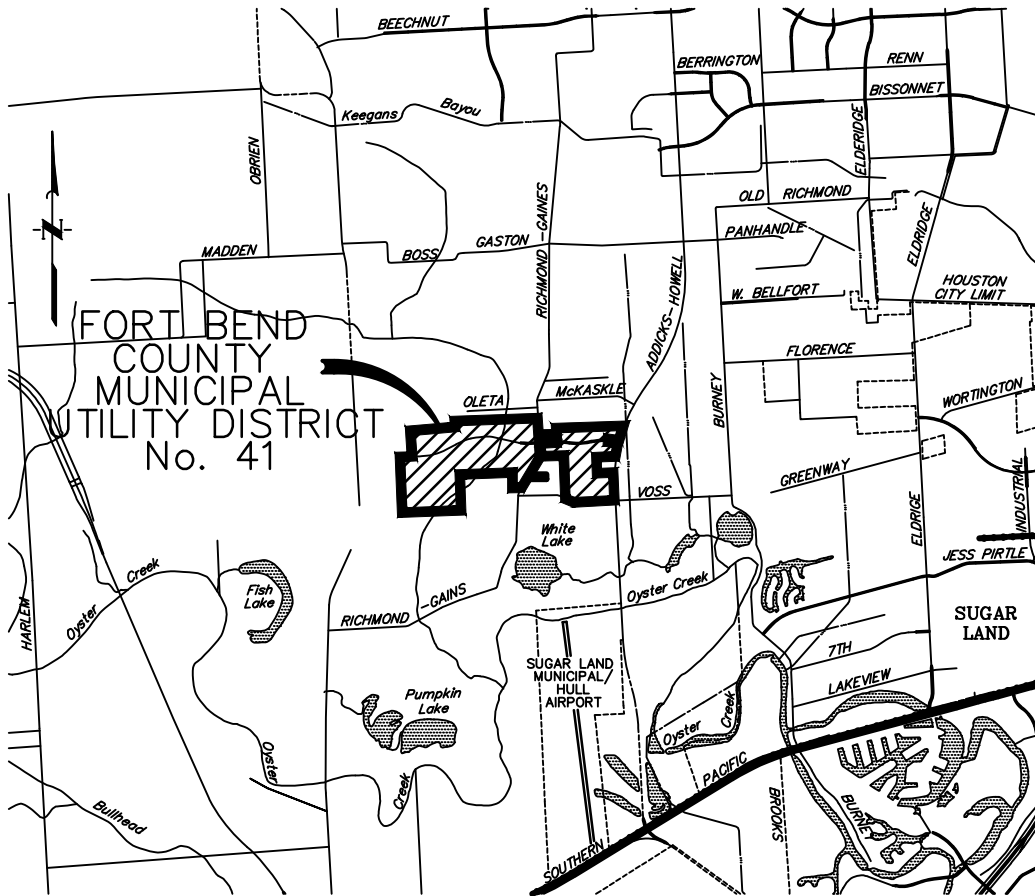


# MS4 PHASE II ANNUAL REPORT PERMIT YEAR 4: 2022

## FOR **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT No. 41**

FORT BEND COUNTY, TEXAS  
TPDES Authorization No. TXR040224



MARCH 2023  
Job No. 05321-0005-02



# QUIDDITY

Texas Board of Professional Engineers and Land Surveyors Registration Nos. F-23290 & 10046100  
6330 West Loop South, Suite 150 • Bellaire, TX 77401 • 713.777.5337

**Phase II (Small) MS4 Annual Report Form**  
**TPDES General Permit Number TXR040000**

**A. General Information**

Authorization Number: TXR040224

Reporting Year (year will be either 1, 2, 3, 4, or 5): 4

Annual Reporting Year Option Selected by MS4:

Calendar Year: X

Permit Year: \_\_\_\_\_

Fiscal Year: \_\_\_\_\_ Last day of fiscal year: \_\_\_\_\_

Reporting period beginning date: (month/date/year): January 1, 2022

Reporting period end date: (month/date/year): December 31, 2022

MS4 Operator Level: Level 2

Name of MS4: Fort Bend County MUD 41 MS4

Contact Name: Liz Stone with Quiddity Engineering (MS4 Administrator)

Telephone Number: (281) 363-4039

Mailing Address: 1575 Sawdust Road, Suite 400, The Woodlands, TX 78380

E-mail Address: lstone@quiddity.com

A copy of the annual report was submitted to the TCEQ Region: YES X NO \_\_\_\_\_

Region the annual report was submitted to: TCEQ Region 12

## B. Status of Compliance with the MS4 GP and SWMP

1. Provide information on the status of complying with permit conditions:  
(TXR040000 Part IV.B.2)

	Yes	No	Explain
Permittee is currently in compliance with the SWMP as submitted to and approved by the TCEQ.	Yes		The MS4 submitted their SWMP to TCEQ by the requested deadline, and SWMP is currently in review by the TCEQ; Annual Report was completed based on the SWMP that was submitted at this time.
Permittee is currently in compliance with recordkeeping and reporting requirements.	Yes		The MS4 has submitted a concise annual report and retained applicable records as outlined in the TPDES General Permit No. TXR040000.
Permittee meets the eligibility requirements of the permit (e.g., TMDL requirements, Edwards Aquifer limitations, compliance history, etc.).	Yes		The MS4 meets all eligibility requirements outlined in the TPDES General Permit No. TXR040000.
Permittee conducted an annual review of its SWMP in conjunction with preparation of the annual report.	Yes		The MS4 has conducted an annual review of the SWMP as outlined in the TPDES General Permit No. TXR040000.

2. Provide a general assessment of the appropriateness of the selected BMPs. You may use the table below to meet this requirement:

<b>MCM(s)</b>	<b>BMP</b>	<b>BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No and explain)</b>
1.	3.1 Utility Bill Insert	YES. The MS4 distributed 942 stormwater educational inserts to the community in February 2022 regarding municipal storm sewer discharge and stormwater quality issues.
1.	4.1 Storm Drain Marking	YES. Inlet markers were installed by volunteer groups in previous permit years. To date, approximately 257 markers have been placed in the MS4. The MS4 will continue to offer volunteers the opportunity to replace missing/illegible markers, as needed, in the upcoming permit years.
2.	3.1 Maps of Inlets, Storm Sewer Lines, Outfalls, Surface Water & Structural Controls	YES. The MS4 map was evaluated and updates were needed in Permit Year 4.
2.	4.1 Training for Illicit Discharge Detection & Elimination	YES. An MS4 Training Session was conducted on July 12, 2022 through a webinar by the MS4 Administrator. The training presentation described the impacts stormwater discharges have on local water ways and how to identify illicit discharges, illegal connections, and illegal dumping. The recorded presentation was also placed on the MS4 Administrator's website <a href="https://quiddity.com/municipal-separate-storm-sewer-system-training/">https://quiddity.com/municipal-separate-storm-sewer-system-training/</a> . A digital sign-in sheet and certificate of attendance were documented for the attendees.
2.	5.1 Public Reporting Using Utility Bill Inserts	YES. The MS4 distributed 942 educational inserts to the community in February 2022 which provided a phone number for residents to report illicit discharges and other pollution concerns.

MCM(s)	BMP	BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No and explain)
3.	6.1 Training for Construction Site Stormwater Runoff Control	YES. An MS4 Training Session was conducted on July 12, 2022 through a webinar by the MS4 Administrator. The MS4 Administrator provided educational training on how to identify construction site issues and enforcement procedures to ensure applicable construction sites maintain in compliance with the Construction General Permit TPDES TXR150000. The recorded presentation was also placed on the MS4 Administrator's website <a href="https://quiddity.com/municipal-separate-storm-sewer-system-training/">https://quiddity.com/municipal-separate-storm-sewer-system-training/</a> . A digital sign-in sheet and certificate of attendance were documented for the attendees.
4.	6.1 Training for Post-Construction Stormwater Controls	YES. An MS4 Training Session was conducted on July 12, 2022 through a webinar by the MS4 Administrator. They provided educational training on the post-construction site stormwater runoff control program and the guidance document that is referenced. The recorded presentation was also placed on the MS4 Administrator's website <a href="https://quiddity.com/municipal-separate-storm-sewer-system-training/">https://quiddity.com/municipal-separate-storm-sewer-system-training/</a> . A digital sign-in sheet and certificate of attendance were documented for the attendees.
5.	4.1 Training for Pollution Prevention & Good Housekeeping	YES. An MS4 Training Session was conducted on July 12, 2022 through a webinar by the MS4 Administrator. The MS4 Administrator provided educational training to those who are responsible for implementing municipal pollution prevention measures and good housekeeping principals. The recorded presentation was also placed on the MS4 Administrator's website <a href="https://quiddity.com/municipal-separate-storm-sewer-system-training/">https://quiddity.com/municipal-separate-storm-sewer-system-training/</a> . A digital sign-in sheet and certificate of attendance were documented for the attendees.

<b>MCM(s)</b>	<b>BMP</b>	<b>BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No and explain)</b>
5.	5.1 Disposal of Waste	YES. The MS4 has one (1) spill response kit at the MS4's Waste Water Treatment Plant to prevent illicit discharges from entering the storm sewer system. The MS4 ensured all waste materials removed are properly disposed of and do not contribute as pollutants within the MS4.
5.	7.1 Municipal Operation & Maintenance Activities	YES. The MS4's Emergency Spill Response Plan was evaluated and minor changes were needed in Permit Year 4. Additionally, the MS4 reviewed the list of possible pollutants of concern and pollution prevention measures for the facilities listed in the inventory list in BMP 5.3.1; no changes were recommended.

3. Describe progress towards achieving the goal of reducing the discharge of pollutants to the MEP. If no progress was made or the BMP did not result in a reduction in pollutants, provide an explanation. Use the table below to meet this requirement:

<b>MCM</b>	<b>BMP</b>	<b>Information Used</b>	<b>Quantity</b>	<b>Units</b>	<b>Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)</b>
1.	3.1	Utility Bill Inserts	942	Educational Inserts	NO. Though this BMP does not result in a direct reduction of pollutants, stormwater educational inserts provide public education to residents on good housekeeping principles and pollution prevention measures.

<b>MCM</b>	<b>BMP</b>	<b>Information Used</b>	<b>Quantity</b>	<b>Units</b>	<b>Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)</b>
1.	4.1	Storm Drain Marking	257	Inlet Markers	YES. During previous permit years, approximately 257 inlet markers were placed on inlets by volunteers. Since these are placed on inlets which are directly connected to the MS4, this BMP can have a direct impact in the reduction of pollutants.
1.	5.1	Opportunity for Public Comment	12 2	Public Opportunity Annual Reports on Website	NO. The general public can comment on the Stormwater Management Program at the MS4's monthly (12) Board Meetings. No comments were received in Permit Year 4. The MS4 placed two submitted Annual Reports on its website ( <a href="https://fbcmud41.com/public-information/">https://fbcmud41.com/public-information/</a> ) in order to meet the General Permit requirements. This BMP can have a direct reduction in pollutants, but it depends on the manner of the potential public comments.
2.	3.1	Maps of Inlets, Storm Sewer Lines, Outfalls, Surface Waters, & Structural Controls	1	MS4 Map	NO. The MS4 map was evaluated and updates were needed in Permit Year 4. This BMP is helpful when tracking illicit discharges but does not directly reduce pollutants.

<b>MCM</b>	<b>BMP</b>	<b>Information Used</b>	<b>Quantity</b>	<b>Units</b>	<b>Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)</b>
2.	4.1	Training for Illicit Discharge Detection and Elimination	1	Training Program	YES. The MS4 Training Session was conducted on July 12, 2022 through a webinar. The training presentation can have a direct reduction in pollutants by helping field personnel identify any illicit discharges.
2.	5.1	Public Reporting Using Utility Bill Insert	942	Education Inserts	YES. Approximately 942 stormwater educational inserts were distributed to the community which included a telephone number to report illicit discharges and other pollution violations. This BMP can directly impact the reduction of pollutants in stormwater.
2.	7.1	Evaluate the Rate Order for Illicit Discharge	1	Rate Order	YES. The MS4 adopted and began implementing a revised Rate Order in Permit Year 3; no updates were needed in Permit Year 4. These revisions updated the Rate Order to follow the renewed Phase II General Permit. It can have a direct reduction in pollutants.



<b>MCM</b>	<b>BMP</b>	<b>Information Used</b>	<b>Quantity</b>	<b>Units</b>	<b>Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)</b>
3.	3.1	Evaluate the Rate Order for Construction Site Stormwater Runoff Control	1	Rate Order	YES. The MS4 adopted and began implementing a revised Rate Order in Permit Year 3; no updates were needed in Permit Year 4. These revisions updated the Rate Order to follow the renewed Phase II General Permit. It can have a direct reduction in pollutants.
3.	6.1	Training for Construction Site Stormwater Runoff Control	1	Training Program	YES. The MS4 Training Session was conducted on July 12, 2022 through a webinar. The training presentation can have a direct reduction in pollutants by helping field personnel identify any illicit discharges and other construction site concerns.
3.	7.1	Guidance Manual for Construction Site Stormwater Runoff Control	1	Guidance Manual	NO. The “Construction Site and Post-Construction Runoff Controls Stormwater Permit and Stormwater Quality Plan Guidelines” by Fort Bend County was utilized to aid in implementing construction site BMPs. The guidance manual provides information on how to implement erosion and sediment controls, soil stabilization, and best management practices. It does not have a direct reduction in pollutants.

MCM	BMP	Information Used	Quantity	Units	Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)
4.	3.1	Evaluate the Rate Order to Address Post-Construction Runoff	1	Rate Order	YES. The MS4 adopted and began implementing a revised Rate Order in Permit Year 3; no updates were needed in Permit Year 4. These revisions updated the Rate Order to be following the renewed Phase II General Permit. It can have a direct reduction in pollutants by stating what is legally allowed/required and the consequences if conditions are not abided.
4.	4.1	Guidance Manual for Post-Construction Stormwater Controls	1	Guidance Manual	NO. The “Construction Site and Post-Construction Runoff Controls Stormwater Permit and Stormwater Quality Plan Guidelines” by Fort Bend County was utilized to aid in implementing post-construction BMPs. The guidance manual provides information on how to provide long-term maintenance of post-construction stormwater control measures. It does not have a direct reduction in pollutants.

<b>MCM</b>	<b>BMP</b>	<b>Information Used</b>	<b>Quantity</b>	<b>Units</b>	<b>Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)</b>
4.	6.1	Training for Post-Construction Stormwater Controls	1	Training Program	YES. The MS4 Training Session was conducted on July 12, 2022 through a webinar. The training presentation can have a direct reduction in pollutants by helping field personnel identify any illicit discharge from permanent stormwater control devices.
5.	3.1	Inventory of Facilities & Stormwater Structural Controls	1	List of Municipal Facilities	NO. The MS4's inventory list of facilities and stormwater controls was reviewed and minor changes were needed in Permit Year 4. This list does not have a direct reduction in pollutants in the MS4.
5.	4.1	Training for Pollution Prevention & Good Housekeeping	1	Training Program	YES. The MS4 Training Program was conducted on July 12, 2022 through a webinar. This training presentation can have a direct reduction in pollutants by assisting field personnel to conduct municipal activities that do not negatively impact the MS4.



4. Provide the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals:

<b>MCM(s)</b>	<b>Measurable Goal(s)</b>	<b>Explain progress toward goal or how goal was achieved. If goal was not accomplished, please explain.</b>
1.	3.1 Utility Bill Inserts – Distribute to 100% of the MS4 Annually	MET GOAL. A total of 942 stormwater educational inserts were distributed to the community with the residents’ utility bills in February 2022. This met the measurable goal of annual distribution.
1.	4.1 Storm Drain Marking – report 100% of installed markers annually	MET GOAL. The MS4’s storm drain marking program was promoted in the annual utility bill insert and to date, 257 inlet markers have been installed. The MS4 met this goal by promoting the program annually and ensuring the inlet markers were visible to the community within the MS4.
1.	5.1 Opportunity for Public Comment – hold Monthly Board Meetings	MET GOAL. The MS4 holds monthly Board Meetings that are open to the general public. All interested parties within the MS4 area can comment on the SWMP. Any comments received will be evaluated by the MS4 Administrator and considered for implementation. No comments were received in Permit Year 4.
2.	3.1 Maps of Inlets, Storm Sewer Lines, Outfalls, Surface Waters, and Structural Controls – Annually Review MS4 Map	MET GOAL. The MS4 map which identifies the approximate location of inlets, outfalls, surface waters, and structural controls was evaluated and updates were needed in Permit Year 4.
2.	4.1 Training for Illicit Discharge Detection & Elimination – Hold One Training Session Annually	MET GOAL. The MS4 held one (1) training session on July 12, 2022 through a webinar. A digital sign-in sheet was documented for the attendees.

<b>MCM(s)</b>	<b>Measurable Goal(s)</b>	<b>Explain progress toward goal or how goal was achieved. If goal was not accomplished, please explain.</b>
2.	5.1 Public Reporting Using Utility Bill Inserts – Advertise contact information annually	MET GOAL. A total of 942 stormwater education inserts were distributed to the community during Permit Year 4 which provided a phone number for residents to report illicit discharges and other pollutant concerns to the District Operator of the MS4.
2.	6.1 Responding to Illicit Discharges & Spills – respond to 100% of potential illicit discharges	MET GOAL. Zero (0) illicit discharges were received in Permit Year 4. The MS4 has a program in place to respond to all reported and potential illicit discharges and conduct the appropriate action(s).
2.	6.2 Source Investigation of Illicit Discharges – investigate 100% of reported potential illicit discharges	MET GOAL. Even though zero (0) illicit discharges were reported in Permit Year 4, the MS4 has a program in place to gather the appropriate information, prioritize the risk, assess the situation, and investigate the source of the illicit discharge.
2.	6.3 Source Elimination of Illicit Discharges – eliminate 100% of reported potential illicit discharges	MET GOAL. Even though zero (0) illicit discharges were reported in Permit Year 4, the MS4 has a program in place to safely remove illicit discharges and prevent the unauthorized discharge from affecting the MS4.
2.	7.1 Evaluate the Rate Order for Illicit Discharges – Review Rate Order annually	MET GOAL. The MS4 adopted and began implementing a revised Rate Order in Permit Year 3; updates were not needed in Permit Year 4. These revisions updated the Rate Order to be in compliance with the renewed Phase II General Permit.
3.	3.1 Evaluate the Rate Order for Construction Site Stormwater Runoff Control – Review Rate Order annually	MET GOAL. The MS4 adopted and began implementing a revised Rate Order in Permit Year 3; updates were not needed in Permit Year 4. These revisions updated the Rate Order to be in compliance with the renewed Phase II General Permit.

<b>MCM(s)</b>	<b>Measurable Goal(s)</b>	<b>Explain progress toward goal or how goal was achieved. If goal was not accomplished, please explain.</b>
3.	4.1 Construction Site Plan Review – review 100% of applicable site plan reviews	MET GOAL. Zero (0) construction drawings were received and reviewed to prevent water quality impacts within the MS4. A variety of items are evaluated such as erosion and sediment controls, best management practices, and soil stabilization.
3.	5.1 Construction Site Inspection & Enforcement – inspect 100% of applicable construction sites	MET GOAL. Zero (0) construction site inspections were performed in the MS4 in Permit Year 4. The Construction Inspector would have inspected the construction site during the preliminary stages to ensure all stormwater quality BMPs are properly installed and maintained.
3.	6.1 Training for Construction Site Stormwater Runoff Control – Hold One Training Session Annually	MET GOAL. The MS4 held one (1) training session on July 12, 2022 through a webinar. A digital sign-in sheet was documented for the attendees.
3.	7.1 Guidance Manual for Construction Site Stormwater Runoff Control – Continue Utilizing	MET GOAL. The MS4 continued to utilize “Construction Site and Post-Construction Runoff Controls Stormwater Permit and Stormwater Quality Plan Guidelines” by Fort Bend County to aid in implementing construction site BMPs.
4.	3.1 Evaluate the Rate Order to Address Post-Construction Runoff – Review Rate Order annually	MET GOAL. The MS4 adopted and began implementing a revised Rate Order in Permit Year 3; updates were not needed in Permit Year 4. These revisions updated the Rate Order to be in compliance with the renewed Phase II General Permit.
4.	4.1 Guidance Manual for Post-Construction Stormwater Controls – Continue Utilizing	MET GOAL. The MS4 continued to utilize “Construction Site and Post-Construction Runoff Controls Stormwater Permit and Stormwater Quality Plan Guidelines” by Fort Bend County to aid in implementing post-construction BMPs.

<b>MCM(s)</b>	<b>Measurable Goal(s)</b>	<b>Explain progress toward goal or how goal was achieved. If goal was not accomplished, please explain.</b>
4.	5.1 Inspection Program for Post-Construction Stormwater Controls – inspect 100% of all completed applicable construction sites	MET GOAL. Zero (0) post-construction projects were performed to ensure permanent structural controls were properly constructed reducing the potential impact of illicit discharges which disturb 1 or more acres. The Construction Inspector monitors all applicable construction sites during the final stages to ensure permanent structural controls were properly constructed and that the long-term functionality of the BMP is maintained.
4.	6.1 Training for Post-Construction Stormwater Controls – Hold One Training Session Annually	MET GOAL. The MS4 held one (1) training session on July 12, 2022, through a webinar. A digital sign-in sheet was documented for the attendees.
5.	3.1 Inventory of Facilities & Stormwater Structural Controls – Review Inventory List	MET GOAL. The MS4's list of facilities and stormwater structural controls was reviewed, and minor changes were needed in Permit Year 4.
5.	4.1 Training for Pollution Prevention & Good Housekeeping – Hold One Training Session Annually	MET GOAL. The MS4 held one (1) training session on July 12, 2022, through a webinar. A digital sign-in sheet was documented for the attendees.
5.	5.1 Disposal of Waste – document number of spill response kits	MET GOAL. The MS4 provided one (1) spill response kit to prevent illicit discharges from entering the storm sewer system. The MS4 ensured that all waste collected at MS4 facilities were properly disposed in accordance with 30 TAC Chapter 330 and 335.



<b>MCM(s)</b>	<b>Measurable Goal(s)</b>	<b>Explain progress toward goal or how goal was achieved. If goal was not accomplished, please explain.</b>
5.	6.1 Contractor Oversight – Research Phase	MET GOAL. In Permit Year 4, the MS4 will begin to include text to use in contractors’ legal documents stating their work will not have a negative effect on the storm sewer system nor will their stormwater runoff will not be considered an illicit discharge.
5.	7.1 Municipal Operation & Maintenance Activities – Evaluate O&M	MET GOAL. The MS4’s Emergency Spill Response Plan was evaluated, and minor changes were needed in Permit Year 4. Additionally, the MS4 reviewed the list of possible pollutants of concern and pollution prevention measures for the facilities listed in the inventory list in BMP 5.3.1; no changes were recommended.

### **C. Stormwater Data Summary**

Provide a summary of all information used, including any lab results (if sampling was conducted) to assess the success of the SWMP at reducing the discharge of pollutants to the MEP. For example, did the MS4 conduct visual inspections, clean the inlets, look for illicit discharge, clean streets, look for flow during dry weather, etc.?

Due to allocated resources the MS4 did not conduct sampling nor analytical monitoring. The MS4 has provided qualitative information as proof of successfully achieving the measurable goals and benchmarks.

The MS4 distributed 942 stormwater educational inserts to their water users in Permit Year 4. The inserts provided general information regarding stormwater quality issues and promotes good housekeeping practices. The inserts also provided a phone number for residents to report illicit discharges and other pollution concerns. Additionally, the insert also promoted the inlet marker program by seeking volunteers to install inlet markers. Volunteers have installed approximately 257 inlet markers thus far. The MS4 will continue to promote the inlet marking program to install new or missing inlet markers in the upcoming permit years.

### **D. Impaired Waterbodies**

1. Identify whether an impaired water within the permitted area was added to the latest EPA-approved 303(d) list or the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d). List any newly-identified

impaired waters below by including the name of the water body and the cause of impairment.

Fort Bend County MUD 41 MS4 discharges to unclassified segment Red Gully\_1245A which ultimately discharges into classified segment Upper Oyster Creek\_ 1245\_03. Segment 1245\_03 was already listed in an EPA-approved 303(d) list and Texas Integrated Report of Surface Water Quality for CWA Section 305(b) and 303(d). This is not a newly-identified impaired waterbody. The segment is impaired for bacteria and depressed dissolved oxygen. This waterbody was listed in the MS4's Stormwater Management Program. No newly listed impaired waterbodies have been added that are within the permitted MS4 area.

2. If applicable, explain below any activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4's BMPs used to address the pollutant of concern.

All BMPs included in the SWMP have measurable goals focused on reducing pollutants of concern that may contribute to the impairment in waterbodies. All focused BMPs are scheduled to be fully implemented by the end of Permit Year 5.

3. Describe the implementation of targeted controls if the small MS4 discharges to an impaired water body with an approved TMDL.

All BMPs outlined in the MS4's SWMP target residents, businesses, commercial and industrial facilities that reside within the MS4's jurisdiction. Each BMP is focused on detecting, addressing, and eliminating impairments caused by bacteria and depressed dissolved oxygen.

The MS4 has determined no concerning pollutants discharged from the MS4 based on observational data during Permit Year 4. As a result of these observations, all discharges from the MS4s were unlikely to contain concerning levels of bacteria and dissolved oxygen. The MS4 will continue to implement the BMPs outlined in the SWMP to prevent pollutants of concern. If concerning pollutants are observed in future permit years, the MS4 will refer to the TCEQ-approved Implementation Plan (I-Plan) and determine if additional BMPs are needed to prevent illicit discharges from impacting the environment. All BMPs are scheduled to be evaluated in the next permitting year to ensure program effectiveness and success. If no progress is observed towards adhering to the target control and meeting the benchmark parameter, the MS4 will identify alternative BMPs that address new or increased efforts towards the benchmark.

4. Report the benchmark identified by the MS4 and assessment activities:

<b>Benchmark Parameter</b>	<b>Benchmark Value*</b>	<b>Description of additional sampling or other assessment activities*</b>	<b>Year(s) conducted</b>
Bacteria	1.26 x 10 <sup>8</sup> counts of E. coli bacteria in stormwater runoff per day	Public outreach efforts reduce the probability of bacteria resulting from illicit discharges by 2%.	Permit Year 4
Bacteria	1.26 x 10 <sup>8</sup> counts of E. coli bacteria in stormwater runoff per day	Restricting illicit discharges reduce the probability of bacteria resulting from illicit discharges by 20%.	Permit Year 4
Bacteria	1.26 x 10 <sup>8</sup> counts of E. coli bacteria in stormwater runoff per day	Restricting illicit discharges from construction runoff reduces the probability of bacteria from entering the storm sewer inlets by 20%.	Permit Year 4
Bacteria	1.26 x 10 <sup>8</sup> counts of E. coli bacteria in stormwater runoff per day	Reviewing construction drawings for BMPs which address erosion and sediment controls reduces the probability of bacteria from entering the storm sewer system by 20%.	Permit Year 4
Bacteria	1.26 x 10 <sup>8</sup> counts of E. coli bacteria in stormwater runoff per day	Evaluating construction sites for illicit discharges reduces the probability of bacteria from entering the storm sewer system by 20%.	Permit Year 4
Bacteria	1.26 x 10 <sup>8</sup> counts of E. coli bacteria in stormwater runoff per day	Utilizing the guidance manual assists in the implementation of erosion and sediment controls, soil stabilization, and BMPs by 2%.	Permit Year 4
Bacteria	1.26 x 10 <sup>8</sup> counts of E. coli bacteria in stormwater runoff per day	Restricting illicit discharge from post-construction runoff reduces the probability of bacteria from entering the storm sewer inlets by 20%.	Permit Year 4

<b>Benchmark Parameter</b>	<b>Benchmark Value*</b>	<b>Description of additional sampling or other assessment activities*</b>	<b>Year(s) conducted</b>
Bacteria	1.26 x 10 <sup>8</sup> counts of E. coli bacteria in stormwater runoff per day	Evaluating completed construction sites to ensure structural controls were properly installed reduces the probability of bacteria from entering the storm sewer system by 20%.	Permit Year 4

\*Obtained from *Implementation Plan for Two Total Maximum Daily Loads for Dissolved Oxygen and One Total Maximum Daily Load for Bacteria in Upper Oyster Creek (I-Plan)*, approved January 15, 2014.

Benchmark values were not created for depressed oxygen demand. As stated in the I-Plan, it is expected that many of the bacteria improvements will also impact depressed oxygen demand favorably.

5. Provide an analysis of how the selected BMPs will be effective in contributing to achieving the benchmark:

<b>Benchmark Parameter</b>	<b>Selected BMP</b>	<b>Contribution to achieving Benchmark</b>
Bacteria	Public Education Program - Educational Materials and Public Outreach Efforts	Educational materials raised awareness of stormwater quality concerns and encouraged public reporting when illicit discharges were potentially identified. The MS4's inlet marking program provides involvement in the SWMP and urges participants to report illicit discharges and other environmental concerns.
Bacteria	Illicit Discharge and Elimination Program	The MS4 responds to all reported illicit discharges and environmental concerns. These incidents are fully documented and remediated to the maximum extent practicable.

<b>Benchmark Parameter</b>	<b>Selected BMP</b>	<b>Contribution to achieving Benchmark</b>
Bacteria	Construction Site Plan Review and Site Inspections	Restricting illicit discharges from construction activities reduces the probability of pollutants entering the storm sewer system. Performing reviews on construction drawings and inspections on construction projects ensures that appropriate BMPs are being implemented to minimize the discharge of possible impairments.
Bacteria	Municipal Operations and Good Housekeeping Practices	Routine maintenance and inspection procedures of MS4 facilities, such as at the Wastewater Treatment Plant and lift stations, assist in minimizing illicit discharges. If minor spills occur, the MS4 has immediate use of one (1) spill response kit.

6. If applicable, report on focused BMPs to address impairment for bacteria:

<b>Description of bacteria-focused BMP</b>	<b>Comments/Discussion</b>
Sanitary Sewer Systems	The MS4 made various improvements and routine maintenance to their Wastewater Treatment Plant, lift stations, and other sanitary sewer units, as needed. These included unclogging blockages and point repairs.
On-Site Sewage Facilities (for entities with appropriate jurisdiction)	No on-site sewage facilities are knowingly located within the MS4 jurisdiction and the MS4 does not allow on-site sewage facilities within their jurisdiction.
Illicit Discharges and Dumping	The District Operator for the MS4 inspects grease and/or grit traps from commercial establishments located in the MS4 service area on a regular basis.
Animal Sources	Zoos, horse stables, and other similar facilities are not knowingly located within the MS4. In the future the MS4 will be conscious of these types of facilities should they be in their jurisdiction and will include them in the distribution of stormwater quality education material that discuss animal waste.

<b>Description of bacteria-focused BMP</b>	<b>Comments/Discussion</b>
Residential Education	The annual utility bill insert informed the public to pick up their pet waste and properly dispose of it. Additionally, it recommended that pools should be drained to the sanitary sewer system. The MS4 will research additional means to educate their residents.

7. Assess the progress to determine BMP’s effectiveness in achieving the benchmark.

<b>Benchmark Indicator</b>	<b>Description/Comments</b>
Number of Educational Materials Distributed to the Community	A total of 942 stormwater education material were distributed to residents within the MS4 service area. The information addressed good housekeeping principles, proper dog waste disposal, and provided a phone number to call for environmental concerns in the MS4.

## E. Stormwater Activities

Describe activities planned for the next reporting year:

<b>MCM(s)</b>	<b>BMP</b>	<b>Stormwater Activity</b>	<b>Description/Comments</b>
1	1.3.1	Utility Bill Inserts	Update/revise the education material, if needed, and distribute education material annually to 100% of the community.
1	1.4.1	Storm Drain Marking	Continue to offer volunteers the opportunity to place markers, as needed.
1	1.5.1	Opportunity for Public Comment	Continue to hold monthly public meetings where the general public can address questions/comments about the SWMP. If available, the public notice will be published in accordance with the General Permit.

<b>MCM(s)</b>	<b>BMP</b>	<b>Stormwater Activity</b>	<b>Description/Comments</b>
2	2.3.1	Maps of Inlets, Storm Sewer Lines, Outfalls, Surface Waters & Structural Controls	Update/revise the map if new data related to the storm sewer system is identified.
2	2.4.1	Training for Illicit Discharge Detection & Elimination	Hold at least one (1) training session annually and offer the training program to appropriate staff.
2	2.5.1	Public Reporting Using Utility Bill Inserts	Advertise the current contact information for the MS4 and distribute to 100% of the MS4 annually.
2	2.6.1	Responding to Illicit Discharges & Spills	Respond to 100% of reported illicit discharges annually. Evaluate procedures for responding and conducting appropriate actions and update, if needed.
2	2.6.2	Source Investigation of Illicit Discharges	Investigate 100% of reported illicit discharges. Evaluate investigation procedures and update, if needed.
2	2.6.3	Source Elimination of Illicit Discharges	Eliminate 100% of reported illicit discharges, if applicable. Evaluate procedures and update, if needed.
2	2.7.1	Evaluate the Rate Order for Illicit Discharges	Review and update, if needed, the Rate Order for necessary changes to ensure compliance with the General Permit.
3	3.3.1	Evaluate the Rate Order for Construction Site Stormwater Runoff Control	Review and update, if needed, the Rate Order for necessary changes to ensure compliance with the General Permit.
3	3.4.1	Construction Site Plan Review	Continue to conduct plan reviews of 100% of applicable submittals.

<b>MCM(s)</b>	<b>BMP</b>	<b>Stormwater Activity</b>	<b>Description/Comments</b>
3	3.5.1	Construction Site Inspections & Enforcement	Continue to conduct construction site inspections on 100% of applicable construction sites.
3	3.6.1	Training for Construction Site Stormwater Runoff Control	Hold at least one (1) training session annually and offer the training program to appropriate staff.
3	3.7.1	Guidance Manual for Construction Site Stormwater Runoff Control	Continue utilizing the guidance manual to aid in implementing construction site BMPs, as necessary.
4	4.3.1	Evaluate the Rate Order to Address Post-Construction Runoff	Review and update, if needed, the Rate Order for necessary changes to ensure compliance with the General Permit.
4	4.4.1	Guidance Manual for Post-Construction Stormwater Controls	Continue utilizing the guidance manual to aid in implementing post-construction site BMPs, as necessary.
4	4.5.1	Inspection Program for Post-Construction Stormwater Controls	Continue to conduct inspections on 100% of applicable, completed projects, as needed.
4	4.6.1	Training for Post-Construction Stormwater Controls	Hold at least one (1) training session annually and offer the training program to appropriate staff.
5	5.3.1	Inventory of Facilities & Stormwater Structural Controls	Continue to maintain an MS4 inventory list of 100% permittee-owned facilities and stormwater structural controls and update, as needed.
5	5.4.1	Training for Pollution Prevention & Good Housekeeping	Hold at least one (1) training session annually and offer the training program to appropriate staff.



<b>MCM(s)</b>	<b>BMP</b>	<b>Stormwater Activity</b>	<b>Description/Comments</b>
5	5.5.1	Disposal of Waste	Continue to ensure a spill response kit is available for the MS4. Evaluate methods of waste disposal to ensure all waste is properly disposed and does not contribute as illicit material.
5	5.6.1	Contractor Oversight	Finalize language to insert in legal documents for new MS4 contractors to use the appropriate BMPs, control measures, and/or standard operating procedures to minimize potential runoff pollution.
5	5.7.1	Municipal Operation & Maintenance Activities	Identify and evaluate all operation and maintenance activities for their potential to discharge pollutants in stormwater.

## F. SWMP Modifications

- The SWMP and MCM implementation procedures are reviewed each year.  
 Yes  No
- Changes have been made or are proposed to the SWMP since the NOI or the last annual report, including changes in response to TCEQ's review.  
 Yes  No

If "Yes," report on changes made to measurable goals and BMPs:

<b>MCM(s)</b>	<b>Measurable Goal(s) or BMP(s)</b>	<b>Implemented or Proposed Changes (Submit NOC as needed)</b>
Please reference attached email for additional information.		

**Note:** If changes include additions or substitutions of BMPs, include a written analysis explaining why the original BMP is ineffective or not feasible, and why the replacement BMP is expected to achieve the goals of the original BMP.

TCEQ requested changes to the SWMP upon TCEQ’s technical review of the submitted SWMP. These changes affected all the BMPs and their measurable goals in the report. In lieu of providing the entire, revised proposed changes in the table above, the MS4 recommends referencing an email dated March 22, 2022 between Leland Moore ([Leland.Moore@tceq.texas.gov](mailto:Leland.Moore@tceq.texas.gov)) and Liz Stone ([lstone@jonescarter.com](mailto:lstone@jonescarter.com)) entitled *RE: TXR040224 Fort Bend County MUD No. 41 SWMP Review*. This correspondence has been included after the signed certification page, excluding its attachments.

3. Explain additional changes or proposed changes not previously mentioned (i.e. dates, contacts, procedures, annexation of land, etc.). N/A

### G. Additional BMPs for TMDLs and I-Plans

Provide a description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans.

<b>BMP</b>	<b>Description</b>	<b>Implementation Schedule (start date, etc.)</b>	<b>Status/Completion Date (completed, in progress, not started)</b>
N/A	N/A	N/A	N/A

### H. Additional Information

1. Is the permittee relying on another entity to satisfy any permit obligations?

Yes  No

If “Yes,” provide the name(s) of other entities and an explanation of their responsibilities (add more spaces or pages if needed). N/A

- 2.a. Is the permittee part of a group sharing a SWMP with other entities?

Yes  No

- 2.b. If “yes,” is this a system-wide annual report including information for all permittees? N/A

Yes  No

## I. Construction Activities

1. The number of construction activities that occurred in the jurisdictional area of the MS4 (Large and Small Site Notices submitted by construction site operators):

0

- 2a. Does the permittee utilize the optional seventh MCM related to construction?

Yes  No

- 2b. If "yes," then provide the following information for this permit year:

The number of municipal construction activities authorized under this general permit.	N/A
The total number of acres disturbed for municipal construction projects.	N/A

**Note:** *Though the seventh MCM is optional, implementation must be requested on the NOI or on a NOC and approved by the TCEQ.*

## J. Certification

If this is this a system-wide annual report including information for all permittees, each permittee shall sign and certify the annual report in accordance with 30 TAC §305.128 (relating to Signatories to Reports).

*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 on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Name (printed): Juan R Villaneda

Signature: Juan R Villaneda

Title: President MUD 41

Date: 03/21/23

Name of MS4: **Fort Bend County MUD 41 MS4**

## Liz E. Stone

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**From:** Leland Moore <Leland.Moore@tceq.texas.gov>  
**Sent:** Tuesday, March 22, 2022 4:32 PM  
**To:** Liz Stone  
**Subject:** RE: TXR040224 Fort Bend County MUD No. 41 SWMP Review

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you Liz, I will review the changes you have submitted and get back to you on this as soon as I can. I will see what we need to do to correct the Central Registry as well. Have a great rest of your afternoon!

Thank you,

### Leland Moore

Environmental Permit Specialist  
Water Quality Division - Stormwater Team  
P: (512)239.2207

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**From:** Liz Stone <lstone@jonescarter.com>  
**Sent:** Tuesday, March 22, 2022 4:25 PM  
**To:** Leland Moore <Leland.Moore@tceq.texas.gov>  
**Cc:** Rebecca Villalba <rebecca.villalba@tceq.texas.gov>  
**Subject:** RE: TXR040224 Fort Bend County MUD No. 41 SWMP Review

Good Afternoon Leland,

Attached is a revised SWMP for **FBC MUD 41 MS4 TXR040224** per TCEQ's review. I have summarized the revisions in **red** below.

One other thing that I'd like to make you aware of: **Upon performing a TCEQ Central Registry Query online, the permittee's Site Name on Permit is incorrectly stated as "FORT BEND COUNTY MUS 41 MS4". Can this be corrected to "FORT BEND COUNTY MUD 41 MS4"? A screenshot is attached for your reference.**

**Please also note that BMP 5.6.1 Contractor Oversight was revised.**

Let me know if you need additional information.

Thank you,

**Liz Stone, CPESC**  
Project Manager  
[lstone@jonescarter.com](mailto:lstone@jonescarter.com)

## JONES | CARTER

1575 Sawdust Road, Suite 400  
The Woodlands, Texas 77380  
Telephone 281.363.4039 Ext. 1504  
Direct 713.389.1592

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**From:** Leland Moore <[Leland.Moore@tceq.texas.gov](mailto:Leland.Moore@tceq.texas.gov)>  
**Sent:** Thursday, February 24, 2022 1:20 PM  
**To:** Liz Stone <[lstone@jonescarter.com](mailto:lstone@jonescarter.com)>  
**Cc:** Rebecca Villalba <[rebecca.villalba@tceq.texas.gov](mailto:rebecca.villalba@tceq.texas.gov)>  
**Subject:** TXR040224 Fort Bend County MUD No. 41 SWMP Review

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Ms. Stone,

I am the permit coordinator assigned to the application for coverage TCEQ's Phase II MS4 General Permit, TXR04040224 for Fort Bend MUD No. 41 and I am currently conducting the technical review of the Municipal Utility District's Stormwater Management Program (SWMP).

Upon reviewing the SWMP, I have found there is some additional information that will be required to complete this process. Please review the following information and provide a response by **March 24, 2022**. If additional time is needed, a reasonable extension may be considered.

1) **Three Missing Elements**

The following required elements are missing. Please add a BMP and measurable goals, and implementation schedule for each missing element.

**MCM 2: Illicit Discharge Detection and Elimination**

A plan to detect and address non-stormwater discharges including illegal dumping into the MS4. Reference TXR040000 Part III.2.(a)(1)

Text was included in 2.2. Additionally, in the "Definitions" section near the front, illegal dumping was added to the definition of illicit discharge.

**MCM 3: Construction Site Stormwater Runoff Control**

Procedures for receipt and consideration of input from the public  
Reference TXR040000 Part III.3.(b)(6)

"Construction and post-construction site runoff concerns" is included in [2.5.1.1](#) for the public to report illicit discharges. Additionally, text was included in [3.5.1.1](#) that inspection and enforcement procedures will also be conducted if complaints or concerns are received from the public.

**MCM 4: Post-construction Stormwater Management for New Development and Redevelopment**  
Document and maintain records of enforcement actions

Reference TXR040000 Part III.4.(b)(2)

Text was included in [4.5.1.1](#).

2) **Web address for permittee's public website:**

Please revise the SWMP to include the address for the website where the MS4's SWMP and annual report will be posted. In the NOI and the SWMP it indicates that there is no website where the MS4 posts its annual report, but I found <https://www.fbmud41.com/> which does list the annual report listed when navigating to the Resources tab and then Documents. This will suffice but needs to be updated from the 2020 annual report to the report from 2021.

At the time of the SWMP submittal in July 2019, the District did not have an official, public website. The NOI is correct as dated. The website was not established until 2021. In good faith effort, the District posted their Permit Year 2 (2020 calendar year) Annual Report to their website and will post future, submitted Annual Reports as required by the General Permit. Text was included in [1.5.1.1](#) that the approved SWMP and submitted annual reports will be posted to the website.

**3) Measurable Goals**

The updated guidelines state that goals for each Best Management Practice (BMPs) must be both specific and measurable. The measurable goals do not meet requirements the TXR04000 Part III.A.(c) of clear, specific, and measurable. Please revise the SWMP's measurable goals. Measurable goals consist of an activity to be completed, a quantifiable target (what needs to happen and how much, expressed as a number or percentage), and the deadline or frequency

All the BMP's "Measurable Goals" sections were revised as requested. Additional text was supplied at the end of each of these paragraphs.

Acceptable:

By using a percentage for the quantifiable target, this still requires the permittee to keep track of how many sites they inspect (so they know when they have reached 80%).

BMP/Activity	Quantifiable target	Deadline
Inspect construction sites	Inspect 80% of active sites	December 31 <sup>st</sup> of each year

Immeasurable:

If the measurable goal is written with no quantifiable target (just recording the number) then the permittee would have satisfied their target if they reported 1 or 1,000 inspections

BMP/Activity	Quantifiable target	Deadline
Inspect construction sites as needed	Record number of sites inspected	Annually

**4) Upload and link to the actual SWMP on website**

The MUD's public website listed above has a page for the documents where a link should be provided to a copy of the SWMP for the public to view.

The MS4 will post a copy of the SWMP to their documents webpage (<https://www.fbmud41.com/resources/#documents>) when publication instructions have been received from the TCEQ. Receipt of these instructions indicate that the SWMP has been technically approved by the TCEQ and ready for public comment. Additionally, in accordance with Part III.B.1(a)(3) of the General Permit, the final SWMP will be posted no later than 30 days after the TCEQ approval date.

Please revise the SWMP to include all the required information and resubmit the SWMP by return of this email. It is not necessary to mail a new copy.

If you have any questions or concerns, feel free to contact me by email or by phone at 512-239-2207.

Thanks,

**Leland Moore**

Environmental Permit Specialist

Water Quality Division - Stormwater Team

P: (512)239.2207

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