented by the permittee within 60 months of the effective date of this permit to meet the cumulative reductions calculated in Part II A 3, A 4, and A 5.
A summary of any comments received as a result of public participation required in Part II A 13, the permittee's response, identification of any public meetings to address public concerns, and any revisions made to Chesapeake Bay TMDL action plan as a result of public participation.
Any new or modified legal authorities, such as ordinances, permits, policy, specific contract language, orders, and interjurisdictional agreements, implemented or needing to be implemented to meet the requirements of Part II A 3, A 4, and A 5.

5.1.2 Chesapeake Bay TMDL Implementation Annual Status Report

Table 8 contains items that must be included in the Chesapeake Bay TMDL Implementation Annual Status Report submitted to DEQ.

Table 8. Items Required for the Chesapeake Bay TMDL Implementation Annual Status Report

Items Required for the Chesapeake Bay TMDL Implementation Annual Status Report
A summary of any public comments on the Chesapeake Bay TMDL action plan received and how the permittee responded (PY2 Only).
A list of Chesapeake Bay TMDL action plan BMPs, not including annual practices, implemented prior to the reporting period that includes the number of each BMP type, the estimated reduction of POCs achieved by each BMP type, and a confirmation statement that the City electronically reported the BMPs using the DEQ BMP Warehouse.
A list of newly implemented BMPs including annual practices implemented during the reporting period that includes a statement that no BMPs were implemented during the reporting period or includes, for each reported BMP, the BMP type and location, the estimated reduction of POCs achieved by each BMP, and a confirmation statement that the City electronically reported the BMPs using the DEQ BMP Warehouse.
If the permittee acquired credits during the reporting period to meet all or a portion of the required reductions in Part II A 3, A 4, or A 5, a statement that credits were acquired.
The progress, using the final design efficiency of the BMPs, toward meeting the required cumulative reductions for total nitrogen and total phosphorus.
Any revisions made to the Chesapeake Bay TMDL action plan.
A list of BMPs that are planned to be implemented during the next reporting period.

5.1.3 Reference Materials and Documents

The most recent version of the Thid Phase of the Chesapeake Bay TMDL Action Plan and Chesapeake Bay TMDL Implementation Annual Status Report will be available on the City’s MS4 webpage. A link to the MS4 webpage is included in the Reference Library.

5.1.4 Compliance Dates/Schedules

The compliance dates/schedules required to be met during the MS4 General Permit reporting cycle regarding the Chesapeake Bay TMDL Special Condition are contained in **Table 9**.

Table 9. MS4 General Permit Chesapeake Bay TMDL Special Condition Compliance Dates

Due Date	Compliance Dates/Schedule
10/01/2024	Submit a Chesapeake Bay TMDL Implementation Annual Status Report.
10/17/2024	Provide an opportunity for the public to comment on the additional BMPs proposed to meet the required POC reductions for no less than 15 days.
11/01/2024	Submit an updated Phase III Chesapeake Bay TMDL Action Plan.
10/01/2025	Submit a Chesapeake Bay TMDL Implementation Annual Status Report containing a summary of public comments on the Chesapeake Bay TMDL action plan, and how the City responded.
10/01/2026	Submit a Chesapeake Bay TMDL Implementation Annual Status Report.
10/01/2027	Submit a Chesapeake Bay TMDL Implementation Annual Status Report.
10/01/2028	Submit a Chesapeake Bay TMDL Implementation Annual Status Report.
11/01/2028	Reduce the POC load from Existing Sources served by the City MS4 within the 2010 UA by at least 100% of the L2 Scoping Run (Defined in the Phase II TMDL Chesapeake Bay Action Plan).
11/01/2028	Offset 100% of the increased POC loads from new sources that initiated construction between July 1, 2009, and October 31, 2023, that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.
11/01/2028	Offset the increased POC loads from new sources that initiated construction after July 1, 2014, that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.
11/01/2028	Update the Phase III Chesapeake Bay TMDL action plan to offset the increased loads from new sources initiating construction between July 1, 2009, and October 31, 2023, that are located in the expanded 2020 UA, which resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.
11/01/2028	Update the Phase III Chesapeake Bay TMDL action plan to offset the increased loads from projects grandfathered in accordance with 9VAC25-870-48 that are located in the expanded 2020 UA and began construction after July 1, 2014 that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.

5.2 Local TMDLs

Numerous receiving waters including streams, rivers, reservoirs, and estuaries have been identified as impaired for not meeting their specified designated uses as specified in Virginia’s Water Quality Standards. For many of the receiving waters that are considered impaired, DEQ has developed local TMDLs to restore and maintain water quality to ensure that the specified designated uses are met. The MS4 General Permit has integrated the TMDL requirements which are based upon the source of the local receiving water impairment and the TMDL publication date into the Local TMDL Special Condition.

5.2.1 Local TMDL Action Plans

The City will implement the BMPs and strategies described in the eight (8) TMDL Action Plans listed in **Table 10**.

Table 10. City of Fairfax Local TMDL Action Plans and Applicable TMDLs

TMDL Action Plan	TMDL Action Plan Version Date	Applicable TMDL
Accotink Creek Chloride TMDL Action Plan	02/2022	Chloride TMDLs for the Accotink Creek Watershed, Fairfax County, VA
Accotink Creek Sediment TMDL Action Plan	05/2021	Sediment TMDLs for the Accotink Creek Watershed, Fairfax County, VA
Accotink Creek Fecal Coliform TMDL Action Plan	06/2020	Fecal Coliform TMDL for Accotink Creek, Fairfax County, VA
Bull Run Sediment TMDL Action Plan	06/2020	Benthic TMDL Development for Bull Run, VA
Difficult Run Sediment TMDL Action Plan	06/2020	Benthic TMDL Development for Difficult Run, VA
Difficult Run E. coli TMDL Action Plan	02/2022	Bacteria TMDL for the Difficult Run Watershed
Occoquan River E. coli TMDL Action Plan	02/2022	Bacteria TMDLs for Popes Head Creek, Broad Run, Kettle Run, South Run, Little Bull Run, Bull Run, and the Occoquan River, Virginia
Popes Head Creek Sediment TMDL Action Plan	06/2020	Benthic TMDL Development for Popes Head Creek, Virginia

5.2.2 Compliance Dates/Schedules

The compliance dates/schedules required to be met during the MS4 General Permit reporting cycle regarding the development and modification of Local TMDL Action Plans are contained in **Table 12**.

Table 12. City of Fairfax Local TMDL Action Plans Compliance Dates

Due Date	Compliance Dates/Schedule
May 1, 2025	Update TMDL Action Plans for TMDLs approved by EPA before July 1, 2013, in which the City was allocated a wasteload.
November 1, 2026	Submit to DEQ the anticipated dates by which the City will meet the sediment wasteload allocation contained in a local TMDL.

5.2.3 Annual Reporting Requirements

Items regarding Local TMDL Action Plan implementation that are required to be included in the City's MS4 Annual Report submitted to DEQ are contained in **Table 13**.

Table 13. City of Fairfax Local TMDL Action Plans Annual Reporting Requirements

Annual Reporting Items Required for Local TMDL Action Plans
A list of BMPs implemented during the reporting period but not reported to the DEQ BMP warehouse as part of VSMP implementation.

6.0 DEQ BMP WAREHOUSE REPORTING

6.1 MS4 General Permit Compliance Requirements

No later than October 1 of each year the permittee shall electronically report new BMPs implemented and inspected as applicable between July 1 and June 30 of each year using the DEQ BMP Warehouse.

- The permittee shall use the associated reporting template for stormwater management facilities not reported in accordance with Part III B 5;
- The permittee shall use the DEQ BMP Warehouse to report BMPs that were not reported in accordance with Part III B 1 or B 5 and were implemented as part of a TMDL action plan to achieve nitrogen, phosphorus, and total suspended solids reductions in accordance with Part II A or B;
- The permittee shall use the DEQ BMP Warehouse to report any BMPs that were not reported in accordance with Part III B 1, B 2, or B 5;
- The permittee shall use the DEQ BMP Warehouse to report the most recent inspection date for BMPs in accordance with Part I E 5 b or 5 c, or in accordance with Part II C and the most recent associated TMDL action plan; and
- Traditional permittees specified in Part I E 5 a (1) shall use the DEQ Construction Stormwater Database or other application as specified by the department to report each stormwater management facility installed after July 1, 2014, to address the control of post-construction runoff from land disturbing activities for which the permittee is required to obtain a General VPDES Permit for Discharges of Stormwater from Construction Activities.

The following information should be reported as applicable:

- The SWM facility or BMP type;
- The SWM facility or BMPs location as latitude and longitude;
- The acres treated by the SWM facility or BMP, including total acres, pervious acres, and impervious acres;
- The date the facility was brought online (MM/YYYY). If the date brought online is not known, the City shall use 06/ 2005;
- The 6th Order Hydrologic Unit Code (HUC) in which the SWM facility is located;
- Whether the BMP is owned or operated by the permittee or privately owned;
- Whether or not the SWM facility or BMP is part of the permittee's Chesapeake Bay TMDL action plan required in Part II A or local TMDL action plan required in Part II B, or both;
- If the BMP is privately owned, whether a maintenance agreement exists;
- The date of the permittee's most recent inspection of the BMP; and
- Any other information specific to the BMP type required by the DEQ BMP Warehouse (e.g., linear feet of stream restoration).

No later than October 1 of each year, the permittee shall electronically report the most recent inspection date for any existing BMP that was previously reported and re-inspected between July 1 and

June 30 using the BMP Warehouse. If an existing BMP has not been previously reported, the BMP shall be reported as new in accordance with Part III B and Part III C. No later than October 1 of each year the DEQ BMP Warehouse shall be updated if an existing BMP is discovered between July 1 and June 30 that was not previously reported to the DEQ BMP Warehouse.

No later than October 1 of each year the DEQ BMP Warehouse shall be updated if an existing BMP is discovered between July 1 and June 30 that was not previously reported to the DEQ BMP Warehouse.

6.2 Selected Strategies

The City will utilize the following strategy as described in Appendix C to meet the MS4 General Permit requirements for DEQ BMP Warehouse Reporting:

- Part III B – SWM Facility Asset Management



APPENDIX A. MINIMUM CONTROL MEASURE MENU OF BEST MANAGEMENT PRACTICES

Minimum Control Measure 1

BMP 1A	Public Education and Outreach Program	Rev. Date	05/2024
Description of selected BMPs and strategies	<p>The City delivers numerous Public Education & Outreach Plan (PEOP) strategies throughout the MS4 General Permit reporting period. These opportunities are outlined in the City of Fairfax Stormwater Public Education and Outreach Strategies. Continuously provided PEOP opportunities include the City’s Stormwater and Floodplain Management webpage, participation in the NVCWP “Only Rain Down the Drain” regional educational initiative, pet waste signage, and accessibility of a YouTube pet waste cleanup video. The City takes advantage of additional public education and outreach delivery opportunities including publications and presentations regarding the high priority stormwater issues in the City’s Cityscene newsletter, on the City’s social media (Facebook, Twitter, YouTube, and Instagram), during the Environmental Sustainability Committee meetings, and message delivery during Special Events throughout the year. Delivery of one-time or non-continuous PEOP activities must be documented by completing a Public Education and Outreach Annual Report Documentation Compliance Form.</p>		
Objective/expected results	<p>The City will utilize a minimum of two (2) strategies to provide a minimum of three (3) public education and outreach activities for each of its high-priority stormwater issues during each MS4 General Permit reporting period.</p>		
SOPs or policies necessary to implement BMPs	<p>City of Fairfax Stormwater Public Education and Outreach Strategies</p>		
	<p>Northern Virginia Clean Water Partners Program Membership Documentation</p>		
Department(s) responsible for implementing BMP	<p>Delegation of responsibility is outlined in the Fairfax Public Education and Outreach Strategy.</p>		
	<p>DPW-AED is responsible for ensuring a minimum of three (3) public education and outreach opportunities for each high-priority stormwater issue are provided during each MS4 General Permit reporting period using a minimum of two (2) different delivery strategies.</p>		
Measurable goal by which each BMP or strategy will be evaluated	<p>The City will utilize a minimum of two (2) strategies annually to provide public education and outreach for each of its high-priority stormwater issues annually.</p>		
	<p>The City will provide financial support to the NVCWP.</p>		
Method utilized to determine the effectiveness	<p>The City will review the public education and outreach activities offered during each MS4 General Permit reporting period to ensure that the minimum number of events was held.</p>		
Compliance dates/schedules	<p>For the MS4 General Permit reporting period, the City must utilize a minimum of two (2) public education and outreach strategies to provide three (3) education and outreach activities directed at the public regarding the high-priority stormwater issues – bacteria pollution, nutrient pollution, and illicit discharges.</p>		
Annual reporting requirements	<p>A list of the high-priority stormwater issues is included as part of the PEOP.</p>		
	<p>A summary of the public education and outreach activities conducted for the reporting year, including the strategies used to communicate the identified high-priority issues.</p>		
	<p>A description of any changes in high-priority stormwater issues, including strategies used to communicate high-priority stormwater issues or target audiences for the public education and outreach plan. The City will provide a rationale for any of these changes.</p>		
	<p>A description of public education and outreach activities conducted that included education regarding climate change.</p>		

Minimum Control Measure 2

BMP 2A	Public Involvement Procedures	Rev. Date	05/2024
Description of selected BMPs and strategies	<p>The City provides City contact information and directions for communicating stormwater issues, including illicit discharges, illegal dumping, ESC/VSMP issues, and drainage complaints, as well as for providing comments regarding the City’s MS4 Program and MS4 Program Plan, on the City Stormwater and Floodplain Management website. The public is also encouraged to provide comments, complaints, and requests through Fairfax City Resolve. Fairfax City Resolve allows citizens to communicate with the City using either Smartphone apps or via the City webpage. Citizens can submit comments and complaints on numerous stormwater-related issues including drainage issues, construction complaints, illegal dumping, and polluted runoff. Issues are automatically routed to the appropriate City department and follow-up emails are provided to the submitter. Issues and follow-up responses are tracked through Fairfax City Resolve. The DPW-AED Program Manager is automatically copied on all stormwater complaints and service requests for review and additional follow-up, if necessary.</p>		
Objective/expected results	<p>The City provides an open means of communication for residents regarding its MS4 Program, stormwater, and stormwater pollution.</p>		
SOPs or policies necessary to implement BMPs	<p>Citizen comments received via all media are directed to the DPW-AED Program Manager for review and proper staff assignment. The DPW-AED Program Manager coordinates with the appropriate staff/divisions to investigate and respond to the citizen comment. Upon resolution of the issue, associated documentation including the citizen comment and City response is consolidated and forwarded to the Utilities Coordinator. The Utilities Coordinator retains the consolidated information in a spreadsheet.</p>		
Department(s) responsible for implementing BMP	<p>DPW-AED</p>		
Measurable goal by which each BMP or strategy will be evaluated	<p>The City will maintain public reporting links on its webpages.</p>		
Method utilized to determine the effectiveness	<p>The City will collect and review the comments received via public participation.</p>		
Compliance dates/schedules	<p>There is no compliance date associated with this BMP.</p>		
Annual reporting requirements	<p>A summary of any public comments on the MS4 program received and how the permittee responded.</p> <p>A summary of stormwater pollution complaints received under the procedures established in Part I E 2 a (1), excluding natural flooding complaints, and how the permittee responded.</p>		

BMP 2B	Stormwater and Floodplain Management Webpage	Rev. Date	05/2024
Description of selected BMPs and strategies	<p>The City maintains a webpage that provides information specific to its stormwater management program and meets the content requirements of the MS4 General Permit. The following information can be found on this webpage:</p> <ol style="list-style-type: none"> 1. The City’s MS4 General Permit Notice of Coverage; 2. The current MS4 General Permit; 3. Copies of the previous MS4 Annual Reports; 4. A map of the stormwater outfall locations; 5. The City’s TMDL Action Plans; 6. Directions for reporting illicit discharges; and 7. Directions for submitting or comments regarding the City’s MS4 Program Plan. 		
Objective/expected results	The City will provide the public access to MS4 General Permit-required MS4 Program information.		
SOPs or policies necessary to implement BMPs	Stormwater and Floodplain Management webpage		
Department(s) responsible for implementing BMP	DPW-AED is responsible for ensuring that the required MS4 Program information is included on the Stormwater and Floodplain Management webpage.		
Measurable goal by which each BMP or strategy will be evaluated	The City will provide public access to the MS4 Program and supplemental information via the City’s Stormwater and Floodplain Management webpage.		
Method utilized to determine the effectiveness	Once during each MS4 General Permit reporting cycle, DPW-AED will review the City’s Stormwater and Floodplain webpage to confirm that the information is up to date.		
Compliance dates/schedules	The webpage must be functional within three (3) months of MS4 General Permit issuance (February 1, 2024).		
	The webpage must be maintained throughout the MS4 General Permit cycle.		
	The MS4 Annual Report must be placed on the webpage no later than thirty (30) days after it is submitted to DEQ (due November 1).		
Annual reporting requirements	The webpage address of the City’s MS4 Program and stormwater website.		

BMP 2C	Stormwater Public Participation Initiative	Rev. Date	05/2024
Description of selected BMPs and strategies	The City of Fairfax provides numerous public participation opportunities as outlined in its Stormwater Public Participation Initiative. Participation activities that are continuously available to the public include pet waste stations, household hazardous waste collection centers, the Adopt-a-Spot program, the wastewater lateral repair and replacement program, and the NVSWCD ⁴ Virginia Conservation Assistance Program (VCAP). The City provides additional participation opportunities during each MS4 General Permit reporting cycle including Environmental Sustainability Committee participation, stream restoration, and cleanup events, and other dedicated events. Public participation opportunities that are one-time and not continuously available must be documented using the City of Fairfax Stormwater Public Participation Documentation Form.		
Objective/expected results	The City will provide a minimum of four (4) public opportunities using a minimum of two (2) of the public involvement opportunity types, annually.		
SOPs or policies necessary to implement BMPs	City of Fairfax Stormwater Public Participation Initiative,		
	NVSWCD Memorandum of Understanding		
Department(s) responsible for implementing BMP	Delegation of responsibility is outlined in the Fairfax Public Participation Initiative		
	DPW-AED		
Measurable goal by which each BMP or strategy will be evaluated	The City will provide a minimum of four (4) public involvement opportunities selected from a minimum of two (2) of the public involvement opportunity types during each MS4 General Permit reporting period.		
Method utilized to determine the effectiveness	The City will review the number of activities and associated strategy types utilized to determine if the measurable goal has been reached.		
Compliance dates/schedules	The City must offer a minimum of four (4) opportunities for public participation selected from at least two public involvement types.		
Annual reporting requirements	A description of the public involvement activities provided by the City.		
	City of Fairfax Stormwater Public Participation Documentation forms for non-perpetual public participation activities.		
	A description of public education and outreach activities conducted that also included education regarding climate change.		
	A report on the metric for each activity and an evaluation as to whether the activity is beneficial to water quality.		
	The name of any additional MS4 permittees with whom the City collaborates in providing public involvement opportunities.		

⁴ As an independent city, the City is not covered by a local SWCD; thus, its residents were ineligible for VCAP participation. The City entered into an MOU with the NVSWCD in order for its citizens to participate in VCAP.

Minimum Control Measure 3

BMP 3A	Geographic Information System (GIS) Mapping	Rev. Date	05/2024
Description of selected BMPs and strategies	The City maintains stormwater infrastructure-related data in spatially enabled relational databases. This means of data storage management allows for the production of maps documenting the location of the City’s various stormwater infrastructure including MS4 outfall and stormwater management facilities.		
Objective/expected results	The City will produce a map that documents and labels the stormwater infrastructure required by the MS4 General Permit.		
SOPs or policies necessary to implement BMPs	Up to date MS4 Stormwater Outfalls Information Table and generated map. For copies of the current MS4 Outfall Map, contact DPW-AED.		
Department(s) responsible for implementing BMP	DPW-AED is responsible for maintaining data in such a manner to produce an accurate and complete MS4 Map.		
Measurable goal by which each BMP or strategy will be evaluated	The production of an accurate and complete MS4 Map that contains the information requested by the MS4 General Permit.		
Method utilized to determine effectiveness	DPW-AED will review stormwater-related data to ensure all the required MS4 Outfall data fields and City-owned/operated stormwater management facilities are being maintained.		
Compliance dates/schedules	No later than November 1, 2025, the City is required to update a map of the MS4 owned or operated by the City within the MS4 regulated service area. The map will be made available to the department within 14 days upon request.		
	By October 1 of each year, the City must update the MS4 Map to reflect new construction, modifications, and field observations.		
Annual reporting requirements	Confirmation statement that the MS4 Map was updated to reflect any changes to the MS4 that occurred during the reporting period.		

BMP 3B	MS4 Data Management Tracking	Rev. Date	05/2024
Description of selected BMPs and strategies	DPW-AED maintains spatially enabled relational databases containing information specific to MS4 outfalls and City-owned BMPs.		
Objective/expected results	The City will maintain up-to-date spatially enabled relational databases.		
SOPs or policies necessary to implement BMPs	Up to date MS4 Stormwater Outfalls Information Table		
Department(s) responsible for implementing BMP	DPW-AED is responsible for maintaining spatially enabled relational databases.		
Measurable goal by which each BMP or strategy will be evaluated	The City will continue to collect the necessary data to maintain up-to-date spatially enabled relational databases.		
Method utilized to determine effectiveness	Review of the City's MS4 Outfall Data Information Table associated with City Stormwater System Map and MS4 Outfall Data Information to ensure all required updates have been completed.		
Compliance dates/schedules	By October 1 of each year, the City must update the MS4 Outfall Data Information Table to reflect changes made to the MS4 Map for new construction, modifications, and field observations.		
Annual reporting requirements	Confirmation statement that the MS4 Outfall Data Information Table was updated to reflect any changes to the MS4 occurring on or before June 30 of the reporting year.		

BMP 3C	Downstream MS4 Interconnection – Operator Notification	Rev. Date	05/2024
Description of selected BMPs and strategies	The City has provided formal notification to VDOT, GMU, and Fairfax County of the potential for MS4 physical interconnections.		
Objective/expected results	Share information with downstream MS4 operators of physical interconnections for potential collaborative efforts.		
SOPs or policies necessary to implement BMPs	The MS4 Stormwater Outfalls Information Table and generated map		
	Notice of Potential Physically Interconnected Stormwater Systems – Fairfax County		
	Notice of Potential Physically Interconnected Stormwater Systems – George Mason University		
	Notice of Potential Physically Interconnected Stormwater Systems – Virginia Department of Transportation		
Department(s) responsible for implementing BMP	DPW-AED		
Measurable goal by which each BMP or strategy will be evaluated	Successful notification to downstream MS4 operators of physical interconnections.		
Method utilized to determine effectiveness	Review of the City’s GIS MS4 Outfall Data Information Table associated with the City Stormwater System Map to identify any new interconnections.		
Compliance dates/schedules	The City must notify adjacent MS4s of newly established or identified physical interconnections discovered within the MS4 General Permit reporting period.		
Annual reporting requirements	List of written notifications to applicable adjacent downstream MS4 operators.		

BMP 3D	Prohibition of MS4 Illicit Discharges	Rev. Date	05/2024
Description of selected BMPs and strategies	The City Zoning Ordinance Chapter 110, Article 4. I. provides the necessary legal authority prohibiting unauthorized non-stormwater discharges into the City's MS4.		
Objective/expected results	The City will maintain the legal authority to enforce City Code regarding illicit discharges.		
SOPs or policies necessary to implement BMPs	City's Zoning Ordinance Chapter 110, Article 4. I.		
Department(s) responsible for implementing BMP	DPW is responsible for ensuring that the City's Zoning Ordinance is updated as necessary to ensure the elimination of unauthorized non-stormwater discharges consistent with the latest MS4 General Permit.		
	DPW-AED is responsible for implementing City Code and enforcement procedures to eliminate unauthorized discharges to the City's MS4.		
	The City Attorney's Office is responsible for assisting DPW in ensuring the elimination of illicit discharges under the City's Zoning Ordinance.		
Department(s) responsible for implementing BMP	Utilize City Code to ensure adequacy in eliminating unauthorized discharges to the City's MS4.		
Measurable goal by which each BMP or strategy will be evaluated	Review of illicit discharges identified and enforcement activities from each year and the adequacy of City Code for elimination.		
Method utilized to determine effectiveness	DPW-AED must annually review the City's Zoning Ordinance to ensure proper and up-to-date legal authorities remain in place.		
Compliance dates/schedules	MCM 3 does not include specific compliance dates or schedules for implementing the prohibition of unauthorized discharges.		

BMP 3E	Illicit Discharge Detection and Elimination (IDDE)	Rev. Date	05/2024
Description of selected BMPs and strategies	The City has developed written Illicit Discharge Detection and Elimination (IDDE) Procedures that provide staff and contractors guidance when conducting illicit discharge detection, investigation, and elimination activities.		
Objective/expected results	Develop and implement a program to identify and eliminate potential illicit discharges into the City's MS4.		
SOPs or policies necessary to implement BMPs	Illicit Discharge Detection and Elimination Procedures		
Department(s) responsible for implementing BMP	The CFD-Fire Marshal's Office is responsible for illicit discharge investigation and enforcement of the City Code.		
	DPW-AED is responsible for maintaining, implementing, and enforcing the City's IDDE Procedures, including identifying and eliminating illicit discharges to the City's MS4.		
	DPW-AED is responsible for the administration of the IDDE program, including record keeping and documentation.		
Measurable goal by which each BMP or strategy will be evaluated	Implement the IDDE Procedures to continue to identify and eliminate illicit discharges into the MS4.		
Method utilized to determine effectiveness	Evaluate the number of potential illicit discharges identified each year and review how the City addressed them.		
Compliance dates / schedules	MCM 3 does not include any specific compliance dates or schedules aside from the annual reporting requirements.		
Annual reporting requirements	A list of illicit discharges to the MS4 including spills that reached the MS4 that includes the following information: <ol style="list-style-type: none"> 1. The source of illicit discharge; 2. The dates that the discharge was observed, reported, or both; 3. Whether the discharge was discovered by the City during dry weather screening, reported by the public, or another method; 4. How the investigation was resolved; 5. A description of any follow-up activities; and 6. The date the investigation was closed. 		

BMP 3F	Dry Weather Field Screening	Rev. Date	05/2024
Description of selected BMPs and strategies	The DPW-AED selects and conducts dry weather screening on 50 MS4 outfalls following the written IDDE Procedures. Required follow-up inspections are conducted as directed in the IDDE procedures.		
Objective/expected results	Identification and elimination of illicit discharges through the implementation of prioritized dry weather screening.		
SOPs or policies necessary to implement BMPs	Illicit Discharge Detection and Elimination (IDDE) Procedures		
	MS4 Outfall database		
Department(s) responsible for implementing BMP	DPW-AED is responsible for ensuring the annual dry weather screening is completed, any necessary follow-up investigations are conducted, and records and documentation are properly recorded.		
Measurable goal by which each BMP or strategy will be evaluated	The City will conduct field screening on a minimum of 50 MS4 Outfalls annually.		
	The City will complete all necessary follow-up investigations regarding potential illicit discharges and take any necessary action to eliminate identified illicit discharges.		
Method utilized to determine effectiveness	DPW-AED will review the dry weather screening results to ensure that at least 50 MS4 outfalls are screened annually, that all necessary follow-up investigations have been completed, and that identified illicit discharges have been eliminated.		
Compliance dates/schedules	Conduct a minimum of 50 outfalls during each MS4 General Permit reporting period as outlined in the IDDE Procedures.		
Annual reporting requirements	The total number of outfalls screened during the reporting period as part of the dry weather screening program.		

Minimum Control Measure 4

BMP 4A	DEQ-Authorized Virginia Erosion & Sediment Control Program (VЕСP)	Rev. Date	05/2024
Description of selected BMPs and strategies	<p>The City operates a DEQ-authorized VЕСP. The City’s legal authority resides in the Zoning Ordinance Chapter 110, Articles 4.16 and 6.12. As a Tidewater locality, the City requires submission and approval of ESC plans for land disturbance activities that are 2,500 sq. ft. or larger. To implement this, the City has developed two ESC plan checklists – one, which is included as part of the City of Fairfax Site Plan Package, must be met and submitted to the Department of Community Development and Planning (CDP) for construction activities other than single-family residential construction, and one, which is included in the City of Fairfax Single Lot Grading Plan Package, and must be met for single-family house construction. The VЕСP staff hold DEQ certifications as combined administrators, plan reviewers, and inspectors. Projects, including City-financed projects, must comply with the City of Fairfax Public Facilities Manual (PFM), which requires approval of a plan before commencement of a land disturbance activity (PFM Section 9.1.5).</p>		
Objective/expected results	<p>Effective compliance with City VЕСP requirements on regulated active construction and land disturbance.</p>		
SOPs or policies necessary to implement BMPs	<p>Chapter 110, Articles 4.16 and 6.12 of the City Code of Ordinances</p> <p>City of Fairfax Site Plan Package</p> <p>City of Fairfax Single Lot House Grading Plan Package</p> <p>ESC Program Policies and Procedures – Inspections</p> <p>ESC Policies and Procedures – Enforcement</p> <p>City of Fairfax PFM</p> <p>Approved erosion and sediment control plans for individual land disturbance activities</p>		
Department(s) responsible for implementing BMP	<p>CDP is responsible for coordinating City permit approval and plan review.</p> <p>DPW-AED is responsible for ESC plan review, inspection, compliance, recordkeeping, and documentation.</p>		
Measurable goal by which each BMP or strategy will be evaluated	<p>The City will implement its VЕСP in a manner consistent with the Virginia ESC Control Law (Title 62.1 Chapter 3.1 Article 2.3 of the Code of Virginia) and regulations (9VAC25-840 and 9VAC25-850).</p>		
Method utilized to determine the effectiveness	<p>The City will utilize the results of periodic DEQ evaluations of its VЕСP programs to determine their implementation effectiveness.</p>		
Compliance dates/schedules	<p>MCM 4 does not include any specific compliance dates or schedules aside from those identified as annual reporting requirements.</p>		
Annual reporting requirements	<p>The total number of erosion and sediment control inspections conducted.</p> <p>The total number of each type of compliance action and enforcement action implemented.</p>		

Minimum Control Measure 5

BMP 5A	DEQ-Authorized Virginia Stormwater Management Program (VSMP)	Rev. Date	05/2024
Description of selected BMPs and strategies	<p>The City operates a DEQ-authorized VSMP. Legal authority is provided in the Zoning Ordinance Chapter 110, Articles 4.16, 5.8, and 6.14. Department responsibilities are identified in the City of Fairfax VSMP responsibility chart. As a Tidewater locality, the City requires SWM plans for land disturbance activities that are 2,500 sq. ft or greater. The City has developed two SWM application packages that include checklists – the Stormwater Package for Land Disturbance > 2,500 sq. ft. and > 1 acre, which requires the development and implementation of a SWPPP during active construction, and the Stormwater Package for Land Disturbance > 1 acre, which requires that General VPDES Permit for Discharge of Stormwater from Construction Activities coverage be obtained in addition to the development and implementation of an SWPPP. Both SWM application packages include a checklist of required items including a Standard Best Management Practices Facilities Maintenance and Monitoring Agreement. The City VSMP is staffed by DEQ-certified combined administrators, plan reviewers, and inspectors. The VSMP Policies and Procedures – Inspection and VSMP Policies and Procedures – Enforcement outlines the inspection and compliance measures to ensure compliance. City projects are required to comply with the PFM, including Section 6 – Stormwater Drainage Design.</p>		
Objective/expected results	<p>Effective compliance with City VSMP requirements on regulated new development and redevelopment projects during active construction.</p>		
SOPs or policies necessary to implement BMPs	<p>Chapter 110, Articles 4.16, 5.8, and 6.14 of the City Code of Ordinances</p> <p>DEQ VSMP Authorization</p> <p>VSMP Policies and Procedures – General Overview</p> <p>City of Fairfax VSMP Responsibility Chart</p> <p>VSMP Authority Permit Application (>1 acre)</p> <p>VSMP Authority Permit Application (<2,500 sq. ft. – <1 acre)</p> <p>Standard Best Management Practices Facilities Maintenance and Monitoring Agreement</p> <p>VSMP Policies and Procedures – Inspection</p> <p>VSMP Policy and Procedures – Enforcement</p> <p>City of Fairfax PFM</p> <p>Approved stormwater management plans and SWPPPs for individual projects.</p>		
Department(s) responsible for implementing BMP	<p>DCCP is responsible for coordinating City permit approval and plan review.</p> <p>DPW-AED is responsible for SWM plan review, inspection, compliance, recordkeeping, and documentation.</p>		
Measurable goal by which each BMP or strategy will be evaluated	<p>The City will implement its VSMP consistent with the Virginia Stormwater Management Act (Title 62.1 Chapter 3.1 Article 2.3 of the Code of Virginia) and regulation (9VAC25-850 and 9VAC25-870).</p>		
Method utilized to determine the effectiveness	<p>The City will utilize the results of periodic DEQ evaluations of its VSMP programs to determine their implementation effectiveness.</p>		
Compliance dates/schedules	<p>MCM 5 does not include any specific compliance dates or schedules aside from those identified as annual reporting requirements.</p>		
Annual reporting requirements	<p>The total number of VSMP inspections conducted during each permit year.</p> <p>The total number and type of VSMP enforcement actions taken by the City during the permit year.</p>		

BMP 5B	City-Owned/Operated SWM Facility Inspections	Rev. Date	05/2024
Description of selected BMPs and strategies	DPW-AED maintains an up-to-date list of City-owned/operated SWM facilities. DPW-AED (or its approved contractor) conducts annual inspections on 100% of the City-owned/operated SWM facilities. Inspections are completed following the Inspection and Maintenance of City-Owned/Operated SWM Facility SOP.		
Objective/expected results	Inspection to identify and document required maintenance activities for inclusion in the annual stormwater maintenance contract scope of work.		
SOPs or policies necessary to implement BMPs	VSMP Policy and Procedures – City-Owned/Operated SWM Facility Inspection and Maintenance		
	Individual SWM facility as-builts or final design plans		
Department(s) responsible for implementing BMP	DPW-AED is responsible for conducting SWM facility inspections and documenting SWM facility inspections (and completion of required maintenance) in the City’s tracking spreadsheet/database.		
	DPW-AED is responsible for conducting maintenance on public SWM facilities.		
Measurable goal by which each BMP or strategy will be evaluated	The City will annually inspect 100% of its SWM facilities to prepare an annual stormwater maintenance contract scope of work.		
Method utilized to determine effectiveness	The City will compare the number of inspections with the number of City-owned/operated SWM facilities to ensure a 100% inspection rate.		
Compliance dates/schedules	MCM 5 does not include any specific compliance dates or schedules aside from those identified as annual reporting requirements.		
Annual reporting requirements	The total number of inspections conducted on the City-owned/operated SWM facilities.		
	A description of the significant maintenance, repair, or retrofit activities, not including routine activities, performed on public SWM facilities to ensure that they continue to perform as designed. For MS4 annual reporting purposes, the City should include a copy of the non-routine maintenance requirements included in the annual stormwater maintenance contract scope of work.		

BMP 5C	City-Owned/Operated SWM Facility Maintenance	Rev. Date	05/2024
Description of selected BMPs and strategies	Maintenance is completed following the Inspection and Maintenance of City-Owned/Operated SWM Facility SOP.		
Objective/expected results	Implementation of a routine maintenance program that incorporates any additional required maintenance identified as a result of annual inspections will ensure that City-owned/operated SWM facilities continue to function as designed.		
SOPs or policies necessary to implement BMPs	VSMP Policy and Procedures – City Owned/Operated SWM Facility Inspection and Maintenance		
	Annual scope of work and contract documents associated with maintenance completion.		
	Individual stormwater facility as-builts or final design plans.		
Department(s) responsible for implementing BMP	DPW-AED is responsible for developing the annual Scope of Work for the third-party contractor and overseeing the implementation of the associated task order.		
	DPW-AED is responsible for ensuring that SWM facility maintenance records are maintained.		
Measurable goal by which each BMP or strategy will be evaluated	The City will annually develop an SWM facility Scope of Work detailing both the routine and required maintenance.		
	The City will complete routine and required SWM facility maintenance using in-house forces or a third-party contractor.		
Method utilized to determine effectiveness	The City will review the required contractor reports and conduct site visits to ensure that the maintenance/repairs included in the Scope of Work is complete.		
Compliance dates/schedules	MCM 5 does not include any specific compliance dates or schedules aside from those identified as annual reporting requirements.		
Annual reporting requirements	A description of the significant maintenance, repair, or retrofit activities, not including routine activities, performed on public SWM facilities to ensure that they continue to perform as designed.		

BMP 5D	Private SWM Facility Inspection and Long-Term Compliance	Rev. Date	05/2024
Description of selected BMPs and strategies	DPW-AED maintains an up-to-date list of privately-owned SWM facilities (private SWM facilities) as described in BMP 5D. DPW-AED (or its approved agents) conducts rotating inspections on the listed private SWM facilities to ensure that all private SWM facilities are inspected at least once every five (5) years. Inspections are completed consistent with the Inspection and Maintenance of Privately-Owned/Operated SWM Facility SOP.		
Objective/expected results	Implement an inspection and maintenance program that ensures that the private SWM facilities are functioning as designed.		
SOPs or policies necessary to implement BMPs	VSMP Policy and Procedures -Private SWM Facility Inspection and Maintenance		
	Individual BMP Facilities Maintenance and Monitoring Agreements		
	Individual SWM facility approved plans and/or final as-builts		
	Appropriate SWM facility inspection form		
Department(s) responsible for implementing BMP	DPW-AED is responsible for conducting SWM facility inspections and documenting SWM facility inspections (including any necessary compliance activities taken) in the City's tracking spreadsheet/database.		
Measurable goal by which each BMP or strategy will be evaluated	The City will conduct inspections on private SWM facilities on a schedule to ensure that private SWM facilities are inspected at least once every five (5) years.		
	The City will take appropriate enforcement actions to ensure that required maintenance is completed on private SWM facilities.		
Method utilized to determine effectiveness	The City will review the number of private SWM facility inspections completed to ensure that all private SWM facilities are inspected at least once every five (5) years.		
Compliance dates/schedules	MCM 5 does not include any specific compliance dates or schedules aside from those identified as annual reporting requirements.		
Annual reporting requirements	The number of privately-owned SWM facilities inspected.		
	The number and type of enforcement actions initiated by the City to ensure long-term maintenance of privately-owned SWM facilities.		

Minimum Control Measure 6

BMP 6A	Pollution Prevention and Good Housekeeping SOPs	Rev. Date	05/2024
Description of selected BMPs and strategies	The City has developed a series of nine (9) pollution prevention and good housekeeping SOPs. Each SOP consists of an objective, responsible party, and a list of procedures. These SOPs are intended to supplement the City Property Yard’s Stormwater Pollution Prevention Plan when the activities occur outside of the Property Yard grounds.		
Objective/expected results	Development and implementation of written pollution prevention/good housekeeping procedures to minimize the potential for stormwater contamination resulting from City practices and activities.		
SOPs or policies necessary to implement BMPs	GH SOP – General Pollution Prevention and Good Housekeeping GH SOP – Illicit Discharges and Spill Response GH SOP – Landscaping and Grounds Maintenance GH SOP – Non-Stormwater Discharges GH SOP – Road Street and Parking Lot Maintenance GH SOP – Storm Drainage System Cleaning GH SOP – Vehicle and Equipment Fueling GH SOP – Vehicle and Equipment Maintenance GH SOP – Vehicle and Equipment Washing		
Department(s) responsible for implementing BMP	DPW-AED is responsible for the development and upkeep of the Pollution Prevention and Good Housekeeping SOPs and their distribution to other applicable City departments.		
	The City departments (and their associated contractors) responsible for implementation are identified in the individual SOP.		
Measurable goal by which each BMP or strategy will be evaluated	The City will implement written pollution prevention/good housekeeping procedures as part of its overall daily operations throughout the MS4 Service Area.		
Method utilized to determine effectiveness	Evaluation of activities to ensure that appropriate procedures are in place.		
Compliance dates/schedules	By October 31, 2025, update and implement procedures in accordance with Part I E to include implementation of best management practices for anti-icing and deicing agent application, transport, and storage. The procedures developed will prohibit the application of any anti-icing or deicing agent containing urea or other forms of nitrogen or phosphorus.		
	By October 31, 2026, develop and implement procedures for renovation and significant exterior maintenance activities (e.g., painting, roof resealing, and HVAC coil cleaning) not covered under a separate VSMP construction general permit.		
Annual reporting requirements	A summary of any operational procedures developed or modified per Part I E 6 a and b during the reporting period.		

BMP 6B	High Priority Municipal Facility (HPMF) Evaluations	Rev. Date	05/2024
Description of selected BMPs and strategies	The City previously evaluated the City facility universe and determined the existence of only one high priority municipal facility – the City Property Yard, which is located at 3410 Pickett Road, Fairfax, VA 22031. The other City facilities do not meet the definition of a HPMF and thus do not require annual evaluations to determine the potential for discharging pollutants or the need to develop a high priority SWPPP.		
Objective/expected results	Identify City-owned and operated HPMFs that have a high potential for discharging pollutants.		
SOPs or policies necessary to implement BMPs	N/A		
Department(s) responsible for implementing BMP	DPW-AED is responsible for evaluating City-owned HPMFs to determine if the HPMFs have a high potential of discharging pollutants and to determine if a site-specific SWPPP is required.		
Measurable goal by which each BMP or strategy will be evaluated	Identify City-owned and operated facilities that are required to have a site-specific SWPPP.		
Method utilized to determine effectiveness	Evaluate stormwater pollution potential posed by City-owned and operated facilities.		
Compliance dates/schedules	Within 12 months of state permit coverage, identify which of the high-priority facilities have a high potential of discharging pollutants [Complete].		
	Annually, by June 30, review any HPMF for which an SWPPP has not been developed to determine if the HPMF has a high potential to discharge pollutants. [Not applicable]		
	No later than December 31 of each year, develop an SWPPP for any HPMF identified during the annual HPMF review as having a high potential to discharge pollutants. [Not applicable]		
Annual reporting requirements	A list of any new SWPPPs developed in accordance Part I E 6 i during the reporting period.		
	The rationale of any HPMF delisted per Part I E 6 l during the reporting period.		
	A confirmation statement that all high-priority facilities were reviewed to determine if SWPPP coverage is needed during the reporting period.		

BMP 6C	HP-SWPPP for the City Public Yard	Rev. Date	05/2024
Description of selected BMPs and strategies	The City Property Yard, located at 3410 Pickett Road, Fairfax, VA, 22031, is a HPMF with a high potential for discharging pollutants. The City has developed and implemented the Fairfax Property Yard SWPPP. The most current SWPPP version is housed at the Property Yard and includes copies of inspections, spills, releases, and SWPPP modifications.		
Objective/expected results	Minimization of stormwater pollutant discharge through the implementation of the City of Fairfax Property Yard Facility SWPPP.		
SOPs or policies necessary to implement BMPs	Fairfax Property Yard SWPPP		
Department(s) responsible for implementing BMP	DPW is responsible for the overall day-to-day implementation of the City Property Yard. DPR and other departments are responsible for specific portions of the City Property Yard as identified in the HP-SWPPP.		
	DPW-AED is responsible for coordination with each individual high-priority City facility to ensure that SWPPPs are being implemented and the SWPPP document is being maintained. DPW-AED is responsible for conducting routine inspections and the annual SWPPP evaluation.		
Measurable goal by which each BMP or strategy will be evaluated	The SWPPP is designed to minimize stormwater pollution specific to the City Property Yard facility.		
	The SWPPP is implemented as directed.		
Method utilized to determine effectiveness	The City will utilize regular and annual inspections to determine if the Fairfax Property Yard SWPPP is being properly implemented.		
	The City will utilize its annual SWPPP evaluation to determine if additional modifications are necessary to minimize stormwater pollution more effectively.		
Compliance dates/schedules	The City must review the contents of the Fairfax Property Yard SWPPP within thirty (30) days after any unauthorized discharge, release, or spill reported per Part III G of the MS4 General Permit to determine if any additional measures are required to prevent future unauthorized discharges.		
	The City must update the contents of the Fairfax Property Yard SWPPP within ninety (90) days after any unauthorized discharge, release, or spill reported per Part III G of the MS4 General Permit to include any additional measures are required to prevent future unauthorized discharges.		
Annual reporting requirements	A summary of modifications made to the Fairfax Property Yard SWPPP.		

BMP 6D	Turf and Landscape Nutrient Management Plans (NMPs)	Rev. Date	05/2024						
Description of selected BMPs and strategies	<p>The City has developed turf and landscape NMPs for the six (6) City locations where fertilizers are applied to areas greater than one contiguous acre in size:</p> <table border="0" data-bbox="516 323 1240 436"> <tr> <td>Daniels Run ES – 2.96 acres</td> <td>Kutner Park – 1.68 acres</td> </tr> <tr> <td>Green Acres Center – 3.68 acres</td> <td>Pat Rodio Park – 2.91 acres</td> </tr> <tr> <td>Katherine Jones MS – 5.31 acres</td> <td>Providence ES – 4.70 acres</td> </tr> </table>			Daniels Run ES – 2.96 acres	Kutner Park – 1.68 acres	Green Acres Center – 3.68 acres	Pat Rodio Park – 2.91 acres	Katherine Jones MS – 5.31 acres	Providence ES – 4.70 acres
Daniels Run ES – 2.96 acres	Kutner Park – 1.68 acres								
Green Acres Center – 3.68 acres	Pat Rodio Park – 2.91 acres								
Katherine Jones MS – 5.31 acres	Providence ES – 4.70 acres								
Objective/expected results	The City will implement NMPs on 21.24 acres of City lands.								
SOPs or policies necessary to implement BMPs	<ul style="list-style-type: none"> Nutrient Management Plan – Daniels Run ES Nutrient Management Plan – Green Acres Center Nutrient Management Plan – Katherine Johnson MS Nutrient Management Plan – Kutner Park Nutrient Management Plan – Pat Rodio Nutrient Management Plan – Providence ES 								
Department(s) responsible for implementing BMP	<p>DPR is responsible for implementing NMPs at City locations.</p> <p>DPW-AED is responsible for ensuring NMPs are current and up to date.</p>								
Measurable goal by which each BMP or strategy will be evaluated	The City will implement and maintain NMPs on City facilities where nutrients are applied to an area greater than one (1) contiguous acre.								
Method utilized to determine the effectiveness	The City will maintain fertilizer application records with the NMP.								
Compliance dates/schedules	<p>For newly established turf where nutrients are applied to a contiguous area greater than one acre, the City will implement a nutrient management plan no later than six months after the site achieves final stabilization.</p> <p>NMPs must be recertified by a certified nutrient management planner every three (3) years. The NMPs were last certified in January 2024.</p> <p>NMPs that are expired as of November 1, 2023, will be submitted to DCR for renewal by May 1, 2023. Thereafter, all NMPs will be submitted to DCR at least 30 days prior to the NMP expiration date.</p> <p>By October 31, 2026, no NMPs maintained by the City in accordance with Part I E 6 n will be expired due to DCR documented noncompliance with 4VAC50-85-130 provided to the City.</p> <p>By October 31, 2024, the City will identify contiguous areas greater than one acre located in expanded 2020 census urban areas with a population of at least 50,000 and within the City's MS4 service area requiring turf and landscape NMPs.</p> <p>By October 31, 2026, the City will implement turf and landscape NMPs on contiguous areas greater than one acre located in expanded 2020 census urban areas with a population of at least 50,000 and within the City's MS4 service area.</p>								
Annual reporting requirements	The status of each NMP as of June 30 of the reporting year (e.g., approved, submitted and pending approval, and expired).								

BMP 6E	Contractor Management and Oversight	Rev. Date	05/2024
Description of selected BMPs and strategies	<p>The City incorporates standard language into its contracts requiring the contractor to respect, adhere to, and comply with ordinances and laws pertaining to the contracted services. The City also includes a Termination for Cause clause in case the contractor “disregards laws, ordinances, or rules, regulations or orders of a public authority having jurisdiction.” These conditions provide the City with legal authority to address pollution prevention associated with contracted services.</p> <p>All projects must be designed and installed in accordance with the City of Fairfax PFM, including compliance with ESC and SWM requirements.</p>		
Objective/expected results	City contractors will use appropriate control measures to minimize the discharge of pollutants to the MS4.		
SOPs or policies necessary to implement BMPs	<p>Individual contract language</p> <p>City of Fairfax PFM</p>		
Department(s) responsible for implementing BMP	<p>DPW-AED is responsible for communicating the SWM requirements to other City departments.</p> <p>Individual City departments are responsible for ensuring that the SMW requirements are included in the procurement documents and are followed during the contracted project.</p>		
Measurable goal by which each BMP or strategy will be evaluated	<p>City contracts will contain standard language requiring that contractors respect, adhere to, and comply with such ordinances and laws pertaining to the provided services and the City’s right to terminate the contract.</p> <p>City projects will develop and implement erosion and sediment control and stormwater management plans consistent with the PFM.</p>		
Method utilized to determine effectiveness	<p>The City procurement staff ensure that standard contract language is included in all City contracts.</p> <p>Land-disturbing plans will be reviewed and approved before construction and regular site inspections will be conducted to assure compliance.</p>		
Compliance dates/schedules	MCM 6 does not include any specific compliance dates or schedules aside from those identified as annual reporting requirements.		
Annual reporting requirements	There are no annual reporting requirements regarding this BMP.		

BMP 6F	Stormwater Management Training	Rev. Date	5/2024
Description of selected BMPs and strategies	DPW-AED has developed the City of Fairfax Training Plan, which includes the training requirements, a biennial schedule, and identifies the staff that should be provided training. Individual departments are responsible for providing staff training.		
Objective/expected results	To develop and provide training for staff and ensure contractors are appropriately trained, so both groups that participate in operations and maintenance activities are enabled to minimize or prevent pollutant discharge from 1) daily operations such as road, street, and parking lot maintenance; 2) equipment maintenance; and 3) the application, storage, transport, and disposal of pesticides, herbicides, and fertilizers		
SOPs or policies necessary to implement BMPs	City of Fairfax Training Program		
Department(s) responsible for implementing BMP	DPW-AED is responsible for: <ol style="list-style-type: none"> 1. Maintaining training attendance forms. 2. Operating VESCP and VSMP utilizing DEQ-certified staff. 3. Tracking events, coordinating training with other City departments, and documenting that necessary training has occurred. 		
	DPW and DPR are each responsible for: <ol style="list-style-type: none"> 1. Coordinating training with DPW-AED for applicable staff regarding illicit discharge recognition, good housekeeping, and pollution prevention. 2. Ensuring applicable staff and contractors are certified under the Virginia Pesticide Control Act for pesticide activities. 		
	CFD is responsible for internal staff training on hazardous waste management and spill response.		
Measurable goal by which each BMP or strategy will be evaluated	The City will implement the written training plan per its schedule.		
Method utilized to determine effectiveness	Conduct an annual review of the training accomplished within the identified departments that are subject to stormwater management training requirements		
Compliance dates/schedules	MCM 6 does not include any additional specific compliance dates or schedules beyond those identified in the annual reporting requirements.		
Annual reporting requirements	A list of the training events conducted per Part I E 6 m, including the following information: <ol style="list-style-type: none"> 1. The completion date for the training activity; 2. The number of employees who attended the training event; and 3. The training objectives and good housekeeping procedures covered by the training activity. 		



APPENDIX B. CHESAPEAKE BAY AND LOCAL TMDL ACTION PLANS

Chesapeake Bay TMDL Action Plan

Part II A	Chesapeake Bay TMDL Action Plan	Rev. Date	5/2024
Description of selected BMPs and strategies	The City will develop and implement a Chesapeake Bay TMDL Action Plan that addresses nitrogen and phosphorus.		
Objective/expected results	Develop and implement a Chesapeake Bay TMDL Action Plan in accordance with Part II A of the MS4 permit and show how the plan was met in the Chesapeake Bay TMDL Implementation Annual Status Report.		
SOPs or policies necessary to implement BMPs	The Chesapeake Bay TMDL Action Plan.		
Department(s) responsible for implementing BMP	DPW-AED is responsible for developing and implementing the Action Plan.		
Measurable goal by which each BMP or strategy will be evaluated	The City will regularly update the cumulative reduction calculations for each pollutant of concern in each river basin and track all BMPs implemented to achieve reductions associated with the Chesapeake Bay TMDL.		
Method utilized to determine effectiveness	The City will evaluate the reductions achieved when developing the annual Implementation Annual Status Report.		
Compliance dates/schedules	By November 1, 2024, the City will submit a Chesapeake Bay TMDL Action Plan.		
	Annually, by October 1, 2024, the City will submit a Chesapeake Bay TMDL Implementation Annual Status Report.		
	By November 1, 2028, the City will reduce the POC load from Existing Sources served by the City MS4 within the 2010 UA by at least 100% of the L2 Scoping Run (Defined in the Phase II TMDL Chesapeake Bay Action Plan).		
	By November 1, 2028, the City will offset 100% of the increased POC loads from new sources that initiated construction between July 1, 2009, and October 31, 2023, that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.		
	By November 1, 2028, the City will offset the increased POC loads from new sources that initiated construction after July 1, 2014, that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.		
	By November 1, 2028, the City will update the Phase III Chesapeake Bay TMDL action plan to offset the increased loads from new sources initiating construction between July 1, 2009, and October 31, 2023, that are located in the expanded 2020 UA, that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.		
Annual reporting requirements	By November 1, 2028, the City will update the Phase III Chesapeake Bay TMDL action plan to offset the increased loads from projects grandfathered in accordance with 9VAC25-870-48 that are located in the expanded 2020 UA and began construction after July 1, 2014 that resulted in a land disturbance one acre or greater and the resulting phosphorus load was greater than 0.45 lb./acre/year.		
	The Chesapeake Bay Implementation Annual Status Report is a separate document from the Annual Report.		

Local TMDL Action Plan

Part II B	Local TMDL Action Plan	Rev. Date	5/2024
Description of selected BMPs and strategies	<p>The City will implement and maintain eight (8) TMDL Action Plan for local impaired waters:</p> <ul style="list-style-type: none"> ▪ Accotink Creek Chloride TMDL ▪ Accotink Creek Sediment TMDL ▪ Accotink Creek Fecal Coliform TMDL ▪ Bull Run Sediment TMDL ▪ Difficult Run Sediment TMDL ▪ Difficult Run E. coli TMDL ▪ Occoquan River E. coli TMDL ▪ Popes Head Creek Sediment TMDL 		
Objective/expected results	Implement and maintain the TMDL Action Plan in accordance with Part II B of the permit.		
SOPs or policies necessary to implement BMPs	<ul style="list-style-type: none"> ▪ Accotink Creek Chloride TMDL Action Plan ▪ Accotink Creek Sediment TMDL Action Plan ▪ Accotink Creek Fecal Coliform TMDL Action Plan ▪ Bull Run Sediment TMDL Action Plan ▪ Difficult Run Sediment TMDL Action Plan ▪ Difficult Run E. coli TMDL Action Plan ▪ Occoquan River E. coli TMDL Action Plan ▪ Popes Head Creek Sediment TMDL Action Plan 		
Department(s) responsible for implementing BMP	DPW-AED is responsible for implementing and maintaining the local TMDL Action Plans.		
Measurable goal by which each BMP or strategy will be evaluated	The City will regularly track BMPs implemented to meet the local TMDL requirements.		
Method utilized to determine effectiveness	The City will evaluate the reductions achieved when developing the annual report each year.		
Compliance dates/schedules	<p>By May 1, 2025, the City will update TMDL Action Plans for TMDLs approved by EPA before July 1, 2013, in which the City was allocated a wasteload.</p> <p>By November 1, 2026, the City will submit to DEQ the anticipated dates by which the City will meet the sediment wasteload allocation contained in a local TMDL.</p>		
Annual reporting requirements	A list of BMPs implemented during the reporting period but not reported to the DEQ BMP warehouse as part of VSMP implementation.		



APPENDIX C. DEQ BMP WAREHOUSE REPORTING

DEQ BMP Warehouse Reporting

BMP 7A	SWM Facility Asset Management	Rev. Date	05/2024
Description of selected BMPs and strategies	DPW-AED collects and enters BMP data into a spreadsheet that consists of separate worksheets – one for private SWM facilities and BMPs and one for City-owned/operated SWM facilities. New BMPs implemented and inspected and newly discovered existing BMPs are reported using the DEQ BMP Warehouse in accordance with Part III of the permit.		
Objective/expected results	Maintain an up-to-date record of SWM facilities in the City to schedule and track inspections, assure appropriate TMDL assignment, and as a means of tracking maintenance needs. Report BMPs as necessary to the DEQ BMP Warehouse.		
SOPs or policies necessary to implement BMPs	DPW-AED BMP spreadsheet (the most recent version is maintained at DPW-AED)		
Department(s) responsible for implementing BMP	DPW-AED is responsible for tracking new facilities and maintaining the inventory spreadsheet (including data entry into the City's and DEQ's spreadsheets/databases). DPW-AED is also responsible for reporting the facilities to the DEQ BMP Warehouse.		
Measurable goal by which each BMP or strategy will be evaluated	The City will implement timely updates to its electronic BMP spreadsheet and report BMPs to the DEQ BMP Warehouse regularly to meet the compliance schedules.		
Method utilized to determine effectiveness	The City will evaluate the spreadsheet during the development of the MS4 Annual Report to ensure that all SWM facilities are in the inventory and have been reported.		
Compliance dates/schedules	By October 1 of each year, the City will electronically report the SWM facilities and BMPs implemented between July 1 of the previous year and June 30 of that year using the DEQ BMP Warehouse and associated reporting template for any practices not reported in accordance with Part III B 5 f including SWM facilities installed to control post-development stormwater runoff from land disturbing activities less than one acre in accordance with the Chesapeake Bay Preservation Act regulations (9VAC25-830) and for which a General VPDES Permit for Discharges of Stormwater from Construction Activities was not required.		
	By October 1 of each year, the City will electronically report the most recent inspection date for any existing BMP that was previously reported and re-inspected between July 1 and June 30 using the BMP Warehouse.		
	The City will report any existing BMPs that have not been previously reported in accordance with Part III B and Part III C of the permit. By October 1 the City will update the DEQ BMP Warehouse if any existing BMP is discovered between July 1 and June 30 that was not previously reported.		
Annual reporting requirements	A confirmation statement that the City submitted SWM facility information through the Virginia Construction Stormwater General Permit database for land disturbance activities required to obtain coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities.		
	A confirmation statement that the City electronically reported BMPs using the DEQ BMP Warehouse and the date upon which the information was submitted.		