

TOWN OF SOUTH PALM BEACH

3577 South Ocean Boulevard, South Palm Beach, Florida 33480
(561) 588-8889 • Fax (561) 588-6632

January 14, 2013

Alan Wertepny
Mock, Roos & Associates, Inc.
5720 Corporate Way
West Palm Beach, Fl. 33407

Re: NPDES Report for South Palm Beach. Year 2

Dear Mr. Wertepny:

Per our conversation, please find enclosed the NPDES Report for the Town of South Palm Beach, year 2. Should you have any questions please contact me.

Sincerely,

Rex Taylor
Town Manager



ANNUAL REPORT FORM FOR INDIVIDUAL NPDES PERMITS FOR MUNICIPAL SEPARATE STORM SEWER SYSTEMS (RULE 62-624.600(2), F.A.C.)

- This Annual Report Form must be completed and submitted to the Department to satisfy the annual reporting requirements established in Rule 62-621.600, F.A.C.
- Submit this fully completed and signed form and any REQUIRED attachments by mail to the address in the box at right.
- Refer to the Form Instructions for guidance on completing each section.
- Please print or type information in the appropriate areas below.

Submit the form and attachments to:
 Florida Department of Environmental Protection
 Mail Station 2500
 2600 Blair Stone Road
 Tallahassee, Florida 32399-2400

SECTION I. BACKGROUND INFORMATION

A.	Permittee Name: Town of South Palm Beach		
B.	Permit Name: Palm Beach County Municipal Separate Storm Sewer System		
C.	Permit Number: FLS000018-003 (Cycle 3)		
D.	Annual Report Year: <input type="checkbox"/> Year 1 <input checked="" type="checkbox"/> Year 2 <input type="checkbox"/> Year 3 <input type="checkbox"/> Year 4 <input type="checkbox"/> Year 5 <input type="checkbox"/> Other, specify Year:		
E.	Reporting Time Period (month/year): 10/2011 through 9/30/2012		
F.	Name of the Responsible Authority: Rex Taylor		
	Title: Town Manager		
	Mailing Address: 3577 South Ocean Boulevard		
	City :South Palm Beach	Zip Code: 33480	County: Palm Beach
	Telephone Number: 561 588 8889		Fax Number: 561 588 6632
	E-mail Address: rtaylor@southpalmbeach.com		
G.	Name of the Designated Stormwater Management Program Contact (if different from Section I.F above):		
	Title:		
	Department:		
	Mailing Address:		
	City:	Zip Code:	County:
	Telephone Number:		Fax Number:
	E-mail Address:		

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

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

SECTION III. MONITORING PROGRAM

A.	Provide a brief statement as to the status of monitoring plan implementation: <i>DEP Note: All co-permittees may refer to the PBC Joint AR here as follows: "The monitoring plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the monitoring information."</i>
B.	Provide a brief discussion of the monitoring results to date: <i>DEP Notes:</i> <ul style="list-style-type: none">• All co-permittees may refer to the PBC Joint AR here as follows: "Please see the Palm Beach County Joint Annual Report for the monitoring information."• See Part V of the permit for the monitoring requirements.
C.	Attach a monitoring data summary, as required by the permit.

SECTION IV. FISCAL ANALYSIS

A.	Total expenditures for the NPDES stormwater management program for the current reporting year: \$ <i>DEP Note: If program resources have decreased from the previous year, attach a discussion of the impacts on the implementation of the SWMP as per Part II.F of the permit.</i>
B.	Total budget for the NPDES stormwater management program for the subsequent reporting year: \$

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

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

<u>Attached</u>	<u>N/A</u>	***DEP Note: Please complete Checklists A & B at the end of the tailored form.***
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Any additional information required to be submitted in this current annual reporting year in accordance with Part III.A of your permit that is not otherwise included in Section VII below.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A monitoring data summary as directed in Section III.C above and in accordance with Rule 62-624.600(2)(c), F.A.C.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Year 1 ONLY: An inventory of all known major outfalls and a map depicting the location of the major outfalls (hard copy or CD-ROM) in accordance with Rule 62-624.600(2)(a), F.A.C.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Year 3 ONLY: The estimates of pollutant loadings and event mean concentrations for each major outfall or each major watershed in accordance with Rule 62-624.600(2)(b), F.A.C.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Year 4 ONLY: Permit re-application information in accordance with Rule 62-624.420(2), F.A.C.

DO NOT SUBMIT ANY OTHER MATERIALS

(such as records and logs of activities, monitoring raw data, public outreach materials, etc.)

SECTION VI. CERTIFICATION STATEMENT AND SIGNATURE

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

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

Name of Responsible Authority (type or print): Rex Taylor

Title: Town Manager

Signature:  Date: 1 / 3 / 2013

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
Part III.A.1	Structural Controls and Stormwater Collection Systems Operation				
	Maintain an up-to-date inventory of the structural controls and roadway stormwater collection structures operated by the permittee, including, at a minimum, all of the types of control structures listed in Table II.A.1.a of the permit. Report the current known inventory.				
	<p><i>DEP Note: The permittee needs to "customize" this section by adding any structural controls to the list below that are part of the permittee's MS4 currently or are planned for the future. The permittee may remove any structural controls listed that it does not have currently or will likely not have during this permit cycle. Please see the attached description of each type of structure. In addition, the permittee may choose its own unit of measurement for each structural control to be consistent with the unit of measurement in the documentation. Unit options include: miles, linear feet, acres, etc.</i></p> <p>Report the number of inspection and maintenance activities conducted for each type of structure included in Table II.A.1.a, and the percentage of the total inventory of each type of structure inspected and maintained. If the minimum inspection frequencies set forth in Table II.A.1.a were not met, provide as an attachment an explanation of why they were not and a description of the actions that will be taken to ensure that they will be met.</p> <p><i>DEP Note: If the minimum inspection frequencies set forth in Table II.A.1.a of the permit were not met for one or more type of structure, the permittee must provide as an attachment an explanation of why they were not and a description of the actions that will be taken to ensure that they will be met. Please provide the title of the attached explanation in Column D and the name of the entity who finalized the explanation in Column E.</i></p>				
	Type of Structure	Number of Activities Performed			Entity Performing the Activity
		Total Number of Structures	Number of Inspections	Percentage Inspected	Number of Maintenance Activities
				Percentage Maintained	Comments
	Dry retention systems				
	Exfiltration trench / French drains (linear feet)				NA
	Grass treatment swales (miles)				NA
	Dry detention systems				NA
	Wet detention systems				NA
	Pollution control boxes				NA
	Stormwater pump stations				NA
	Major stormwater outfalls				NA
	Weirs or other control structures				NA
	MS4 pipes / culverts (FEET)	36	2	100	0
	Inlets / catch basins / grates	1	2	100	0
	Ditches / conveyance swales (miles)				NA

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	<p>ATTACH explanation if any of the minimum inspection frequencies in Table II.A.1.a were not met</p> <p>Year 1 ONLY: Attach a map of all known major outfalls as per Rule 62-624.600(2)(a), F.A.C.</p>		NA	NA	Met Requirements Submitted in year one
Part III.A.2	<p>Areas of New Development and Significant Redevelopment</p> <p>Report the number of new development and significant redevelopment projects reviewed by the permittee for post-development stormwater considerations.</p> <p><i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C. This provision DOES NOT APPLY to Indian Trail Improvement District (ITID), Northern Palm Beach County Improvement District (NPBCID), South Indian River Water Control District (SIRWCD), and FDOT.</i></p> <p>Number of new development / significant redevelopment projects reviewed</p> <p>0</p> <p>Town</p> <p>No Development</p> <p>Provide in the Year 2 Annual Report the summary report of the review of local codes activity. Provide in the Year 4 Annual Report the follow-up report on plan implementation of modifying codes to allow low impact design BMPs.</p> <p><i>DEP Note: Refer to Part III.A.2 of the permit for details regarding what the review entails, and what must be included in the summary report and follow-up report. Please provide the title of the attached report in Column D and the name of the entity who finalized the report in Column E. This provision DOES NOT APPLY to ITID, NPBCID, SIRWCD, and FDOT.</i></p>		NA	NA	Attachment 2
Part III.A.3	<p>Year 2 ONLY: Attach the summary report of the review activity</p> <p>Year 4 ONLY: Attach the follow-up report on plan implementation</p> <p>Roadways</p> <p>Annually review (and revise, as needed) and implement the permittee's written procedures for the litter control program(s) for public streets, roads, and highways, including rights-of-way, employed within the permittee's jurisdictional area and properly dispose of collected material. Implement the program on a monthly, or on an as needed, basis. Report on the litter control program, including the frequency of litter collection, an estimate of the total number of road miles cleaned or amount of area covered by the activities, and an estimate of the quantity of litter collected.</p> <p><i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C. In addition, the permittee may choose its own units of measurement for the reporting items. Unit options for the amount of litter include: bags, cubic yards, pounds, tons. Unit options for the amount of area covered by the activity include: square feet, linear feet, yards, miles, acres. If all litter collection is performed by staff or by contractors, but not by both, please remove the non-applicable reporting items.</i></p> <p>PERMITTEE Litter Control Program: Frequency of litter collection</p> <p>PERMITTEE Litter Control Program: Estimated amount of area maintained (linear feet)</p> <p>PERMITTEE Litter Control Program: Estimated amount of litter collected (cubic yards)</p> <p>CONTRACTOR Litter Control Program: Frequency of litter collection</p> <p>CONTRACTOR Litter Control Program: Estimated amount of area maintained (linear feet)</p> <p>CONTRACTOR Litter Control Program: Estimated amount of litter collected (cubic yards)</p>	Weekly	See SOP	Town Staff	
		5040 SQ FT	Outfall Map	Town Staff	
		1-20 lb. bag	See SOP	Town Staff	
		none			

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	If an Adopt-A-Road or similar program is implemented, report the total number of road miles cleaned and an estimate of the quantity of litter collected.				
	<i>DEP Note: The permittee may choose its own unit of measurement for the amount of litter collected. Unit options include: bags, cubic yards, pounds, tons. If an Adopt-A-Road or similar program is not implemented by the permittee, please note that in Column F but do not remove the Adopt-A-Road Program reporting items.</i>				
	Keep PBC Beautiful Trash Pick-up Events: Total miles cleaned	0	NA	NA	No Program Needed
	Keep PBC Beautiful Trash Pick-up Events: Estimated amount of litter collected (cubic yards)				
	Adopt-A-Road Program: Total miles cleaned				
	Adopt-A-Road Program: Estimated amount of litter collected (cubic yards)				
	Report on the street sweeping program, including the frequency of the sweeping, total miles swept, an estimate of the quantity of sweepings collected, and the total nitrogen (TN) and total phosphorus (TP) loadings that were removed by the collection of sweepings. If no street sweeping program is implemented, provide the explanation of why not in the Year 1 Annual Report.				
	<i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C. Also, the permittee may choose its own unit of measurement for the amount of sweeping material collected. Unit options include: cubic yards, pounds, tons.</i>				
	<i>DEP Note: If the permittee has curbs and gutters but no street sweeping program is implemented, the permittee must provide an explanation of why not in the Year 1 Annual Report. Refer to Part III.A.3 of the permit for the information that must be included in the explanation (including the alternate BMPs used or planned in lieu of street sweeping). Please provide the title of the attached explanation in Column D and the name of the entity who finalized the explanation in Column E.</i>				
	Frequency of street sweeping	0	NA	NA	No Curb & Gutter
	Total miles swept (per year)				
	Estimated quantity of sweeping material collected (cubic yards)				
	Total nitrogen loadings removed (pounds)				
	Total phosphorus loadings removed (pounds)				
	Year 1 ONLY: If have curbs and gutters, attach explanation of why no street sweeping program and the alternate BMPs used or planned				
	Annually review (and revise, as needed) and implement the permittee's written standard practices to reduce the pollutants in stormwater runoff from areas associated with road repair and maintenance, and from permittee-owned or operated equipment yards and maintenance shops that support road maintenance activities. Report the number of applicable facilities and the number of inspections conducted for each facility.				
	<i>DEP Note: The permittee needs to "customize" this section by listing the names of the applicable facilities in Column B and the number of inspections of each facility in Column C. Add more rows if necessary. If "0" is reported in Column C for the number of inspections conducted and the permittee has one or more applicable facilities, please provide an explanation in Column F for why no inspections were conducted. In addition, if the same facility is applicable under both Parts III.A.3 and III.A.5 of the permit, the same site inspection can count towards both inspection requirements as long as it covers the applicable waste area(s). Be sure to report the site inspection under both Parts III.A.3 and III.A.5.</i>				
	Name of facility #1:				
	Name of facility #2:	0	NA	NA	No Facility
	Name of facility #3:				
	Name of facility #4:				

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Part III.A.4	Flood Control Projects				
	Report the total number of flood control projects that were constructed by the permittee during the reporting period and the number of those projects that did NOT include stormwater treatment. The permittee shall provide a list of the projects where stormwater treatment was not included with an explanation for each of why it was not. Report on any stormwater retrofit planning activities and the associated implementation of retrofitting projects to reduce stormwater pollutant loads from existing drainage systems that do not have treatment BMPs.				
	<i>DEP Note:</i> A "stormwater retrofit project" is one implemented primarily to provide stormwater treatment.				
	<i>DEP Note:</i> The status of the flood control and retrofit projects should be reported as of the last day of the applicable reporting period. Therefore, there should be no duplication for those reported as planned, for those reported as under construction and for those reported as completed.				
	<i>DEP Note:</i> If applicable, please provide the title of the attached list of flood control projects that did not include stormwater treatment in Column D and the name of the entity who finalized the list in Column E.				
	Flood control projects completed during the reporting period	0	NA	NA	No Project
	Flood control projects completed during the reporting period that did not include stormwater treatment				
	ATTACH a list of the flood control projects that did not include stormwater treatment and an explanation for each of why it was not				
	Stormwater retrofit projects planned				
	Stormwater retrofit projects under construction during the reporting period				
	Stormwater retrofit projects completed during the reporting period				
Part III.A.5	Municipal Waste Treatment, Storage, and Disposal Facilities Not Covered by an NPDES Stormwater Permit				
	Annually review (and revise, as needed) and implement the permittee's written procedures for inspections and the implementation of measures to control discharges from the following facilities that are not otherwise covered by an NPDES stormwater permit: <ul style="list-style-type: none"> • Operating municipal landfills; • Municipal waste transfer stations; • Municipal waste fleet maintenance facilities; and • Any other municipal waste treatment, waste storage, and waste disposal facilities. Report the number of applicable facilities and the number of the inspections conducted for each facility.				
	<i>DEP Note:</i> The permittee needs to "customize" this section by listing the names of the applicable facilities in Column B and the number of inspections of each facility in Column C. Add more rows if necessary. If "0" is reported in Column C for the number of inspections conducted and the permittee has one or more applicable facilities, please provide an explanation in Column F for why no inspections were conducted. An applicable facility under Part III.A.5 includes, but is not limited to, those facilities/yards where street sweeping material and/or yard waste are temporary stockpiled, and where solid waste collection vehicles are parked and/or maintained. In addition, if the same facility is applicable under both Parts III.A.3 and III.A.5 of the permit, the same site inspection can count towards both inspection requirements as long as it covers the applicable waste area(s). Be sure to report the site inspection under both Parts III.A.3 and III.A.5.				
		Number of Inspections			

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	Name of facility #1:	0	NA	NA	No Facilities
	Name of facility #2:				
	Name of facility #3:				
	Name of facility #4:				
Part III.A.6	Pesticides, Herbicides, and Fertilizer Application				
	Continue to require proper certification and licensing by the Florida Department of Agriculture and Consumer Services (FDACS) for all applicators contracted to apply pesticides, herbicides, or fertilizers on permittee-owned property, as well as any permittee personnel employed in the application of these products. Report the number of permittee personnel applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified / licensed. Report the number of permittee personnel and contractors who have been trained through the Green Industry BMP Program, and the number of contracted commercial applicators of fertilizer who are FDACS certified / licensed. <i>DEP Note: If "0" is reported in Column C for any of the reporting items, please include in Column F an explanation of why training was not provided to / obtained by personnel and contractors during the applicable reporting year, the most recent year that training / certification was previously provided / obtained, and the names of the personnel and contractors previously trained / certified.</i>				
	PERSONNEL: Florida Department of Agriculture and Consumer Services (FDACS) certified applicators of pesticides and herbicides CONTRACTORS: FDACS certified / licensed applicators of pesticides and herbicides	0	NA	NA	No Program
	CONTRACTORS: FDACS certified / licensed applicators of fertilizer PERSONNEL: Green Industry BMP Program training completed	0	NA	NA	No Program
	CONTRACTORS: Green Industry BMP Program training completed	0	NA	NA	No Program
	Pursuant to SB 2080 (2009), all local governments are encouraged to adopt a Florida-friendly Landscaping Ordinance similar to the one set forth in the document "Florida-friendly Guidance Models for Ordinances, Covenants and Restrictions." If the broader Florida-friendly ordinance described above is not adopted, then all local governments within the watershed of a nutrient-impaired water body shall adopt the Department's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes pursuant to SB 494 (2009) or an ordinance that includes all of the requirements set forth in the Model Ordinance. The ordinance shall be adopted within 24 months of the date of permit issuance. Provide a copy of the adopted ordinance with the subsequent Year 1 or Year 2 Annual Report.	0	NA	NA	No Program
	<i>DEP Note: This provision DOES NOT APPLY to ITID, NPBCID, S/RWCD, and FDOT. For all other permittees, if this provision is not applicable because the permittee is not within the watershed of a nutrient-impaired water body, then please indicate that in Column F, but do not remove this reporting item.</i>				
	<i>DEP Note: Please provide the title and citation of the ordinance in Column D, and the name of the entity who finalized the ordinance in Column E.</i>				
	Year 1 or Year 2 ONLY: Attach copy of adopted Florida-friendly ordinance		0	0	NA
	During Year 1 of the permit, develop and implement a written public education and outreach program plan to encourage citizens to reduce their use of pesticides, herbicides, and fertilizers. Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage citizens to reduce their use of pesticides, herbicides, and fertilizers, including the type and number of activities conducted, the type and number of materials distributed, the percentage of the population reached by the activities in total, and the number of Web site visits (if applicable). Activities performed under the Florida Yards and Neighborhoods (FYN) program should only be reported if the permittee is contributing funding towards the FYN staff and program within its jurisdiction.				
	<i>DEP Note: The permittee should "customize" the list of public outreach activities by removing items or adding items to the list below as appropriate to their particular public outreach program. However, the reporting item of "Estimated percentage of the population reached by the activities in total" must remain unless</i>				

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	<p><i>the permittee chooses to reference the PBC Joint AR, as demonstrated in the first reporting item below. The permittee may add more specifics to the reporting items, such as the name of the brochure or newsletter distributed. If "0" is reported in Column C for all the reporting items, and the PBC Joint AR is not referenced, please include in Column F an explanation for why no outreach was performed.</i></p> <p><i>DEP Note: All the permittees may refer to the PBC Joint AR in place of reporting individual items as demonstrated in the row below. The permittees may remove all reporting items except the first reporting item if they include reference to the PBC Joint AR. However, a permittee can choose to also report any outreach activities it performs in addition to the joint effort – in such a case, please keep the reporting items that are applicable.</i></p> <p><i>DEP Note: Indicate under Column E "Entity Performing the Activity" if FYN or IFAS is performing any of the reported public education and outreach activities. In addition, please complete the following line:</i></p> <p style="text-align: center;">FYN PROGRAM FUNDING: Permittee Provides Funding? X Yes <input type="checkbox"/> No Amount of Funding = \$ see Joint Report</p>				
	Public education and outreach program				The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information.
	Estimated percentage of the population reached by the activities in total Brochures/Flyers/Fact sheets distributed FYN: Brochure/Flyers/Fact sheets distributed			FYN	
	Neighborhood presentations: Number conducted FYN: Neighborhood presentations: Number of participants			FYN	
	Neighborhood presentations: Number of participants Newspapers & newsletters: Number of articles/notices published			FYN	
	Newsletters: Number of newsletters distributed Public displays (e.g., kiosks, storyboards, posters, etc.) FYN: Public displays (e.g., kiosks, storyboards, posters, etc.)			FYN	
	Radio or television Public Service Announcements (PSAs) FYN: Radio or television Public Service Announcements (PSAs)			FYN	
	School presentations: Number conducted School presentations: Number of participants FYN: School presentations: Number conducted			FYN	
	FYN: School presentations: Number of participants Seminars/Workshops: Number conducted Seminars/Workshops: Number of participants FYN: Seminars/Workshops: Number conducted			FYN	
	FYN: Seminars/Workshops: Number of participants Special events: Number conducted Special events: Number of participants FYN: Special events: Number conducted			FYN	
	FYN: Special events: Number of participants			FYN	

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	<p>Web Site: Number of hits / visitors to the stormwater-related pages</p> <p>During Year 1 of the permit, develop and implement a written plan for the training of all permittee personnel applicators and contracted applicators to emphasize the stormwater implications of pesticide, herbicide and fertilizer application. Follow-up training shall be provided annually. Training to obtain or maintain an FDACS certificate and/or license does not satisfy this requirement. Report the number of permittee personnel applicators and contracted applicators who participated in training on the stormwater implications of pesticide, herbicide and fertilizer application (both in-house and outside training).</p> <p>DEP Note: This permit requirement has been removed from other Phase I MS4 permits that were reissued after the Palm Beach County MS4 permit since recent changes to the FDACS certification / licensing program have allowed it to adequately fulfill this requirement. Therefore, at this time, this permit requirement does not need to be implemented.</p>				
Part III.A.7.a	<p>Illicit Discharges and Improper Disposal — Inspections, Ordinances, and Enforcement Measures</p> <p>Where applicable, strengthen the legal authority to conduct inspections, conduct monitoring, control illicit discharges, illicit connections, illegal dumping and spills into the MS4 and to require compliance with conditions in ordinances, permits, contracts, and orders. Report amendments, as needed.</p> <p>DEP Note: If applicable, please provide the title of the attached report in Column D and the name of the entity who finalized the report in Column E.</p> <p>ATTACH a report on any amendments to the applicable legal authority</p>		NA	NA	
Part III.A.7.c	<p>Illicit Discharges and Improper Disposal — Investigation of Suspected Illicit Discharges and/or Improper Disposal</p> <p>During Year 1 of the permit, develop and implement a written proactive inspection program plan for identifying and eliminating sources of illicit discharges, illicit connections, or dumping to the MS4. Report on the proactive inspection program, including the number of inspections conducted, the number of illicit activities found, and the number and type of enforcement actions taken.</p> <p>DEP Note: If "0" is reported in Column C for the first reporting item, please include an explanation in Column F for why no proactive inspections were performed. In addition, the permittee should re-word the "NOVs / warning letters / citations issued" reporting item to more accurately reflect its particular initial enforcement activity, if necessary.</p> <p>DEP Note: Proactive inspections may include, for example, suspect areas (e.g., industrial areas), commercial businesses (e.g., restaurants, car washes, service stations, laundries / dry cleaners, auto body shops, mobile carpet cleaners) or temporary activities (e.g., special events / fairs / circuses) that would not otherwise be inspected during routine inspections and maintenance of the MS4, in association with high risk industrial facilities or construction sites, or in response to citizen or staff reports.</p> <p>DEP Note: Refer to Part III.A.7.c of the permit for what must be included in the written proactive inspection program plan. Please provide the title of the attached plan in Column D and the name of the entity who finalized the plan in Column E.</p>				
	<p>Proactive inspections for suspected illicit discharges / connections / dumping</p>	0	0	Town	See SOP response letter to FDEP 1 st year
	<p>Illicit discharges / connections / dumping found during a proactive inspection</p>	0	0	0	
	<p>Notices of Violation (NOVs) / warning letters / citations issued for illicit discharges / connections / dumping found during a proactive inspection</p>	0	0	0	
	<p>Fines issued for illicit discharges / connections / dumping found during a</p>	0	0	0	

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	<p>Year 1 ONLY: Attach the written proactive inspection program plan</p> <p>proactive inspection</p> <p>Annually review (and revise, as needed) and implement the permittee's written procedures to conduct reactive investigations to identify and eliminate the source(s) of illicit discharges, illicit connections or improper disposal to the MS4, based on reports received from permittee personnel, contractors, citizens, or other entities regarding suspected illicit activity. Report on the reactive investigation program as it relates to responding to reports of suspected illicit discharges, including the number of reports received, the number of investigations conducted, the number of illicit activities found, and the number and type of enforcement actions taken.</p> <p><i>DEP Note: If the number of reports received differs from the number of reactive investigations, please provide an explanation for the discrepancy in Column F. In addition, the permittee should re-word the "NOVs / warning letters / citations issued" reporting item to more accurately reflect its particular initial enforcement activity, if necessary.</i></p>					
	<p>Reports of suspected illicit connections / discharges / dumping received</p> <p>Reactive investigations of reports of suspected illicit discharges / connections / dumping</p> <p>Illicit discharges / connections / dumping found during a reactive investigation</p> <p>Notices of Violation (NOVs) / warning letters / citations issued for illicit discharges / connections / dumping found during a reactive investigation</p> <p>Fines issued for illicit discharges / connections / dumping found during a reactive investigation</p> <p>During Year 1 of the permit, develop and implement a written plan for the training of all appropriate permittee personnel (including field crews, fleet maintenance staff, and inspectors) and contractors to identify and report conditions in the stormwater facilities that may indicate the presence of illicit discharges / connections / dumping to the MS4. Follow-up training shall be provided annually. Report the number and type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training).</p> <p><i>DEP Note: If "0" is reported for either reporting item, please include in Column F an explanation of why training was not provided to / obtained by personnel and contractors during the applicable reporting year, the most recent year that training was previously provided / obtained, and the names of the personnel and contractors previously trained.</i></p>	<p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p>	<p>Phone Messages</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p>	<p>Town Staff</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p>	<p>Report to FDOT or PBC Fire/Rescue</p>	
Part III.A.7.d	<p>Illicit Discharges and Improper Disposal — Spill Prevention and Response</p> <p>Annually review (and revise, as needed) and implement the permittee's written spill-prevention/spill-response plan and procedures to prevent, contain, and respond to spills that discharge into the MS4. Report on the spill prevention and response activities, including the number of spills addressed.</p> <p><i>DEP Note: The permittee may report the number of hazardous material spills separately from the number of non-hazardous material spills, or report one combined number, to more accurately reflect its tracking of these spills.</i></p>	<p>Initial Training</p> <p>1</p> <p>0</p>	<p>Refresher Training</p> <p>0</p>	<p>Sign in Sheet</p> <p>NA</p>	<p>Steering Committee</p> <p>NA</p>	<p>Refresher Taken last year</p> <p>NA</p>
	<p>Hazardous and non-hazardous material spills responded to</p>	0	Monthly Record	PBC Fire Rescue		

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

A.	B.	C.	D.	E.	F.						
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments						
	During Year 1 of the permit, develop and implement a written plan for the training of all appropriate permittee personnel (including field crews, firefighters, fleet maintenance staff and inspectors) and contractors on proper spill prevention, containment, and response techniques and procedures. Follow-up training shall be provided annually. Report the number and type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training).										
	<i>DEP Note: If "0" is reported for either reporting item, please include in Column F an explanation of why training was not provided to / obtained by personnel and contractors during the applicable reporting year, the most recent year that training was previously provided / obtained, and the names of the personnel and contractors previously trained.</i>										
	<table border="1"> <thead> <tr> <th>Initial Training</th> <th>Refresher Training</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0</td> </tr> <tr> <td>0</td> <td>0</td> </tr> </tbody> </table>	Initial Training	Refresher Training	1	0	0	0				
Initial Training	Refresher Training										
1	0										
0	0										
Part III.A.7.e	Illicit Discharges and Improper Disposal — Public Reporting				NA						
	During Year 1 of the permit, develop and implement a written public education and outreach program plan to promote, publicize, and facilitate public reporting of the presence of illicit discharges and improper disposal of materials into the MS4. Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the public reporting of suspected illicit discharges and improper disposal of materials, including the type and number of activities conducted, the type and number of materials distributed, the percentage of the population reached by the activities in total, and the number of Web site visits (if applicable).										
	<i>DEP Note: The permittee should "customize" the list of public outreach activities by removing items or adding items to the list below as appropriate to their particular public outreach program. However, the reporting item of "Estimated percentage of the population reached by the activities in total" must remain unless the permittee chooses to reference the PBC Joint AR, as demonstrated in the first reporting item below. The permittee may add more specifics to the reporting items, such as the name of the brochure or newsletter distributed. If "0" is reported in Column C for all the reporting items, and the PBC Joint AR is not referenced, please include in Column F an explanation for why no outreach was performed.</i>										
	<i>DEP Note: All the co-permittees may refer to the PBC Joint AR in place of reporting individual items as demonstrated in the first line below. The co-permittees may remove all the other reporting items except the first one if they include reference to the PBC Joint AR. However, a permittee can choose to also report any outreach activities it performs in addition to the joint effort — in such a case, please keep the reporting items that are applicable.</i>										
	Public education and outreach program				The public outreach and education plan is carried out as a joint effort by the Palm Beach County Co-permittees. Please see the Palm Beach County Joint Annual Report for the public education and outreach information.						
	Estimated percentage of the population reached by the activities in total										
	Brochures/Flyers/Fact sheets distributed										
	Neighborhood presentations: Number conducted										
	Neighborhood presentations: Number of participants										
	Newspapers & newsletters: Number of articles/notices published										
	Newsletters: Number of newsletters distributed										
	Public displays (e.g., kiosks, storyboards, posters, etc.)										
	Radio or television Public Service Announcements (PSAs)										
	School presentations: Number conducted										
	School presentations: Number of participants										
	Seminars/Workshops: Number conducted										

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

A.	B.	C.	D.	E.	F.
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments
	Seminars/Workshops: Number of participants Special events: Number conducted Special events: Number of participants Web Site: Number of visitors to the stormwater-related pages				
Part III.A.7.f	<p>Illicit Discharges and Improper Disposal — Oils, Toxics, and Household Hazardous Waste Control</p> <p>During Year 1 of the permit, develop and implement a written public education and outreach program plan to encourage the proper use and disposal of used motor vehicle fluids, leftover hazardous household products, and lead acid batteries. Report on the public education and outreach activities that are performed or sponsored by the permittee within the permittee's jurisdiction to encourage the proper use and disposal of oils, toxics, and household hazardous waste, including the type and number of activities conducted, the type and number of materials distributed, the amount of waste collected / recycled / properly disposed, the percentage of the population reached by the activities in total, and the number of Web site visits (if applicable).</p> <p><i>DEP Note: The permittee should "customize" the list of public outreach activities by removing items or adding items to the list below as appropriate to their particular public outreach program. However, the reporting item of "Estimated percentage of the population reached by the activities in total" must remain unless the permittee chooses to reference the PBC Joint AR, as demonstrated in the first reporting item below. The permittee may add more specifics to the reporting items, such as the name of the brochure or newsletter distributed. If "0" is reported in Column C for all the reporting items, and the PBC Joint AR is not referenced, please include in Column F an explanation for why no outreach was performed.</i></p> <p><i>DEP Note: All the co-permittees may refer to the PBC Joint AR in place of reporting individual items as demonstrated in the first line below. The co-permittees may remove all the other reporting items if they include reference to the PBC Joint AR. However, a permittee can choose to also report any outreach activities it performs in addition to the joint effort — in such a case, please keep the reporting items that are applicable.</i></p> <p>Public education and outreach program</p> <p>Estimated percentage of the population reached by the activities in total</p> <p>Brochures/Flyers/Fact sheets distributed</p> <p>Household Hazardous Waste (HHW) Collection Day: Events</p> <p>HHW Collection Day: Amount of waste collected/recycled/properly disposed (tons)</p> <p>Neighborhood presentations: Number conducted</p> <p>Neighborhood presentations: Number of participants</p> <p>Newspapers & newsletters: Number of articles/notices published</p> <p>Newsletters: Number of newsletters distributed</p> <p>Public displays (e.g., kiosks, storyboards, posters, etc.)</p> <p>Radio or television Public Service Announcements (PSAs)</p> <p>School presentations: Number conducted</p> <p>School presentations: Number of participants</p> <p>Seminars/Workshops: Number conducted</p> <p>Seminars/Workshops: Number of participants</p> <p>Special events: Number conducted</p> <p>Special events: Number of participants</p>				

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

A.	B.	C.	D.	E.	F.	
Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments	
	Storm sewer inlets newly marked/replaced Web Site: Number of visitors to the stormwater-related pages					
Part III.A.7.g	<p>Illicit Discharges and Improper Disposal — Limitation of Sanitary Sewer Seepage</p> <p>Annually review (and revise, as needed) and implement the permittee's written procedures to reduce or eliminate sanitary wastewater contamination into the MS4, including discharges to the MS4 from sanitary sewer overflows (SSOs) and from inflow / infiltration from collection / transmission systems and/or septic tank systems. Advise the appropriate utility owner of a violation if constituents common to wastewater contamination are discovered in the MS4. Report on the type and number of activities undertaken to reduce or eliminate SSOs and inflow/ infiltration, the number of SSOs or inflow / infiltration incidents found and the number resolved, and the name of the owner of the sanitary sewer system within the permittee's jurisdiction.</p> <p><i>DEP Note: The permittee needs to "customize" this section as it pertains to the type of activities undertaken to reduce or eliminate SSOs and inflow / infiltration into the MS4. The first three reporting items below are examples.</i></p> <p><i>DEP Note: The permittee should contact the appropriate authorities for accurate reporting information, such as the sanitary sewer system operator who is responsible for investigating and eliminating SSOs and the local health department who is responsible for permitting / overseeing septic tank systems.</i></p> <p><i>DEP Note: Report only the SSOs and inflow / infiltration incidents into the MS4.</i></p> <p>Activity to reduce/eliminate SSOs and inflow / infiltration: Repair / lining of sanitary sewer system</p> <p>Activity to reduce/eliminate SSOs and inflow / infiltration: Septic systems removed</p> <p>Activity to reduce/eliminate SSOs and inflow / infiltration: Emergency generator added</p> <p>SSO incidents discovered</p> <p>SSO incidents resolved</p> <p>Inflow / infiltration incidents discovered</p> <p>Inflow / infiltration incidents resolved</p> <p>Name of owner of the sanitary sewer system</p>	<p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>Town of South Palm Beach</p>	<p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p>	<p>Town</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p>	<p>System Relined in 2009</p> <p>No Septic Systems in Town</p>	
Part III.A.8.a	<p>Industrial and High-Risk Runoff — Identification of Priorities and Procedures for Inspections</p> <p>Continue to maintain an up-to-date inventory of all existing high risk facilities discharging into the permittee's MS4. The inventory shall identify the outfall and surface water body into which each high risk facility discharges. For the purposes of this permit, high risk facilities include:</p> <ul style="list-style-type: none"> Operating municipal landfills; Hazardous waste treatment, storage, disposal and recovery facilities; Facilities that are subject to EPCRA Title III, Section 313 (also known as the Toxics Release Inventory (TRI) maintained by the U.S. EPA); and Any other industrial or commercial discharge that the permittee determines is contributing a substantial pollutant loading to the permittee's MS4. This could include facilities identified through the proactive inspection program as per Part III.A.7.c of the permit. <p>Report on the high risk facilities inventory, including the type and total number of high risk facilities and the number of facilities newly added each year.</p> <p><i>DEP Note: The TRI is updated every spring / summer by the U.S. EPA at www.epa.gov/triexplorer. Select "Facility" on the left, chose your Geographic Location,</i></p>					

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	<p>and then select "Generate Report." Please indicate in Column F when (month / year) you last checked EPA's TRI for applicable facilities.</p> <p><u>DEP Note:</u> The total number of high risk facilities reported needs to equal the sum of the numbers of the four types of applicable facilities.</p> <p>During Year 1 of the permit, develop and implement a written plan for conducting inspections of high risk facilities to determine compliance with all appropriate aspects of the stormwater program. While the permittee may determine the order and frequency of the inspections, the permittee shall inspect each identified facility at least once during the permit term; however, facilities identified as high risk due to the findings of the proactive inspection program as per Part III.A.7.c of the permit shall be inspected annually. Report on the high risk facilities inspection program, including the number of inspections conducted and the number and type of enforcement actions taken.</p> <p><u>DEP Note:</u> If "0" is reported for the number of inspections conducted and the permittee has one or more high risk facilities, please provide an explanation in Column F for why no inspections were conducted. In addition, the permittee should re-word the "NOVs / warning letters / citations issued" reporting item to more accurately reflect its particular initial enforcement activity, if necessary</p>																																																
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Number of Facilities	Number of Inspections			For violations discovered during a high risk inspection				Violations (NOVs) / warning letters / citations issued																																									
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Other facilities determined as high risk by the permittee (that are not facilities identified through the proactive inspections)	0																																																
Part III.A.8.b	Industrial and High-Risk Runoff — Monitoring for High Risk Industries																																																
	<p>Sampling of the discharge to the stormwater system may be required on an as-needed basis in the event that inspections of high-risk facilities disclose suspected illicit discharges to the MS4. New high-risk industrial facilities as defined in 40 CFR 122.26(d)(2)(iv)(C) must be evaluated to determine if the new discharge is contributing a substantial pollutant load to the MS4. The evaluation may include site-specific monitoring. Report the number of high risk facilities sampled.</p>																																																
Part III.A.9.a	Construction Site Runoff — Site Planning and Non-Structural and Structural Best Management Practices																																																
		High risk facilities sampled	0	NA	NA																																												

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	Continue to implement the local codes or land development regulations and the written pre-construction site plan review procedures that require the use and maintenance of appropriate structural and non-structural erosion and sedimentation controls during construction to reduce the discharge of pollutants to the MS4. Report the number of permittee and private pre-construction site plans reviewed for stormwater, erosion, and sedimentation controls, and the number approved.				
	<p><i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C.</i></p> <p>PERMITTEE SITES: Construction site plans reviewed 0</p> <p>PERMITTEE SITES: Construction site plans approved</p> <p>PRIVATE SITES: Construction site plans reviewed 0</p> <p>PRIVATE SITES: Construction site plans approved</p> <p>Annually review (and revise, as needed) and implement the permittee's written procedures to notify all new development / redevelopment permit applicants of the need to obtain all required stormwater permits. Report the number of new development/redevelopment permit applicants notified of the ERP and CGP, and the number of applicants who confirmed ERP and CGP coverage.</p> <p><i>DEP Note: Please provide an explanation in Column F for any "0" reported in Column C. If the number of applicants notified of ERP or CGP coverage is less than the number of construction site plans reviewed, please provide an explanation for the discrepancy in Column F.</i></p> <p>Notified of ERP stormwater permit requirements 0 NA NA</p> <p>Confirmed ERP coverage 0 NA NA</p> <p>Notified of CGP stormwater permit requirements 0 NA NA</p> <p>Confirmed CGP coverage 0 NA NA</p>		Town		
Part III.A.9.b	Construction Site Runoff — Inspection and Enforcement				
	<p>As an attachment to the Year 1 Annual Report, the permittee shall submit a written plan that details the standard operating procedures for implementation of the stormwater, erosion and sedimentation inspection program for construction sites discharging stormwater to the MS4. The permittee shall implement the plan for inspecting construction sites immediately upon written approval by the Department. Prior to Department approval, the permittee shall continue to perform inspections in accordance with its previously developed construction site inspection procedures. Report on the inspection program for privately-operated and permittee-operated construction sites, including the number of active construction sites during the reporting year, the number of inspections of active construction sites, the percentage of active construction sites inspected, and the number and type of enforcement actions / referrals taken.</p> <p><i>DEP Note: If "0" is reported in Column C for the number of inspections conducted, please provide an explanation in Column F of why no inspections were conducted. If the number of inspections reported is equal to or less than the number of active construction sites, or the percentage inspected is less than 100%, please provide an explanation in Column F. In addition, the permittee should re-word the "NOVs / warning letters / citations issued" reporting item to more accurately reflect its particular initial enforcement activity, if necessary.</i></p> <p><i>DEP Note: Refer to Part III.A.9.b of the permit for what must be included in the construction site inspection program plan. Please provide the title of the attached plan in Column D and the name of the entity who finalized the plan in Column E.</i></p> <p>PERMITTEE SITES: Active construction sites 0 NA NA</p> <p>PERMITTEE SITES: Inspections of active construction sites for proper stormwater, erosion and sedimentation BMPs</p> <p>PERMITTEE SITES: Percentage of active construction sites inspected</p> <p>PRIVATE SITES: Active construction sites 0 NA NA</p> <p>PRIVATE SITES: Inspections of active construction sites for proper stormwater, erosion and sedimentation BMPs</p>				

SECTION VII. STORMWATER MANAGEMENT PROGRAM (SWMP) SUMMARY TABLE

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Permit Citation/ SWMP Element	Permit Requirement/Quantifiable SWMP Activity	Number of Activities Performed	Documentation / Record	Entity Performing the Activity	Comments		
	PRIVATE SITES: Percentage of active construction sites inspected Notices of Violation (NOVs) / warning letters / citations issued Stop Work Orders issued Fines issued	0 0	NA	NA			
	Year 1 ONLY: Attach the written construction site inspection program plan						
Part III.A.9.c	Construction Site Runoff — Site Operator Training		SOP	Town			
	During Year 1 of the permit, develop and implement a written plan for stormwater training / outreach for construction site plan reviewers, site inspectors and site operators. Provide training for permittee personnel (employed by or under contract with the permittee) and private persons involved in the site plan review, inspection or construction of stormwater management, erosion, and sedimentation controls. All inspectors of construction sites shall be certified through the Florida Stormwater, Erosion, and Sedimentation Control Inspector Training program, or an equivalent program approved by the Department. Follow-up training shall be provided annually. Report the number and type of training activities, the number of inspectors, site plan reviewers and site operators trained (both in-house and outside training), and the number of private persons trained by the permittee.						
	<u>DEP Note:</u> If "0" is reported for any of these reporting items, please include in Column F an explanation of why training was not provided to / obtained by the permittee's staff and private persons during the applicable reporting year.						
	<u>DEP Note:</u> The permittee should report only the number of staff and private persons (i.e., private construction site operators) trained / certified during the applicable reporting year, and then note in Column F the number of staff and private persons who were previously trained / certified. Private site operator training can include pre-construction meetings.						
	Permittee construction site inspectors	0	2	0			
	Permittee construction site plan reviewers	0	2	0			
	Permittee construction site operators	0	0	0			
	Private persons	0	0				

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

A.	
Permit Citation/ SWMP Element	Proposed Changes to the Stormwater Management Program Activities Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change) — REQUIRES DEP APPROVAL PRIOR TO CHANGE IF PROPOSING TO REPLACE OR DELETE AN ACTIVITY.
	<u>DEP Note:</u> There may be changes deemed necessary after developing / reviewing your plans and SOPs as per Part III.A of the permit, after completing your SWMP evaluation as per Part VI.B.2 of the permit, or due to a TMDL / BMAP as per Part VIII.B of the permit.
	NA

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

	Permit Citation/ SWMP Element	Changes to the Stormwater Management Program Activities NOT Established as Specific Requirements Under Part III.A of the Permit (Including the Rationale for the Change) <i>DEP Note: There may be changes deemed necessary after developing / reviewing your plans and SOPs as per Part III.A of the permit, after completing your SWMP evaluation as per Part VI.B.2 of the permit, or due to a TMDL / BMAP as per Part VIII.B of the permit.</i>
B.		NA

CHECKLIST A: ATTACHMENTS TO BE SUBMITTED WITH THE ANNUAL REPORTS

Below is a list of items required by the permit that may need to be attached to the annual report. Please check the appropriate box to indicate whether the item is attached or is not applicable for the current reporting period. Please provide the number and the title of the attachments in the blanks provided.

Attached	N/A	Rule / Permit Citation	Required Attachment	Attachment Number	Attachment Title
<input type="checkbox"/>	X	Part II.F	EACH ANNUAL REPORT: If program resources have decreased from the previous year, a discussion of the impacts on the implementation of the SWMP.		
<input type="checkbox"/>	X	Part III.A.1	EACH ANNUAL REPORT: An explanation of why the minimum inspection frequency in Table II.A.1.a was not met, if applicable.		
<input type="checkbox"/>	X	Part III.A.4	EACH ANNUAL REPORT: A list of the flood control projects that did not include stormwater treatment and an explanation for each of why it did not, if applicable.		
<input type="checkbox"/>	X	Part III.A.7.a	EACH ANNUAL REPORT: A report on amendments / changes to the legal authority to control illicit discharges, connections, dumping, and spills, if applicable.		
X	<input type="checkbox"/>	Part V.B.9	EACH ANNUAL REPORT: Reporting and assessment of monitoring results. [Also addressed in Section III of the Annual Report Form]		See Joint Report
X	<input type="checkbox"/>	Part VI.B.2	EACH ANNUAL REPORT: An evaluation of the effectiveness of the SWMP in reducing pollutant loads discharged from the MS4 that, at a minimum, must include responses to the questions listed in the permit.		SWMP Effectiveness Form Sheet 2
<input type="checkbox"/>	X	Part VIII.B.3.e	EACH ANNUAL REPORT: A status report on the implementation of the requirements in this section of the permit and on the estimated load reductions that have occurred for the pollutant(s) of concern.		
<input type="checkbox"/>	X	Part VIII.B.4.f	EACH ANNUAL REPORT after approval of the BPCP: The status of the implementation of the Bacterial Pollution Control Plan (BPCP).		
<input type="checkbox"/>	X	Rule 62-624.600(2)(a), FAC	YEAR 1: An inventory of all known major outfalls and a map depicting the location of the major outfalls (hard copy or CD-ROM).		See 1 st Year Report
<input type="checkbox"/>	X	Part III.A.3	YEAR 1: If have curbs and gutters but no street sweeping program, an explanation of why no street sweeping program and the alternate BMPs used or planned.		
<input type="checkbox"/>	X	Part III.A.6	YEAR 1 or YEAR 2: A copy of the adopted Florida-friendly Ordinance, if		No Impaired Water Body
<input type="checkbox"/>	X	Part III.A.7.c	YEAR 1: A proactive illicit discharge / connection / dumping inspection program		
<input type="checkbox"/>	X	Part III.A.9.b	YEAR 1: A construction site inspection program plan. [For approval by DEP]		
X	<input type="checkbox"/>	Part II.A	YEAR 2: Stormwater Management Program (SWMP)		Attachment 1
X	<input type="checkbox"/>	Part III.A.2	YEAR 2: A summary report of a review of codes and regulations to reduce the stormwater impact from new development / redevelopment.		Attachment 2
<input type="checkbox"/>	X	Part V.A.2	YEAR 3: Estimates of annual pollutant loadings and EMCs, and a table comparing the current calculated loadings with those from the previous two Year 3 ARs.		
<input type="checkbox"/>	X	Part III.A.2	YEAR 4: A follow-up report on plan implementation of changes to codes and regulations to reduce the stormwater impact from new development /		
<input type="checkbox"/>	X	Part V.A.3	YEAR 4: If the total annual pollutant loadings have not decreased over the past two permit cycles, revisions to the SWMP, as appropriate.		
<input type="checkbox"/>	X	Part V.B.3	YEAR 4: The monitoring plan (with revisions, if applicable).		
<input type="checkbox"/>	X	Part VII.C	YEAR 4: An application to renew the permit.		
<input type="checkbox"/>	X	Part VIII.B.3.d	YEAR 4: A TMDL Implementation Plan / Supplemental SWMP.		

CHECKLIST B: THE REQUIRED ANNUAL REVIEWS OF WRITTEN STANDARD OPERATING PROCEDURES (SOPs) & PLANS

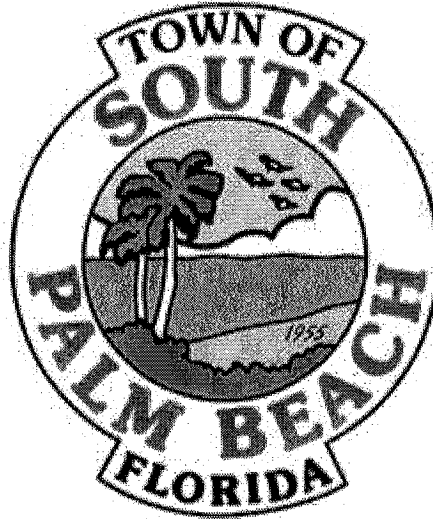
The permit requires annual review, and revision if needed, of written Standard Operating Procedures (SOPs) and plans (e.g., public education and outreach, training, inspections). Please indicate your review status below. If you have made revisions that need DEP approval, you must complete Section VIII.A of the annual report.

Did not complete review of existing SOP / Plan	Developed new written SOP / Plan	Reviewed & no revision needed to existing SOP / Plan	Reviewed & revised existing SOP / Plan	Permit Citation	Description of Required SOPs / Plans
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.1	SOP and/or schedule of inspections and maintenance activities of the structural controls and roadway stormwater collection system.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.2	SOP for development project review and permitting procedures and/or local codes and regulations for new development / areas of significant development.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.3	SOP for the litter control program.
<input type="checkbox"/>	<input type="checkbox"/>	NA	NA	Part III.A.3	SOP for the street sweeping program.
<input type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	Part III.A.3	SOP for inspections of equipment yards and maintenance shops that support road maintenance activities.
<input type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	Part III.A.5	SOP for inspections of waste treatment, storage, and disposal facilities not covered by an NPDES stormwater permit.
<input type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	Part III.A.6	Plan for public education and outreach on reducing the use of pesticides, herbicides and fertilizer.
N/A	N/A	N/A	N/A	Part III.A.6	Plan for pesticide, herbicide and fertilizer application training <i>DEP Note: A plan is not necessary since the FDACS certification / licensing program adequately fulfills the permit requirement.</i>
<input type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	Part III.A.6	SOP for reducing the use of pesticides, herbicides and fertilizer, and for the proper application, storage and mixing of these products.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.7.c	Plan for proactive illicit discharge / connections / dumping inspections.*
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.7.c	SOP for reactive illicit discharge / connections / dumping investigations.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.7.c	Plan for illicit discharge training.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.7.d	SOP for spill prevention and response efforts.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.7.d	Plan for spill prevention and response training.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.7.e	Plan for public education and outreach on how to identify and report the illicit discharges and improper disposal to the MS4.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.7.f	Plan for public education and outreach on the proper use and disposal of oils, toxics and household hazardous waste.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.7.g	SOP to reduce / eliminate sanitary wastewater contamination of the MS4.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.8	SOP for inspections of high risk industrial facilities.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.9.a	SOP for construction site plan review for stormwater, erosion and sedimentation controls, and ERP and CGP coverage.
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.9.b	Plan for inspections of construction sites.*
<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Part III.A.9.c	Plan for stormwater, erosion and sedimentation BMPs training.

* Revisions to these plans require DEP approval – please complete Section VIII.A of the annual report.

REMINDER LIST OF THE TMDL / BMAP REPORTS TO BE SUBMITTED SEPARATELY FROM AN ANNUAL REPORT			
Rule / Permit Citation	Report Title	Due Date	
Part VIII.B.3.a	6 MONTHS from effective date of permit: TMDL Prioritization Report.	9/2/11	
Part VIII.B.3.b	12 MONTHS from effective date of permit: TMDL Monitoring and Assessment Plan.	3/2/12	
Part VIII.B.3.c	6 MONTHS from receiving analyses from the lab: TMDL Monitoring Report.	TBD	
Part VIII.B.4	30 MONTHS from effective date of permit: A Bacterial Pollution Control Plan (BPCP).	9/2/13	

**END OF REVISED TAILORED MS4 AR FORM
CYCLE 3 PERMIT**



Stormwater Management Program

The entire MS4 system for the Town of South Palm Beach consist of one 12 inch (36 linear feet) pipe, with one catch basin serving a portion of the parking lot at Town Hall (0.03 acres) discharging directly into the Lake Worth Lagoon. There is only one roadway in the Town (South Ocean Boulevard) which is owned and maintained by the Florida Department of Transportation. The entire town is built-out and there is no offsite runoff that can contribute to the City MS4 system. As such, all NPDES stormwater management programs are confined to the 0.03 acre parking area. Stormwater Management Programs not applicable to the Town include:

Areas of New and Significant Redevelopment

Roadways

Flood Control Projects

Municipal Waste Treatment, Storage and Disposal Facilities Not Covered by an NPDES Stormwater Permit

Pesticide, Herbicides, and Fertilizer Application

Industrial and High Risk Runoff

Construction Site Runoff

The Town is an active participant in the Joint Program Activities offered through the Palm Beach County NPDES MS4 Steering Committee. Town Staff have received training for illicit discharge, spills and sediment & erosion controls. The public education program is handled through the PBC MS4 Steering Committee. Cost sharing of the Joint Activities and funding is provided and documented in the internal local agreement with Northern Palm Beach County Improvement District.

Applicable components of the required MS4 Stormwater Management Program include:

Ordinance No. 166, Adopting Provisions Relating to use of the Stormwater System, May 25, 1993

NPDES Third Term Permit Interlocal Agreement between Northern Palm Beach County Improvement District and the Town of South Palm Beach, June 8, 2011

Outfall Map showing MS4 Catch Basin for the Town of South Palm Beach

Article IV Stormwater Control from the Code of Ordinances of the Town of South Palm Beach, Florida

Pipes/Culverts and Inlets/Manholes – Structural Control Inspection. Standard Operational/Maintenance/Documentation Protocol plus Inspection form for Structural Controls

Proactive Inspection Program

Proactive Illicit Discharge/Illegal Connection Inspection Form

ORDINANCE NO. 166

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SOUTH PALM BEACH, FLORIDA, ADOPTING PROVISIONS RELATING TO USE OF THE STORMWATER SYSTEM; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the federal Clean Water Act (33 U.S.C. 1251 et seq.), as implemented by regulations of the U.S. Environmental Protection Agency adopted November 16, 1990 (40 CFR Part 122), make necessary to adoption of local ordinance provisions relating to the Stormwater System; and

WHEREAS the Town of South Palm Beach is seeking to comply with all provisions of federal and state law; and

WHEREAS, the Town Commission has conducted legally noticed public hearings and has provided all interested parties an opportunity to be heard on these ordinance provisions;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SOUTH PALM BEACH, FLORIDA AS FOLLOWS:

ARTICLE 1.0 PURPOSE AND DEFINITIONS

Section 1.1 Purpose and Intent

The purpose of this ordinance is to promote the health, safety and general welfare of the inhabitants of the Town of South Palm Beach. This ordinance is intended to comply with federal and state law and regulations regarding water quality.

Section 1.2 Definitions

- (a) Authorized Official: any employee or agent of the Town of South Palm Beach authorized in writing by the Building Official to administer or enforce the provisions of this ordinance.
- (b) Discharge: any direct or indirect entry of any solid, liquid or gaseous matter.
- (c) Person: any natural individual, corporation, partnership, institution, or other entity.
- (d) Site of Industrial Activity: any area or facility used for manufacturing, processing or raw materials storage, as defined under 40 CFR Section 122.26(a)(14) of regulations of the U.S. Environmental Protection Agency, as amended.

- (e) Stormwater: any stormwater runoff, and surface runoff and drainage.
- (f) Stormwater System: the system of conveyances used for collecting, storing, and transporting Stormwater owned by the Town of South Palm Beach but not including any facilities intended to be used in accordance with applicable law for collecting and transporting sanitary or other wastewater.

ARTICLE 2.0 INDUSTRIAL ACTIVITY

Section 2.1 General Prohibitions

Any Discharge into the Stormwater System in violation of any federal, state county, municipal or other law, rule regulation or permit is prohibited.

Section 2.2 Specific Prohibitions

By adoption of industrial activity Stormwater regulations or by issuance of industrial activity Stormwater permits, or both, the Building Official may impose reasonable limitations as to the quality of Stormwater (including without limitation the designation of maximum levels of pollutants) Discharged into the Stormwater System from Sites of Industrial Activity. Any promulgation of such regulations and issuance of permits by the Building Official shall be in accordance with the applicable law.

Section 2.3 Administrative Orders

The Building Official may issue an order to any Person to immediately cease any Discharge determined by the Building Official to be in violation of any provision of this ordinance, or in violation of any regulation or permit issued hereunder.

Section 2.4 NPDES Permits

Any Person who holds a National Pollutant Discharge Elimination System (NPDES) permit shall provide a copy of such permit to the Building Official no later than the later of: sixty (60) calendar days after the effective date of this ordinance or sixty (60) calendar days after issuance.

ARTICLE 3.0 ILLICIT DISCHARGES

Section 3.1 General Prohibitions

Except as set forth under Section 3.3 of this ordinance or as in accordance with a valid NPDES permit, any Discharge to the Stormwater System that is not composed entirely of Stormwater is prohibited.

Section 3.2 Specific Prohibitions

Any Discharge to the Stormwater System containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.

Section 3.3 Authorized Exceptions

Unless the Building Official determines that it is not properly managed or otherwise is not acceptable, the following Discharges are exempt from the general prohibition set forth under Section 3.1 of this ordinance: flows from fire fighting, water line flushing and other contributions from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising groundwaters, direct infiltration to the Stormwater System, uncontaminated pumped groundwater, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washings, flows from riparian habitats and wetlands, and dechlorinated swimming pool contributions.

Section 3.4 Illicit Connections

No Person may maintain, use or establish any direct or indirect connection to the Stormwater System that results in any Discharge in violation of this ordinance. This prohibition is retroactive and applies to connections made in the past, regardless of whether made under a permit, or other authorization, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.

Section 3.5 Administrative Order

The Building Official may issue an order to any Person to immediately cease any Discharge, or any connection to the Stormwater System, determined by the Building Official to be in violation of any provision of this ordinance, or in violation of any regulation or permit issued hereunder.

ARTICLE 4.0 SPILLS AND DUMPING

Section 4.1 General Prohibitions

Except as set forth under Section 3.3 of this ordinance or as in accordance with a valid NPDE permit, any Discharge to the Stormwater System that is not composed entirely of Stormwater is prohibited.

Section 4.2 Specific Prohibitions

Any Discharge to the Stormwater System containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.

Section 4.3 Notification of Spills

As soon as any Person has knowledge of any Discharge to the Stormwater System in violation of this ordinance, such Person shall immediately notify the Building Official by telephoning (407-732-2635), and if such Person is directly or indirectly responsible for such Discharge, then such Person shall also take immediate action to ensure the containment and clean up of such Discharge and shall confirm such telephone notification in writing to the Building Official at (mailing address) within three calendar days.

Section 4.4 Administrative Order

The Building Official may issue an order to any Person to immediately cease any Discharge, or connection to the Stormwater System, determined by the Building Official to be in violation of any provision of this ordinance, or in violation of any regulation or permit used hereunder.

ARTICLE 5.0 ENFORCEMENT

Section 5.1 Injunctive Relief

Any violation of any provision of this ordinance, or of any regulation or order issued hereunder, shall be subject to injunctive relief if necessary to protect the public health, safety or general welfare.

Section 5.2 Continuing Violation

A Person shall be deemed guilty of a separate violation for each and every day during any continuing violation of any provision of this ordinance, or of any regulation or permit issued hereunder.

Section 5.3 Enforcement Actions

The Building Official may take all actions necessary, including the issuance of notices of violation, the filing of court actions and/or referral of the matter to the local code enforcement board to require and enforce compliance with the provisions of this ordinance and with any regulation or permit issued hereunder.

ARTICLE 6.0 INSPECTIONS AND MONITORING

Section 6.1 Authority For Inspections

Whenever necessary to make an inspection to enforce any of the provisions of this ordinance, or regulation or permit issued hereunder, or whenever an Authorized Official has reasonable cause to believe there exists any condition constituting a violation of any of the provisions of this ordinance, or regulation or permit issued hereunder, any Authorized Official may enter any property, building or facility at any reasonable time to inspect the same or to perform any duty related to enforcement of the provisions of this ordinance or any regulations or permits issued hereunder; provided that (a) if such property, building or facility is occupied, such Authorized Official shall first present proper credentials and request permission to enter, and (b) is such property, building or facility, and shall request permission to enter. Any request for permission to enter made hereunder shall state that the owner or person in control has the right to refuse entry, and that in such event that entry is refused, the Authorized Official may enter to make inspection only upon issuance of a search warrant by a duly authorized magistrate. If the owner or person in control refuses permission to enter after such request has been made, the Authorized Official is hereby authorized to seek assistance from any court of competent jurisdiction in obtaining entry. Routine or area-wide inspections shall be based upon such reasonable selection processes as may be necessary to carry out the purposes of this ordinance, including but not limited to random sampling and sampling in areas with evidence of stormwater contamination, non-stormwater discharges, or similar factors.

Section 6.2 Authority For Monitoring and Sampling

Any Authorized Official may establish on any property such devices as are necessary to conduct sampling or metering of Discharges to the Stormwater System. During any inspections made to enforce the provisions of this ordinance, or regulations or permits issued hereunder, any Authorized Official may take any samples deemed necessary.

Section 6.3 Requirements For Monitoring

The Building Official may require any Person engaging in any activity or owning any property, building or facility (including but not limited to a Site of Industrial Activity) to undertake such reasonable monitoring of any Discharge(s) to the Stormwater System and to furnish periodic reports.

(Ed. note: Provisions required by 40 CFR, Sections 122.26(d)(1)(ii)(A),(B),(C),(E) and (F), and the Florida Interlocal Cooperation Act of 1969 (F.S.A. Section 163.01 et seq.).

ARTICLE 7.0 CODIFICATION

This ordinance shall be codified in the Code of Ordinances of the Town of South Palm Beach, Florida.

ARTICLE 8.0 REPEAL OF CONFLICTING ORDINANCES

All Ordinances, Resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed.

ARTICLE 8.0 SEVERABILITY

If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this ordinance.

ARTICLE 9.0 EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption.

PASSED ON FIRST READING THIS 27th DAY OF APRIL, 1993.

PASSED AND ADOPTED ON SECOND READING THIS 25 DAY OF MAY, 1993.

ATTEST:

Margot K. Beck
Town Administrator

Margaret M. Roberts
Mayor

Beverly Savin
Vice Mayor

Sam F. Jones
Commissioner

Maureen Ch...
Commissioner

Harry R. Feldman
Commissioner

**NPDES THIRD TERM PERMIT
INTERLOCAL AGREEMENT**

RECEIVED
OCT 11 2011

This Interlocal Agreement (the "Agreement") is being entered into by and between NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT, 359 Hiatt Drive, Palm Beach Gardens, Florida 33418 (hereinafter referred to as the "Lead Permittee"), and TOWN OF SOUTH PALM BEACH (hereinafter referred to as "the Co-Permittee").

WITNESSETH:

WHEREAS, the United States Environmental Protection Agency (hereinafter referred to as "EPA") on the 9th day of December, 1996, issued its National Pollutant Discharge Elimination System ("NPDES") Permit No. FLS000018 (with it and all such subsequent permits being hereinafter referred to as the "MS4 NPDES Permit") to approximately forty (40) governmental entities designated as the Palm Beach County-Municipal Separate Storm Sewer System ("MS4") Permittees (hereinafter referred to jointly as the "Permittees"); and

WHEREAS, EPA has since delegated its regulatory and enforcement authority relating to the MS4 NPDES Permit to the Florida Department of Environmental Protection ("FDEP"); and

WHEREAS, Section 403.0885, Florida Statutes, established the federally approved state NPDES Program; and

WHEREAS, FDEP Rule 62-4.052, F.A.C., implemented an annual regulatory program and also set fees to effect the legislative intent that FDEP's costs for administering the NPDES Permit be borne by the regulated entities; and

WHEREAS, at or before the expiration of each MS4 NPDES Permit, the Permittees must file a re-application to FDEP for renewal of the MS4 NPDES Permit for a subsequent term; and

WHEREAS, the MS4 NPDES Permits granted by FDEP to the Permittees contain separate obligations and responsibilities for each individual Permittee, as well as obligations and responsibilities that may be performed jointly by the Permittees; and

WHEREAS, due to the number of Permittees and the tasks that must be performed pursuant to each MS4 NPDES Permit, it would be more economically and administratively feasible to allocate duties, responsibilities, and costs associated with the MS4 NPDES Permits pursuant to individual interlocal agreements between each Co-Permittee and the Lead Permittee; and

WHEREAS, the Permittees previously established a 7-member Steering Committee comprised of 2 representatives of large municipalities, 2 representatives of smaller municipalities, 1 representative of special districts, 1 representative from Palm Beach County, and the Lead Permittee, which Committee will continue to coordinate the joint activities required under the MS4 NPDES

Permit, including but not limited to recommending to the Lead Permittee retention of necessary consultants to execute each MS4 NPDES Permit; and

WHEREAS, the parties hereto are authorized pursuant to Chapter 163, Part I, Florida Statutes, as amended, to enter into this Agreement and do hereby adopt, ratify and confirm the provisions and incorporation herein of Subparagraph (9), Section 163.01, Florida Statutes.

NOW, THEREFORE, in accordance with Chapter 163, Part I, Florida Statutes, as amended, the undersigned parties, for and in consideration of the mutual benefits set forth herein, do hereby enter into this Agreement and represent, covenant, and agree with each other as follows:

SECTION ONE **REPRESENTATIONS**

1.01. Recitals. The recitals and representations as set forth hereinabove are true and correct to the best of the knowledge of the parties and are incorporated herein by this reference.

SECTION TWO **DESIGNATION OF PARTIES**

2.01. Lead Permittee. Northern Palm Beach County Improvement District is hereby designated as the Lead Permittee for the purposes of this Agreement and each MS4 NPDES Permit.

2.02. Co-Permittee. The Town of South Palm Beach is hereby designated as a Co-Permittee for the purposes of this Agreement and each MS4 NPDES Permit.

SECTION THREE **TERM OF AGREEMENT**

3.01. Agreement Term. The term of this Agreement begins as of the date it is signed by the last of the parties, and shall continue from year to year, subject to the annual Funding Year (as hereinafter defined) renewal process set forth in following Section 3.03, unless otherwise terminated in accordance with other provisions of this Agreement. The parties to this Agreement shall undertake a mutual review of this Agreement during the final year of the term of each Permit.

3.02. Funding Year. The term "Funding Year" is defined as a fiscal year beginning on October 1 and ending on September 30.

3.03. Renewal. This Agreement shall be automatically renewed as of the beginning date of each Funding Year and continue in full force and effect from Funding Year to Funding Year, unless: (i) a party to this Agreement provides written notice of non-renewal to the other party at least thirty (30) days prior to the end of the then-current Funding Year, or (ii) the Agreement has been previously terminated as provided herein.

SECTION FOUR
SCOPE OF WORK AND ALLOCATION OF DUTIES AND OBLIGATIONS

4.01. Allocation of Duties and Obligations

(i) The Lead Permittee shall be responsible for those duties and obligations which are specifically identified and delineated in Exhibit "A" which is attached hereto and incorporated herein (the "Lead Permittee Services"). The Lead Permittee Services may be revised from time to time as required by the MS4 NPDES Permit. Any such revisions shall be agreed to in writing by the Co-Permittee and incorporated into Exhibit "A" and made a part of this Agreement. All revisions to Exhibit "A" shall be attached sequentially to the original Agreement so that all modifications to the Lead Permittee Services that occur over time may be determined.

(ii) The Co-Permittee shall be responsible for such other duties and obligations which are specifically identified as being its individual responsibility in the MS4 NPDES Permit.

4.02. Modifications to MS4 NPDES Permit

In accordance with Section 403.067, Florida Statutes, NPDES permits must be consistent with the requirements of adopted TMDLs. A MS4 NPDES Permit may be reopened and revised during its term to adjust effluent limitations or monitoring requirements should future adopted TMDL, water quality studies, FDEP-approved changes in water quality standards, or other information show a need for a different limitation or monitoring requirement. It is understood and agreed that any other changes, modifications, revisions, or additions to the terms of the MS4 NPDES Permit made subsequent to the Effective Date of this Agreement are expressly excluded from and not a subject of this Agreement unless and until incorporated herein by written agreement of the parties.

SECTION FIVE
BUDGET AND FUNDING

5.01. Administrative Procedures. The procedures to be followed by the Lead Permittee regarding the collection, management and disbursement of the Co-Permittee payments are set forth in a resolution titled "Resolution of the Board of Supervisors of Northern Palm Beach County Improvement District Approving the NPDES Steering Committee Administrative Procedures for Collection, Management and Disbursement of NPDES Interlocal Agreement Funds" (the "Resolution"), which was adopted by the Lead Permittee, a copy of which is attached hereto as Exhibit "B."

Section 2 of the Resolution incorporates by reference the "NDPES Steering Committee Administrative Procedures for Collection, Management and Disbursement of NPDES Interlocal Agreement Funds" (the "Procedures") which are incorporated into this Agreement and are to be followed by the parties to this Agreement.

The Resolution and the Procedures may be amended from time to time upon the approval of the NPDES Steering Committee and the Lead Permittee. However, the Co-Permittee shall be given a minimum of 60 days advance written notice of any proposed amendments to the Resolution or the Procedures, and shall be afforded the opportunity to offer comments to the Lead Permittee and/or the NPDES Steering Committee prior to any action being taken on said proposed amendments. Any amendment that is incorporated into this Agreement shall also be agreed to in writing by the Co-Permittee.

5.02. Annual Budget. Since this Agreement is anticipated to be renewed for a number of Funding Years, the parties acknowledge that it is not in their respective best interests to project the potential costs the Lead Permittee may be required to incur for future Funding Years in order to carry out the Lead Permittee Services. Therefore, the parties agree to arrive at a mutually acceptable payment amount on a per Funding Year basis in order to more accurately calculate the amount that will be required to be paid by the Co-Permittee to the Lead Permittee for the provision of Lead Permittee Services during each Funding Year.

5.03. Prior Funding. The parties agree that any surplus funds previously paid by the Co-Permittee to the Lead Permittee pursuant to any prior interlocal agreement it has entered into with the Lead Permittee involving a MS4 NPDES Permit shall be applied to and used for the provision of Lead Permittee Services during the next Funding Year period.

5.04. First Funding Year Payment. In addition to the surplus funds referenced in Section 5.03 above, the parties agree that for the upcoming 2011/2012 Funding Year, the Co-Permittee has paid the Lead Permittee the sum of FIVE HUNDRED SEVENTY-NINE AND NO/100 (\$579.00) DOLLARS, which sum represents payment of both the Lead Permittee's Services for the upcoming Funding Year of this Agreement and the ten percent (10%) Reserve Fund Contingency required pursuant to Section 5.05.

5.05. Reserve Contingency. The parties acknowledge that each Funding Year payment will include a ten percent (10%) reserve fund contingency (the "Reserve Fund Contingency") for unexpected additional costs and expenses incurred in the preparation and implementation of a MS4 NPDES Permit.

5.06. Current Funding. The parties believe that the funding specified in above Section 5.04 will be sufficient to satisfy the current MS4 NPDES Permit requirements for the 2011/2012 Fiscal Year unless unexpected additional costs and expenses of the nature described in following Section 6.03 are incurred.

5.07. Future Funding Year Payments. The parties: (i) acknowledge that on or before January 31, 2011, the Lead Permittee provided a budget to the Steering Committee of the amount the Permittees will each be requested to pay during the next Funding Year, and (ii) agree that all subsequent Funding Year budget estimates will be provided on or about January 31st of each following year. The Lead Permittee and Co-Permittee shall have until July 31st of each year to arrive at a mutually acceptable dollar amount to be paid by the Co-Permittee to the Lead Permittee for the immediately upcoming Funding Year, which shall be paid pursuant to Section Six of this

Agreement. If the parties cannot agree upon a mutually acceptable dollar amount by the aforementioned deadline, this Agreement shall be deemed terminated unless otherwise agreed to in writing by and between the parties.

5.08. Final Funding Year of a MS4 NPDES Permit Term. It is assumed that during the last Funding Year of the term of each MS4 NPDES Permit, the Permittees and FDEP will commence to negotiate the provisions of the next MS4 NPDES Permit. As a result, allocation of the Scope of Services that are required to be provided hereunder may be modified. Due to this uncertainty, each party's duties and obligations hereunder, together with the funding process for provision of Lead Permittee Services, will be reexamined during the last Funding Year of the term of each MS4 NPDES Permit.

5.09. Separate Co-Permittee Expenses. In addition to the payments required to be paid by the Co-Permittee to the Lead Permittee pursuant to Sections 5.03 through 5.07, the Co-Permittee shall be responsible for all other costs and expenses relating to its individual duties and obligations under a MS4 NPDES Permit, including, but not limited to: (1) all costs of the Co-Permittee's preparation and submittal of such of its own individual annual report(s) that may be separately required by a MS4 NPDES Permit, (2) costs of all monitoring that may be the Co-Permittee's individual responsibility, (3) costs of gathering, compiling, coordinating, and submitting all necessary data that may be individually required of the Co-Permittee by a MS4 NPDES Permit, and (4) all other costs of carrying out any other individual responsibility of the Co-Permittee according to the requirements of a MS4 NPDES Permit.

SECTION SIX PAYMENT PROCEDURE

The Co-Permittee agrees to pay each of its Funding Year payments as follows:

6.01. First Funding Year. The First Funding Year payment for the current MS4 NPDES Permit Term will be paid in either a single lump sum payment on or before November 15, 2011 or in twelve (12) equal monthly installments commencing on October 15, 2011, and thereafter on the 15th day of each subsequent month during the First Funding Year (such payment dates being hereinafter referred to as "Payment Due Date(s)"). In addition, an alternative payment schedule allowing for quarterly payments, pursuant to the Procedures found herein may be utilized by the Co-Permittee, unless and until such time as the Procedures are amended to eliminate said alternate payment schedule. The initial Funding Year for all future MS4 NPDES Permits shall be referred to as the First Funding Year.

6.02. Subsequent Funding Year Payments. Once a Funding Year payment amount has been agreed upon, the Co-Permittee may, at its option, pay the entire agreed-upon amount in a single lump sum on or before November 15 of that particular Funding Year, or in twelve (12) equal monthly installments commencing on October 15th of that Funding Year and thereafter on the 15th day of each subsequent month during that Funding Year (such payment dates also being hereinafter referred to as "Payment Due Date(s)"). In addition, an alternative payment schedule allowing for quarterly payments, pursuant to the Procedures found herein may be utilized by the Co-Permittee, unless and

until such time as the Procedures are amended to eliminate said alternate payment schedule.

6.03. Additional Costs. Since it is possible that following the parties' agreement as to a particular Funding Year's payment amount, unexpected additional costs and expenses may arise which will need to be paid in order for the Lead Permittee to carry out its Lead Permittee Services for that Funding Year, the parties agree as follows:

(i) If the Lead Permittee determines that unexpected additional costs and expenses must be incurred in order for it to timely provide its Lead Permittee Services, the Lead Permittee shall promptly notify the Co-Permittee, in writing, of the nature and estimated amount of the Co-Permittee's allocable share of these unexpected additional costs and expenses, as well as the Lead Permittee's intent to draw down funds from the Co-Permittee's Reserve Fund Contingency in order to pay said Co-Permittee's allocable share of the unfunded and unexpected additional costs and expenses.

(ii) If the Co-Permittee's allocable share of the unexpected additional costs and expenses exceeds the amount held in the Co-Permittee's Reserve Fund Contingency account, the Lead Permittee shall address the need for such excess amount in the above subparagraph (i) notice to the Co-Permittee. The Lead Permittee and Co-Permittee shall then attempt to negotiate a payment procedure for the unfunded and unexpected additional costs and expenses.

(iii) If the Lead Permittee and Co-Permittee agree as to the need and amount of the unfunded and unexpected additional costs and expenses, their agreement shall be reduced to writing. The agreed upon unfunded and unexpected additional costs and expenses shall be paid either by a lump sum payment within thirty (30) days of their agreement in writing or divided by the remaining months of that particular Funding Year and paid to the Lead Permittee in equal monthly installments for the remainder of the subject Funding Year.

(iv) If the Lead Permittee and Co-Permittee are not able to timely agree as to the need and/or amount of the unfunded and unexpected additional costs and expenses, the Lead Permittee may suspend or terminate this Agreement, at its sole discretion, following the provision of thirty (30) days prior written notice to the Co-Permittee.

6.04. Failure to Pay. Unless otherwise agreed to in writing by and between the parties hereto, if a Funding Year payment or agreed upon unfunded and unexpected additional costs and expenses payment is not timely paid within thirty (30) days of a Payment Due Date, the duties and obligations assumed by the Lead Permittee under the terms of this Agreement may be suspended and/or terminated by the Lead Permittee, at its sole discretion, following the provision of thirty (30) days prior written notice to the Co-Permittee unless cured by the Co-Permittee by payment in full of the omitted payment within said thirty (30) day notice time period.

SECTION SEVEN OPTION TO TERMINATE

7.01. Termination. Either party to this Agreement shall have the right to terminate this

Agreement at will and without cause, provided that the party wishing to terminate the Agreement must provide thirty (30) days prior written notice to the other party of said terminating party's decision to terminate this Agreement. Said termination shall not be effective until said thirty (30) day prior notice period has elapsed (the "Termination Date"). In addition to the aforementioned termination rights, the Agreement may be terminated as provided in Sections 5.07, 6.03(iv), and 6.04.

7.02. Effect of Termination. In the event of termination of this Agreement by the Co-Permittee, the Co-Permittee shall thereupon be individually and solely responsible for all requirements of the applicable MS4 NPDES Permit which are designated therein as the individual responsibility of said Co-Permittee. Thereafter, the Lead Permittee and other Permittees shall not be responsible for said terminating Co-Permittee's individual obligations under the applicable MS4 NPDES Permit.

7.03. Costs and Expenses. Irrespective of which party elects to terminate this Agreement or in the event of a failure to pay by the Co-Permittee to the Lead Permittee the amounts due under and pursuant to the terms of this Agreement, the parties agree that any costs and expenses previously incurred or obligated to be paid by the Lead Permittee as of the Termination Date shall still be due and owing and the right to collect said amount(s) shall survive termination of this Agreement.

7.04. Refunds. The parties acknowledge that the Lead Permittee anticipates entering into contracts with one or more consultants or contractors for the provision of services required in order for the Lead Permittee to provide some or all of its Lead Permittee Services. Since the Co-Permittee's payments under this Agreement represent only a portion of what the Lead Permittee will have to pay its consultants and contractors for their services, the Co-Permittee will not be entitled to receive a refund from the Lead Permittee for any monies that the Co-Permittee has previously paid pursuant to this Agreement unless the Lead Permittee is able to obtain a reduction in its contractual obligations with its consultants or contractors as a result of the termination of this Agreement. In that event, the Lead Permittee shall be obligated to reimburse the Co-Permittee for its allocable share of the amount of such reduction in costs and expenses.

7.05. Documentation and Data. In the event this Agreement is cancelled or terminated, all documentation and data previously collected by the Lead Permittee in accordance with its duties and obligations as assumed herein, shall be made available to the Co-Permittee.

SECTION EIGHT ENFORCEMENT, VIOLATIONS, AND/OR DEFAULT

8.01. Enforcement. The designation herein of the Lead Permittee is not intended nor shall it be construed as authorizing, granting or permitting the Lead Permittee to accept or assume any powers of enforcement of the applicable MS4 NPDES Permit as to the other party.

8.02. Violations. Neither party to this Agreement shall be deemed to have assumed any liability for any negligent or wrongful acts or omissions of the other party, and in no event shall any of the provisions of this Agreement be construed as a waiver by either party of its sovereign

immunity rights or of the liability limits established in Section 768.28, Florida Statutes.

8.03. Dispute Resolution Process. Any dispute or conflict between the parties that arises from any of the terms or conditions of this Agreement, including any exhibits thereto, shall be presented in writing by the complaining party to the other party. The parties' representatives shall then meet to discuss the disputed issues and attempt in good faith to resolve the dispute or conflict prior to either party initiating the intergovernmental conflict resolution process per Ch. 164, F.S., or litigation or any other formal dispute resolution process.

SECTION NINE MISCELLANEOUS PROVISIONS

9.01. Notices. All notices, requests, consents and other communications required or permitted under this Agreement shall be in writing and shall be (as elected by the person giving such notice) hand delivered by prepaid express overnight courier or messenger service, telecommunicated (including telex, facsimile, telegraphic, or electronic mail (e-mail) communication) with confirmation of receipt, or mailed by registered or certified mail (postage prepaid), return receipt requested, to the following addresses:

As to Lead Permittee: Northern Palm Beach County Improvement District
359 Hiatt Drive
Palm Beach Gardens, Florida 33418
Attn: Executive Director
Phone: (561) 624-7830
Fax: (561) 624-7839

With a copy to: Betsy S. Burden, Esq.
Caldwell Pacetti Edwards Schoech & Viator LLP
One Clearlake Centre
250 South Australian Avenue, Suite 600
West Palm Beach, Florida 33401
Phone: (561) 655-0620
Fax: (561) 655-3775

As to Co-Permittee: Town of South Palm Beach
3577 S. Ocean Blvd.
South Palm Beach, FL 33480
Attn: Rex Taylor, Town Manager
Phone: (561) 588-8889
Fax: (561) 588-6632

9.02. Entire Agreement. This Agreement represents the entire understanding and agreement between the parties with respect to the subject matter hereof.

9.03. Construction. The preparation of this Agreement is considered a joint effort of the

parties and accordingly this Agreement shall not be construed more severely against one of the parties than the other.

9.04. Discrimination. The Lead Permittee and the Co-Permittee agree that no person shall on the grounds of race, color, sex, national origin, disability, religion, ancestry, marital status or sexual orientation be excluded from the benefits of or be subjected to any form of discrimination under any activity carried out by the performance of this Agreement.

9.05. Binding Effect. All of the terms and provisions of this Agreement, whether so expressed or not, shall be binding upon, inure to the benefit of, and be enforceable by the parties and their respective legal representatives, successors, and permitted assigns.

9.06. Assignability. The responsibility for carrying out any task assumed by a party to this Agreement, but not the obligation to pay, may be assigned by the party upon receipt of written approval from the other party, which approval shall not be unreasonably withheld.

9.07. Severability. If any part of this Agreement is contrary to, prohibited by or deemed invalid under applicable law or regulation, such provision shall be inapplicable and deemed omitted to the extent so contrary, prohibited or invalid, but the remainder hereof shall not be invalidated thereby and shall be given full force and effect so far as possible, unless the prohibited or invalid provision reduces the payment obligations of the Co-Permittee, in which event this Agreement may be thereupon terminated by the Lead Permittee.

9.08. Governing Law and Venue. This Agreement and all transactions contemplated by this Agreement shall be governed by, and construed and enforced in accordance with, the internal laws of the State of Florida without regard to any contrary conflicts of laws principle. Venue of all proceedings in connection herewith shall be exclusively in the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, and each party hereby waives whatever their respective rights may have been in the selection of venue.

9.09. Headings. The headings contained in this Agreement are for convenience of reference only, and shall not limit or otherwise affect in any way the meaning or interpretation of this Agreement.

9.10. Remedies. The failure of any party to insist on a strict performance of any of the terms and conditions hereof shall be deemed a waiver of the rights or remedies that the party may have regarding that specific instance only, and shall not be deemed a waiver of any subsequent breach or default in any terms and conditions.

9.11. NPDES Permit. If there is any inconsistency between the terms of this Agreement and the applicable MS4 NPDES Permit, then the applicable MS4 NPDES Permit shall preempt, supersede, and control the provisions of this Agreement.

9.12. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same

instrument.

9.13. Clerk of Court. A copy of this Agreement shall be filed with the Clerk of the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida.

9.14. Termination of Prior Agreements. All previous interlocal agreements entered into between the parties to this Agreement regarding the application or execution of a MS4 NPDES Permit shall terminate as of the Effective Date of this Agreement.

9.15. Effective Date. This Agreement shall be effective as of the date it is filed with the Clerk of the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida.


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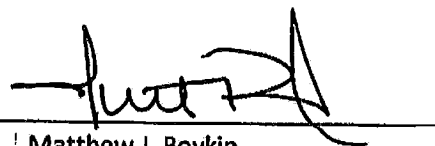
IN WITNESS WHEREOF, the parties have set their hand and seals the day and year hereafter written.

EXECUTED by Lead Permittee this 8th day of JUNE, 2011.

ATTEST:

NORTHERN PALM BEACH COUNTY
IMPROVEMENT DISTRICT

By: 
Secretary

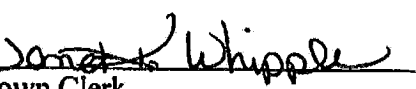
By: 
Print: Matthew J. Boykin
Title: NPBCID Board Supervisor

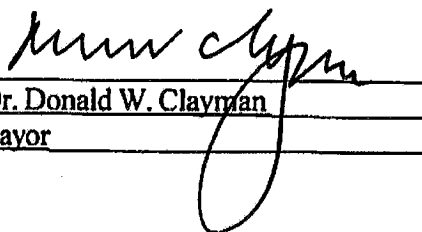
[DISTRICT SEAL]

EXECUTED by Co-Permittee this 26th day of April, 2011.

ATTEST:

TOWN OF SOUTH PALM BEACH

By: 
Town Clerk

By: 
Print: Dr. Donald W. Clayman
Title: Mayor

[SEAL]

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY


By: 

EXHIBIT "A"

LEAD PERMITTEE RESPONSIBILITIES

The responsibilities of the Lead Permittee as to the implementation and execution of the MS4 NPDES Permit No. FLS000018 are generally as follows:

- I. The timely preparation, coordination, and execution of interlocal agreements necessary to establish and implement the joint activities required by the Permit.
- II. The timely preparation, coordination, and submittal to FDEP each year during the term of this Agreement, of an annual report describing the activities carried out jointly to fulfill requirements in the permit.
- III. The timely preparation, coordination, and distribution of standardized forms and guidance documents as approved by NPDES Steering Committee to assist permittees in carrying out the terms of the MS4 NPDES Permit.
- IV. The timely preparation, coordination, and execution of a countywide public education and outreach program required by Part III.A.6, Part III.A.7.e. and Part III.A.7.f. as approved by the NPDES Steering Committee.
- V. The timely preparation and coordination of training materials to fulfill the requirements of Part III.A.6, Part III.A.7.c, Part III.A.7.d., Part III.A.9.b, and Part III.A.9.c of the MS4 NPDES permit, as approved by the NPDES Steering Committee.
- VI. The timely preparation, coordination, and submittal to FDEP of major watershed pollutant load estimates required by Part V.A. of the MS4 NPDES Permit.
- VII. The timely preparation, coordination, and execution of a monitoring program required by Part V.B. of the MS4 NPDES Permit.
- VIII. The timely coordination, assessment, monitoring, and execution of activities associated with FDEP's Total Maximum Daily Load (TMDL Program) as required by Part VIII.
- IX. The preparation and coordination of all MS4 NPDES Steering Committee workshops and meetings.
- X. The timely remittance of all necessary permit fees to FDEP, subject to the timely and sufficient collection of same for all other permittees.

The Lead Permittee Services described herein may be revised from time to time as required by each MS4 NPDES Permit, as agreed to in writing between the MS4 NPDES Steering Committee and Northern Palm Beach County Improvement District, which revisions shall be incorporated herein and made a part of this agreement.

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EXHIBIT "B"

**RESOLUTION NO. 2011-04
RESOLUTION OF THE BOARD OF SUPERVISORS OF
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT
APPROVING THE NPDES STEERING COMMITTEE ADMINISTRATIVE
PROCEDURES FOR COLLECTION, MANAGEMENT AND DISBURSEMENT
OF NPDES INTERLOCAL AGREEMENT FUNDS.**

WHEREAS, NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT ("Northern") is an independent special district duly organized and validly existing under the Constitution and the Laws of the State of Florida, including applicable provisions of Chapter 298, Florida Statutes, and Chapter 59-994, Laws of Florida, as amended and/or supplemented; and

WHEREAS, the United States Environmental Protection Agency issued its National Pollutant Discharge Elimination System Permit No. FLS000018 (the "MS4 NPDES Permit") which is applicable to a number of governmental entities located in Palm Beach County, including Northern; and

WHEREAS, the Co-Permittees who make up the governmental bodies subject to the NPDES Permit have nominated and appointed Northern as the "Lead Permittee" for the purposes of assisting all Co-Permittees in the collection of general data required to be collected pursuant to the MS4 NPDES Permit and submission of reports to the Florida Department of Environmental Protection and the United States Environmental Protection Agency; and

WHEREAS, the Lead Permittee, Northern, is entering into separate Interlocal or Joint Participation Agreements with each of the Co-Permittees, which Agreements set forth the parties' respective duties and obligations regarding fulfillment of the terms and conditions of the MS4 NPDES Permit; and

WHEREAS, a seven member NPDES Steering Committee has been selected by the Co-Permittees, which Steering Committee is comprised of two (2) representatives of large municipalities, two (2) representatives of smaller municipalities, one (1) representative of special districts, one (1) representative for Palm Beach County, and the Lead Permittee; and

WHEREAS, on January 19, 2011 the NPDES Steering Committee, in order to provide a level of accountability and fiscal control for the benefit of all NPDES Co-Permittees as it relates to the Interlocal and/or Joint Participation Agreements being entered into between Northern and each Co-Permittee, adopted Administrative Procedures for the collection, management and disbursement of NPDES Interlocal Agreement Funds, a true and correct copy of which is attached hereto and identified as the NPDES Steering Committee Administrative Procedures; and

WHEREAS, Northern has been requested to adopt and comply with the aforementioned NPDES Steering Committee Administrative Procedures for purposes of

administering the funds to be paid to it pursuant to each NPDES Interlocal or Joint Participation Agreement.

NOW, THEREFORE, be it resolved by the Board of Supervisors of Northern Palm Beach County Improvement District as follows:

1. Northern Palm Beach County Improvement District does hereby adopt and agree to comply with the terms and conditions of the NPDES Steering Committee Administrative Procedures.

2. That Northern Palm Beach County Improvement District does hereby incorporate by reference the NPDES Steering Committee Administrative Procedures into each NPDES Interlocal and/or Joint Participation Agreement that it enters into with a Co-Permittee.

3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

4. This resolution shall take effect immediately upon its adoption.

THIS RESOLUTION PASSED AND WAS ADOPTED THE 23RD DAY OF FEBRUARY, 2011.

(DISTRICT SEAL)

NORTHERN PALM BEACH COUNTY
IMPROVEMENT DISTRICT

ATTEST:


O'Neal Bardin, Jr., Secretary

BY:


Ronald M. Ash, President

**NPDES STEERING COMMITTEE ADMINISTRATIVE PROCEDURES
FOR COLLECTION, MANAGEMENT AND DISBURSEMENT
OF NPDES INTERLOCAL AGREEMENT FUNDS**

The NPDES Steering Committee (which is comprised of two (2) representatives of large municipalities, two (2) representatives of smaller municipalities, one (1) representative of special districts, one (1) representative for Palm Beach County, and the Lead Permittee), has adopted the following administrative procedures in order to provide a level of accountability and fiscal control for the benefit of the NPDES Co-Permittees.

The administrative procedures adopted by the Steering Committee are as follows:

1. Alternative NPDES Interlocal Agreement Payment Schedules. In addition to the two (2) payment options set forth in Paragraphs 6.01 and 6.02 of the NPDES Interlocal Agreement, a Co-Permittee shall also be entitled to elect to pay the annual Funding Year payments on an equal quarterly installment basis. If this additional payment option is selected by a Co-Permittee, the quarterly payments for the First Funding Year are required to be paid on or before October 1, 2010, January 1, 2011, April 1, 2011 and July 1, 2011, with all future Funding Year quarterly payments to be paid in accordance with the same quarterly payment schedule.

NPBCID will be issuing one (1) invoice to each Co-Permittee for its annual Funding Year payment amount, following which the Co-Permittee shall then have thirty (30) days from the date of receipt of the invoice within which to select one of the three (3) payment options and to make its initial payment in accordance with the option so selected.

2. Income and Disbursement Accounting Documentation.

(A) A quarterly income and disbursement report shall be prepared by NPBCID. The report shall be delivered to the Steering Committee within forty-five (45) days following the end of each Funding Year quarter and thereafter distributed by the Steering Committee to the representative(s) of each Co-Permittee as identified in the NPDES Interlocal Agreements.

(B) The quarterly income and disbursement report shall be prepared by NPBCID in accordance with the format set forth in attached Attachment "A."

3. Budget Accounting Documentation. A quarterly budget accounting report shall be prepared by NPBCID. The report shall be delivered to the Steering Committee within forty-five (45) days following the end of each Funding Year quarter and thereafter distributed by the Steering Committee to the representative(s) of each Co-Permittee as identified in the NPDES Interlocal Agreement.

4. Reserve Fund Contingency Expenditures. Prior to any expenditures by NPBCID of funds contained in the Reserve Fund Contingency account identified in the NPDES Interlocal Agreement, NPBCID shall be required to subject its request to the Steering Committee members and receive approval from a super-majority of at least five (5) of the Steering Committee members.

5. Unexpected Additional Costs and Expenses. Prior to NPBCID incurring an obligation that will require a Co-Permittee to pay unexpected additional costs and expenses exceeding the amount held in the Reserve Fund Contingency, NPBCID shall be required to submit to the Steering Committee the nature of the event and the amount of the unexpected additional cost and expense. Upon receipt of such notification, the Steering Committee shall present the matter to the Co-Permittees at the next regularly scheduled Steering Committee NPDES meeting (unless it is an emergency matter in which event a special meeting will be promptly scheduled and notice given to all Co-Permittees) for consideration and vote by those representatives of the Co-Permittees present at the meeting. An affirmative vote by a simple majority (i.e., over fifty percent) of those representatives of the Co-Permittees present at the meeting (with only one (1) representative of each Co-Permittee being entitled to vote on the matter at issue) will be required before NPBCID is authorized to incur the subject unexpected additional costs and expenses.

6. NPDES Interlocal Agreement Budget Adoption Process. All future NPDES Interlocal Agreement Funding Year budgets shall be adopted in accordance with the following procedure:

(A) On or before January 31st of each Funding Year, NPBCID shall prepare and present to the Steering Committee a proposed budget for the next Funding Year.

(B) The Steering Committee shall consider the proposed next Funding Year budget at a regular Steering Committee meeting and open the matter to discussion by those Co-Permittee representatives present and attending the meeting.

(C) Adoption of the next Funding Year's budget shall require the approval of a super-majority of at least five (5) members of the Steering Committee.

(D) As a part of the Steering Committee's consideration of the next Funding Year's budget and calculation of each Co-Permittee's allocable share and responsibility for the funding of the budget, the Steering Committee may consider the application of any existing surplus funds as a credit towards each Co-Permittee's allocable funding shares. "Surplus funds" for the purpose of this administrative guideline may include unexpended and unencumbered present Funding Year funds or Reserve Fund Contingency amounts, plus accrued interest thereon, if any.

(E) The Steering Committee shall also be responsible for approving, by a simple majority of those Steering Committee members in attendance (provided there is a quorum) at a Steering Committee meeting, line item budget transfers.

APPROVED AND ADOPTED THIS 19TH DAY OF JANUARY, 2011.

ATTACHMENT "A"

NPDES QUARTERLY INCOME AND DISBURSEMENT REPORT
FISCAL YEAR _____
FOR PERIOD _____ TO _____

CASH ON HAND (date)

XXX.XXX.XX

REVENUE: _____ TO _____

AGREEMENT FEES

XXX.XXX.XX

TOTAL REVENUES

XXX.XXX.XX XXX.XXX.XX

**TOTAL CASH AND REVENUES AVAIL
FOR EXPENDITURES**

XXX.XXX.XX

EXPENDITURES PAID DURING _____ TO _____

ENGINEERING

XXX

OTHER PROFESSIONAL FEES

XXX

MISCELLANEOUS EXPENSES

XXX

GOVERNMENTAL REGISTRATION FEES

XXX

LEGAL

XXX

TOTAL EXPENDITURES

XXX XXX

FUND BALANCE AT (date)

XXX.XXX.XX

RESERVE FOR CONTINGENCIES

-XX.XXX.XX

UNRESERVED FUND BALANCE

XXX.XXX.XX

WATERWAY

OUTFALL MAP FORM
Sheet 1

NEW LOCATION OF FULE TANK
ABOVE GROUND

12" HATCH PILE

MS4 CATCH BASIN

Drainage Area

REMOVE CONCRETE SLAB
NEW LOCATION OF
LIGHT POLE

NEW CONC WALKWAY

NEW SOD AREAS

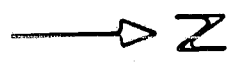
EXISTING
EDGE OF
PAVING

CONTRACTOR TO RELOCATE
LIGHT POLE AND PROVIDE
TIMECLOCK

CONDENSING UNITS
SATELLITE DISH SHALL
BE RELOCATED BY OTHER
N.I.C.

NEW STAIR

NEW ADDITION



1 SITE PLAN

1" = 20'-0"

Town of South Palm Beach
3577 S. Ocean Blvd.
South Palm Beach, FL 33430

ARTICLE IV. STORMWATER CONTROL**DIVISION 1. GENERALLY****Sec. 50-86. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authorized official means any employee or agent of the town authorized in writing by the building code administrator to administer and enforce the provisions of this article.

Discharge means any direct or indirect entry of any solid, liquid or gaseous matter.

Site of industrial activity means any area or facility used for manufacturing, processing or raw materials storage, as defined under 40 CFR 122.26(a)(14) of regulations of the U.S. Environmental Protection Agency, as amended.

Stormwater means any stormwater runoff, and surface runoff and drainage.

Stormwater system means the system of conveyances owned by the town used for collecting, storing, and transporting stormwater, but not including any facilities intended to be used in accordance with applicable law for collecting and transporting sanitary or other wastewater.

(Ord. No. 166, § 1.2, 5-25-93)

Cross reference—Definitions generally, § 1-2.

Sec. 50-87. Purpose and intent.

The purpose of this article is to promote the health, safety and general welfare of the inhabitants of the town. This article is intended to comply with federal and state law and regulations regarding water quality.

(Ord. No. 166, § 1.1, 5-25-93)

Sec. 50-88. National pollutant discharge elimination system permit.

Any person who holds a national pollutant discharge elimination system (NPDES) permit shall provide a copy of such permit to the building code administrator no later than the later of 60 calendar days after the effective date of the ordinance from which this article derives or 60 calendar days after issuance.

(Ord. No. 166, § 2.4, 5-25-93)

Sec. 50-89. General prohibitions.

Any discharge into the stormwater system in violation of any federal, state, county, municipal or other law, rule, regulation or permit is prohibited.

(Ord. No. 166, § 2.1, 5-25-93)

Sec. 50-90. Specific prohibitions on industrial activities.

By adoption of industrial activity stormwater regulations or by issuance of industrial activity stormwater permits, or both, the building code administrator may impose reasonable limitations as to the quality of stormwater, including without limitation the designation of maximum levels of pollutants, discharged into the stormwater system from sites of industrial activity. Any promulgation of such regulations and issuance of permits by the building code administrator shall be in accordance with the applicable law.

(Ord. No. 166, § 2.2, 5-25-93)

Sec. 50-91. Administrative orders to cease unlawful discharge.

The building code administrator may issue an order to any person to immediately cease any discharge determined by the building code administrator to be in violation of any provision of this article or in violation of any regulation or permit issued under this article.

(Ord. No. 166, § 2.3, 5-25-93)

Sec. 50-92. Injunctive relief.

Any violation of any provision of this article, or of any regulation or order issued under this article, shall be subject to injunctive relief if necessary to protect the public health, safety or general welfare.

(Ord. No. 166, § 5.1, 5-25-93)

Sec. 50-93. Continuing violations.

A person shall be deemed guilty of a separate violation for each and every day during any continuing violation of any provision of this article or of any regulation or permit issued under this article.

(Ord. No. 166, § 5.2, 5-25-93)

Sec. 50-94. Enforcement actions.

The building code administrator may take all actions necessary, including the issuance of notices of violation, the filing of court actions and/or referral of the matter to the local code enforcement board, to require and enforce compliance with the provisions of this article and with any regulation or permit issued under this article.

(Ord. No. 166, § 5.3, 5-25-93)

Secs. 50-95—50-120. Reserved.**DIVISION 2. INSPECTIONS AND MONITORING****Sec. 50-121. Authority for inspections.**

Whenever necessary to make an inspection to enforce any of the provisions of this article, or regulation or permit issued under this article, or whenever an authorized official has

reasonable cause to believe there exists any condition constituting a violation of any of the provisions of this article, or regulation or permit issued under this article, any authorized official may enter any property, building or facility at any reasonable time to inspect such property, building or facility or to perform any duty related to enforcement of the provisions of this article or any regulations or permits issued under this article; provided, that if such property, building or facility is occupied, such authorized official shall first present proper credentials and shall request permission to enter. Any request for permission to enter made under this article shall state that the owner or person in control has the right to refuse entry, and that in the event that entry is refused, the authorized official may enter to make inspection only upon issuance of a search warrant by a duly authorized magistrate. If the owner or person in control refuses permission to enter after such request has been made, the authorized official is hereby authorized to seek assistance from any court of competent jurisdiction in obtaining entry. Routine or areawide inspections shall be based upon such reasonable selection processes as may be necessary to carry out the purposes of this article, including but not limited to random sampling and sampling in areas with evidence of stormwater contamination, nonstormwater discharges, or similar factors.

(Ord. No. 166, § 6.1, 5-25-93)

Sec. 50-122. Sampling devices; authority.

Any authorized official may establish on any property such devices as are necessary to conduct sampling or metering of discharges to the stormwater system. During any inspections made to enforce the provisions of this article, or regulations or permits issued under this article, any authorized official may take any samples deemed necessary.

(Ord. No. 166, § 6.2, 5-25-93)

Sec. 50-123. Requirements for monitoring, reports.

The building code administrator may require any person engaging in any activity or owning any property, building or facility, including but not limited to a site of industrial activity, to undertake such reasonable monitoring of any discharges to the stormwater system and to furnish periodic reports.

(Ord. No. 166, § 6.3, 5-25-93)

Editor's note—Provisions are as required by 40 CFR 122.26(d)(1)(ii)(A), (B), (C), (E) and (F), and the Florida Interlocal Cooperation Act of 1969 (F.S. § 163.01 et seq.).

Secs. 50-124—50-145. Reserved.

DIVISION 3. ILLICIT DISCHARGES

Sec. 50-146. General prohibitions.

Except as set forth under section 50-148 or as authorized in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(Ord. No. 166, § 3.1, 5-25-93)

Sec. 50-147. Specific prohibitions.

Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.

(Ord. No. 166, § 3.2, 5-25-93)

Sec. 50-148. Authorized exceptions to discharge prohibitions.

Unless the building code administrator determines that it is not properly managed or otherwise is not acceptable, the discharges which are exempt from the general prohibition set forth under section 50-146 are flows from firefighting; water line flushing and other contributions from potable water sources; landscape irrigation and lawn watering; irrigation water; diverted stream flows; rising groundwaters; direct infiltration to the stormwater system; uncontaminated pumped groundwater; foundation and footing drains; water from crawl space pumps; air conditioning condensation; springs; individual residential car washings; flows from riparian habitats and wetlands; and dechlorinated swimming pool contributions.

(Ord. No. 166, § 3.3, 5-25-93)

Sec. 50-149. Prohibited connections.

No person may maintain, use or establish any direct or indirect connection to the stormwater system that results in any discharge in violation of this article. This prohibition is retroactive and applies to connections made in the past, regardless of whether made under a permit or other authorization, or whether permissible under laws or practices applicable or prevailing at the time the connection was made.

(Ord. No. 166, § 3.4, 5-25-93)

Sec. 50-150. Administrative order to cease unlawful discharge or connection.

The building code administrator may issue an order to any person to immediately cease any discharge, or any connection to the stormwater system, determined by the building code administrator to be in violation of any provision of this article, or in violation of any regulation or permit issued under this article.

(Ord. No. 166, § 3.5, 5-25-93)

Secs. 50-151—50-170. Reserved.**DIVISION 4. SPILLS AND PROHIBITED DISCHARGES****Sec. 50-171. General prohibitions.**

Except as set forth under section 50-148 or as authorized in accordance with a valid NPDES permit, any discharge to the stormwater system that is not composed entirely of stormwater is prohibited.

(Ord. No. 166, § 4.1, 5-25-93)

Sec. 50-172. Specific prohibitions.

Any discharge to the stormwater system containing any sewage, industrial waste or other waste materials, or containing any materials in violation of federal, state, county, municipal, or other laws, rules, regulations, orders or permits, is prohibited.

(Ord. No. 166, § 4.2, 5-25-93)

Sec. 50-173. Notification of spills.

As soon as any person has knowledge of any discharge to the stormwater system in violation of this article, such person shall immediately notify the building code administrator by telephone, and if such person is directly or indirectly responsible for such discharge, then such person shall also take immediate action to ensure the containment and cleanup of such discharge and shall confirm such telephone notification in writing to the building code administrator within three calendar days.

(Ord. No. 166, § 4.3, 5-25-93)

Sec. 50-174. Administrative order.

The building code administrator may issue an order to any person to immediately cease any discharge, or connection to the stormwater system, determined by the building code administrator to be in violation of any provision of this article, or in violation of any regulation or permit used under this article.

(Ord. No. 166, § 4.4, 5-25-93)

Pipes/Culverts and Inlets/Manholes – Structural Control Inspection Standard Operational/Maintenance/Documentation Protocol

There are 36 linear feet/of pipe/culvert that are part of our MS4. The location is shown on the following map.

There is 1 inlet/catch basin that is part of our MS4. The location is also shown on the following map.

Inspections:

At least 100% of the total number of linear feet of pipe/culvert is inspected each year. The inlet, catchbasin is inspected concurrently. Visual inspections are conducted in accordance with the checklist/procedure that follows. Inspection forms are used. If warranted, as a result of the visual inspection, a work order for maintenance, repair, or a more detailed pipe or structure investigation is generated. A more detailed investigation may include televising the pipe, or using mirrors or other devices, as appropriate, to determine the condition of the pipe/culvert. As a result of the more detailed investigation, a work order for maintenance or repair may be generated.

Maintenance:

There are several maintenance activities that may be associated with stormwater networks . The appropriate activity is chosen to correspond to the reported condition. The following activities may be required:

1. Remove trash and debris and dispose of properly.
2. Remove accumulated vegetative matter and dispose of properly.
3. Remove accumulated sediment and dispose of properly.
4. Remove barnacles and/or other marine life and dispose of properly.
5. Repair/replace the headwall at the end of the pipe, if applicable.
6. Repair/replace pipe or structure, if needed.

Documentation:

The documentation for the inspection and maintenance activities related to the pipe/culvert and inlet will be recorded on the inspection form.

PERMITTEE NAME

Inspection Form for Structural Controls Catchbasin/Inlet

ID:		Date:	
Location:	3577 S. Ocean Blvd. SW corner of Parking Lot		
Receiving Body:	Intracoastal Waterway		
Description:	Catch basin & Inlet		
Weather:			
Corrosion:			
Erosion:			
Vegetation:			
Debris:			
Sediments:			
Litter:			
Oil/Grease:			
Other:			
Condition:			
Comments:			
Recommendations:			
Inspected By:			
Department:			
Vicinity inspected for indication of illicit discharges: <input type="text"/>			

SHEET 3

Proactive Inspection Program

Section III.A.7.c – Illicit Discharges and Improper Disposal – Inspection and Investigation of Suspected Illicit Discharges and/or Improper Disposal

This permit element requires a written **proactive inspection program** for identifying and eliminating sources of illicit discharges, illicit connection or illegal dumping, to your MS4.

- You must inspect portions of your MS4 that have a reasonable potential of containing illicit discharges/connections/dumping. The FDEP has indicated that this should be considered to be the commercial and industrial zoned areas/properties within your MS4 contributing area.
- FDEP allows these inspections to be combined with other inspection programs, but the inspections must include specific inspection for potential stormwater contamination.

Proactive Inspections Written Program Components

1. Procedure and Criteria for identifying priority areas/facilities
2. List of identified priority areas/facilities
3. Annual schedule for inspections
4. Procedure for conducting site inspections (include checking for MSGP)
5. Procedure for tracing source of discovered or suspected illicit discharge
6. Procedure for eliminating the discharge
7. Procedure for documenting the inspections and enforcement activities
(See form)
8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)
9. Identification of staff /department/outside entity responsible for inspections and for enforcement
10. Description of resources allocated to implement this permit element

Proactive Inspection Program (Written Procedures)

1. Procedure and Criteria for identifying priority areas/facilities

According to the MS4 NPDES permit, priority areas for inspection should include:

- Areas with older infrastructure
- Industrial, commercial, or mixed use areas
- Areas with history of past illicit discharges and/or illegal dumping
- Areas with on-site sewage disposal systems
- Areas upstream of sensitive or impaired water bodies

The attached map depicts the extent of our MS4 contributing area. The Town of South Palm Beach is a completely built out residential condominium community on the barrier island in Palm Beach County. The Town does not have any old infrastructure or industrial, commercial, or mixed use areas. There is no history of past illicit discharges and/or illegal dumping in the MS4 system. All property in the Town is connected to the central sewer system with flow being sent to a regional treatment facility. Any storm water runoff from the Town does not enter an impaired water body.

2. List of identified priority areas/facilities

The Town does not have any priority areas/facilities.

3. Annual schedule for inspections

The Town's MS4 area/facility will be inspected at least twice each year. If the facility is discovered to have illicit discharges/connections/dumping the issue will be acted upon to eliminate the problem. Also, since this MS4 is located at Town hall/Police Station the area is under visual surveillance by employees and 24 hour camera surveillance should discourage any illicit discharges/connections or dumping.

4. Procedure for conducting site inspections (include checking for MSGP)

See item 3 above.

5. Procedure for tracing source of discovered illicit discharge

We will use the camera surveillance record to discover the source'

6. Procedure for eliminating the discharge

We will contact the offending party to eliminate the source.

7. Procedure for documenting the inspections and enforcement activities

(See Inspection Form)

We will use the camera surveillance record and the police incident report.

8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)

The Police Department will operate as Code Enforcement. If compliance is not achieved the matter will go before the Town's Code Enforcement Board for action.

9. Identification of staff /department/outside entity responsible for inspections and for enforcement

The Town's Building Official performs routine inspections and the Police Department and Code Enforcement Board would be used for enforcement.

10. Description of resources allocated to implement this permit element

No additional funds needed at this time.

Proactive Illicit Discharge/Illegal Connection Inspection Form

Date of Inspection: _____

Address of Facility OR General Description of Area Inspected: _____

Identification of MS4 component that could receive discharge from this site/area: _____

If Facility inspection, does type of business require an MSGP? Yes___ No___

If yes, does this facility have one? Yes___ No___

Findings:

Evidence of illicit connections to storm sewer? Yes___ No___

Evidence of dumping/spills to storm sewer? Yes___ No___

Evidence of wash water going to storm sewer? Yes___ No___

Storage tanks leaking or improperly contained? Yes___ No___

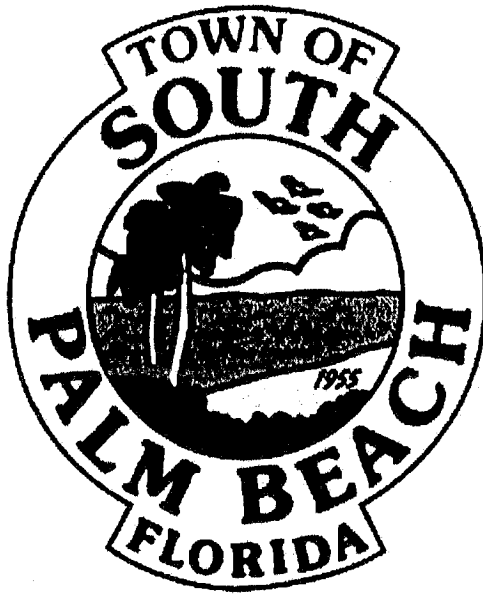
Stockpiles/debris piles uncontained? Yes___ No___

If "yes," to any above, describe:

Type of Enforcement Action Taken: _____

Date to verify elimination: _____

Date of Referral to FDEP of facility that may require MSGP: _____



Town of South Palm Beach

Land Development Regulation and Code Review Summary Report 12/2012

Background:

The Town of South Palm Beach occupies a strip of oceanfront property five-eighths of a mile in length on the barrier island between the Town of Palm Beach to the north, and the Town of Lantana to the south. The easternmost boundary of the Town is the Atlantic Ocean and the western boundary is defined by the shoreline of the lagoon created by the northern end of Hypoluxo Island in Lantana. The Town is situated approximately one mile east of U.S. Highway 1 and about two miles south of Lake Worth Road. The only public road in the Town is State Road A1A which is locally known as South Ocean Boulevard.

The development of the present Town of South Palm Beach began in July 1955, when the Town was incorporated. The Town grew at a slow and steady pace until the boom of the early seventies, which produced over a thousand units within a little over a year. Since then, the Town continued growing, but at a much slower pace. Presently, the Town is completely built out, with 26 multifamily complexes that comprise 1859 dwelling units, four single family homes, and one oceanfront hotel.

The only MS4 connection in the Town of South Palm Beach is at the rear of the Town Hall property, and serves only a small portion of the Town Hall parking lot. There are no plans to redevelop the Town Hall property, and any changes to the Town's Land Development rules would not affect or impact any storm water flow to the Town's MS4 system.

Review:

Even though modifications to the Town's Land Development Regulations would not impact the Town's MS4 system, a review of the Town's Code and Regulations was completed. Specifically, all sections of the Code of Ordinances included in Article IV, Stormwater Control were reviewed. In addition, Section 26-324 Drainage Control and Section 26-326 Landscaping and design requirements were reviewed. The Town's two principal Zoning Districts, R-2 Multifamily – West Residence District, and R2A Multifamily - East Residence District were reviewed for maximum lot coverage regulations.

Findings:

The Town's existing regulations appear to be adequate to address proper drainage, as well as, provide for pervious areas through landscape requirements and open space. The Town's present requirements establish 35 % maximum lot coverage.

Suggestion:

As the Town is completely built out, only redevelopment may take place in the future. The Town will review any site development plans and seek to encourage reductions in impervious surfaces where appropriate.