

**FACT SHEET STATEMENT OF BASIS**

**GENERAL PERMIT FOR DISCHARGES FROM SMALL MUNICIPAL SEPARATE  
STORM SEWER SYSTEMS  
UPDES PERMIT NUMBER UTR090000**

**PERMIT MODIFICATION**

**BACKGROUND**

The General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4s), UTR090000, was issued by the Division of Water Quality (DWQ) on December 1, 2016. The renewed permit included more specific requirements than the previous permit for on-site retention of storm water; specifically, on site management of the 90<sup>th</sup> percentile storm event for new and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale. Permittees were to accomplish the storm water retention standard by requiring a process which evaluates a Low Impact Development (LID) approach which implements Best Management Practices (BMPs) that infiltrate, evapotranspire and harvest and reuse storm water.

In order to allow for the State LID manual to be developed and additional training to be held, DWQ proposes an extension of the timeframe for implementation of the retention standard and LID requirements from March 1, 2019 to September 1, 2019. The six month extension will allow planners and designers to become familiar with the manual and help provide educational and technical information to municipalities on LID BMPs, maintenance practices, vegetation selection and retaining the volume generated from the 90<sup>th</sup> percentile storm event.

**PERMIT MODIFICATIONS**

Two modifications were made to Permit Part 4.2.5, Long-Term Storm Water Management in New Development and Redevelopment (Post-Construction Storm Water Management).

The date for implementation of Permit Part 4.2.5.3.2 was modified from March 1, 2019 to September 1, 2019. Permittees are required to implement a process to evaluate and encourage an LID approach for all new development or redevelopment projects disturbing greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale.

The date for implementation of Permit Part 4.2.5.3.4 was modified from March 1, 2019 to September 1, 2019. This permit provision requires new development or redevelopment projects that disturb greater than or equal to one acre, including projects less than one

acre that are part of a larger common plan of development or sale, to manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 90th percentile rainfall event.

This modification only affects Permit Parts 4.2.5.3.2 and 4.2.5.3.4. All other permit conditions remain unchanged for this permit.

### **PERMIT DURATION**

It is recommended that this modified permit be effective for the remainder of the original permit renewal period of five (5) years. As stated in *UAC R317-8-5.1(1)*, UPDES permits shall be effective for a fixed term not to exceed five (5) years. Therefore, this Permit will be set to expire at midnight on February 28, 2021, five years after the effective date of reissuance.

The Permit Modifications and Fact Sheet Statement of Basis were drafted by Trisha Di Paola, MS4 Program Coordinator, Utah Division of Water Quality on November 28, 2018.

DWQ-2018-012395