



## *Florida Department of Transportation*

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ANANTH PRASAD, P.E.  
SECRETARY

May 14, 2012

Eric Livingston  
Florida Department of Environmental Protection  
2600 Blair Stone Road, MS #2510  
Tallahassee, FL 32399

Subject: Palm Beach County Municipal Separate Storm Sewer System (MS4)  
NPDES Permit No. FLS000018  
Year 1, Cycle 3 Annual Report Comments – Request for Additional Information  
Response for Florida Department of Transportation District Four

Dear Mr. Livingston:

The Florida Department of Transportation (FDOT) District Four has reviewed the Request for Additional Information prepared by the Florida Department of Environmental Protection (FDEP) for the Palm Beach County MS4 NPDES Permit Year 1 Annual Reports. Please see below for the additional information provided by FDOT District Four in response to FDEP's request for additional information to satisfy the permit requirements and consider the annual report administratively complete.

- 1. Section IV, Fiscal Analysis, of the Annual Report form requires the permittee to explain the impact of budget reductions on the municipality's capacity to fully implement their SWMP. Since the budget reduction appears to be significant compared to the District's prior-year budget, provide a summary of potential impacts to the stormwater program.**

The total expenditures for the NPDES stormwater management program for the current reporting year (Year 1) appear to be significantly higher than the total budget for the subsequent reporting year (Year 2) indicating a budget reduction. FDOT budgets are legislatively approved on an annual basis. Each FDOT District has a portion of the budget allocated for the NPDES stormwater management program that is utilized to support several permit compliance activities. Additional funding for compliance activities is provided through other FDOT programs (e.g., routine maintenance activities for the stormwater system are conducted by the District Maintenance Office).

The total budget for the subsequent reporting year includes only the portion of funding secured for the NPDES stormwater management program. Additional expenditures accrued through other programs (e.g., by the District Maintenance Office for routine maintenance activities) are estimated based on the work completed during the reporting period and included in the total expenditures for the current reporting year.

2. **Section VII, Part III.A.9.b of the Annual Report form requires the permittee to report the number of inspections conducted on active permittee and private construction sites. The District reported 34 active private construction sites and 34 associated inspections. Explain why only 34 inspections were conducted on the 34 private construction sites during the reporting period.**

Part III.A.9.b of the Palm Beach County MS4 NPDES Permit specifies that the permittee shall submit a written plan for approval by FDEP that details the standard operating procedures for inspecting construction sites. This permit requirement also indicates that "prior to Department approval, the permittee shall continue to perform inspections in accordance with its previously developed construction site inspection procedures."

FDOT District Four previously developed construction site inspection procedures that included one inspection for each approved Drainage Connection Permit, i.e., private construction site. The proposed construction site inspection program plan submitted with the Year 1, Cycle 3 Annual Report includes the inspection frequency outlined in the Cycle 3 Permit (a minimum of three inspections). FDOT District Four is currently finalizing the inspection and tracking protocols needed to implement the proposed inspection program. Per Part III.A.9.b of the Permit, FDOT District Four will implement the Cycle 3 plan for inspecting construction sites immediately upon written approval by the Department.

If you have any questions, please do not hesitate to contact me by phone at (954) 777-4221 or by email at [ivette.leiva@dot.state.fl.us](mailto:ivette.leiva@dot.state.fl.us).

Sincerely,



Ivette Leiva  
NPDES Coordinator  
FDOT District Four