Recertification Notice of Intent (NOI)

Regulated Small Municipal Separate Storm Sewer Systems (MS4's) General Permit ARR040000

You must **complete, certify, and sign this Recertification Notice of Intent (NOI) form** and return it along with the **updated Stormwater Management Program (SWMP)** to the Department in order to continue permit coverage under the General Permit ARR040000. You must submit this form **no later than July 1, 2019.** Please keep a copy of this form for your records once completed and signed.

Permittee Name	Permit Tracking Number	AFIN
City of Rogers	ARR040041	88-00870

If any changes or additions need to be made to the information shown below, please update the new information in the corrections section below and/or attach documentation.

	Current Information in ADEQ's database	Corrections/Additions, If Needed
Small MS4 Physical Address	301 W Chestnut St	
County	Benton	
Urbanized/Core Areas	Fayetteville-Springdale-Rogers	
Receiving Stream	Osage Creek, Prairie Creek, Illinois River	
Ultimate Receiving Stream	White River	
Contact Person & Title	Kelsey Kreher, Planning Technician	← Kara King, Stormwater Coordinator
Telephone Number	(479) 621-1186	
Cognizant Official & Title	Greg Hines, Mayor	
Responsible Official & Title	Greg Hines, Mayor	

Are the mailing and invoice addresses the same?

(Yes) or No* *If "No," please provide invoice address: _____

_____

_____

Additional Comments: _____

_____

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

I certify that I have read and will comply with all the requirements of the Regulated Small Municipal Separate Storm Sewer Systems (MS4's) General Permit ARR040000.

Responsible Official Name: C. Greg Hines
Responsible Official Title: MAYOR
Responsible Official Signature: _____
Date: July 9, 2019

Return the NOI form to the address below or send it electronically to: water.permit.application@adeq.state.ar.us or via ePortal at the following web address: https://eportal.adeq.state.ar.us/

NPDES Permits Section, Office of Water Quality
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

STORMWATER MANAGEMENT PLAN

Prepared by:
City of Rogers;
Community Development

Permit ARR040041
2020-2025 Update

STORMWATER MANAGEMENT PLAN
General Information

Background and Context

The Rogers Stormwater Management Plan (Stormwater Plan) has been developed to provide policy and management guidance for activities affecting stormwater throughout the City of Rogers (The City). It is intended to help the City fulfill certain State and Federal water quality requirements, and to meet local water resources management objectives. Through the implementation of the policies and management practices embodied in the Stormwater Plan over time, Rogers hopes to preserve urban stormwater quality that negatively impacts local rivers and streams, and to develop and preserve the urban drainage infrastructure in a manner that meets the community's needs for years to come.

While the State and Federal regulatory programs place significant emphasis on improving water quality and the health of Arkansas's watersheds, Rogers, as part of the Illinois River and White River Watersheds further emphasizes the need for local management of urban stormwater and waterways. It becomes even more important that management of these resources occur in a manner that minimizes destructive long-term impacts to drainage infrastructure and the natural features that help protect water quality and control flooding.

Description of the Permit Area

The City currently serves a growing population: 38,829 (2000 census); 48,667 people (2006 special census); and 55,964 (2010 census) within the city limits. This number represents an increase of roughly 44% between the two regular census cycles. The geographic boundaries of the MS4 plan are the City limits and the service area for stormwater planning encompasses approximately 38.9 square miles. About 32 square miles (or 82%) within the city limits of Rogers falls inside the urbanized area as defined by the 2010 census. Based on the Census Bureau's urbanized area limits, portions of both eastern and western Rogers fall outside the urbanized area. The City has complete authority and responsibility for planning, building, operating, maintaining and regulating the stormwater drainage system within the city limits, but not in any of our planning areas that are outside of the city limits (per ADEQ in 2005). Therefore, the MS4 NPDES permit for which this MS4 plan is submitted covers only the area within the City limits.

The City's stormwater management practices have evolved to include efficient and cost-effective approaches that reduce or eliminate stormwater pollution and protect the riparian (stream bank) areas of open waterways. These approaches provide natural pollutant removal and stormwater management capacity. This Ordinance continues to serve as a guide for the City's efforts to develop this Stormwater Plan, other related water resources management efforts, and the creation of a new City drainage manual in 2009 which was adopted.

Article VII of the code's Chapter 14: Development is on-line at
https://library.municode.com/ar/rogers/codes/code_of_ordinances?nodeId=COOR_CH14DE_ARTVIISTPOPRGRERCOTRPR

Purpose of Plan

The Stormwater Plan characterizes the City's entire stormwater drainage system, including both the open and piped systems, their connections to the streams, and the overall condition of the system. This characterization is necessary to address relevant State and Federal regulatory requirements and it provides baseline information on which to develop focused stormwater management strategies. The Stormwater Plan establishes goals, policies, and implementation actions that will achieve the City's long-term objectives in a way that is understandable to the public, usable by City staff, and meets regulatory needs. Finally, the Stormwater Plan establishes a means for measuring, reporting, and adaptively managing the City's water resources, by presenting benchmarks that will ensure meaningful progress, as well as ensuring compliance with applicable laws and permit requirements.

Scope and Areas of Focus

The Stormwater Plan addresses stormwater quality management policies and management practices that are be implemented in the City. The scope of the Stormwater Plan is determined primarily by the Federal MS4 permit requirements, but is intended to address local water resources issues as well. These areas of focus in the Stormwater Plan include:

- **ADEQ-required Municipal Separate Storm Sewer System (MS4) Plan elements.** The NPDES Stormwater Program requires that the City submit a MS4 plan in order to acquire a MS4 permit to legally discharge stormwater to the waters of the U.S.
  - **Pollution incidents and unlawful (illicit) discharges to the City's stormwater drainage system.** These discharges can be systematic (recurring) or episodic (occasional or one-time) discharges, and include pollutant runoff from parking lots, discharges from industrial outfalls, accidental spills, poor construction site management, and a variety of ways people dump pollutants into street gutters or catch basins.
  - **On-site management of stormwater to reduce the quantity of stormwater and pollution entering the drainage system.** Similar to illicit discharges, events that cause flooding, system surcharges, or on-going pollutant loadings are possible both up- and down-stream from the city limits, and originate from a variety of causes. These include inadequacies in the type and design of infrastructure; inadequate maintenance; insufficient erosion and/or sediment control practices; and increases in impervious area without provision for on-site infiltration of stormwater into the ground. The City regulates these issues through implementation of the Rogers Municipal Code within the city limits.
  - **Reduction and prevention of pollution at City facilities and resulting from City activities and business practices.** The City provides services with a potential for creating water pollution, erosion, and sedimentation. These include field activities such as ditch cleaning and excavation/maintenance activities, as well as activities at City facilities, such as vehicle washing and maintenance, painting, and material handling such as street sweeper dumping and processing. The Federal NPDES Stormwater Program requires the City to implement pollution prevention practices that reduce or eliminate stormwater pollution from City activities. Beyond this regulatory motivation, it is important that the City lead by example in areas where similar practices and behaviors from citizens and businesses are required.
  - **Public education geared toward broad community stewardship of water resources.** The Federal NPDES Stormwater Program places significant emphasis on public education as part of the long-term solution to stormwater pollution. As such, education is a required element of the Stormwater Plan. The long-term success of the City's efforts will hinge on increased awareness and stewardship throughout the community. The Stormwater Plan will result in formal, organized educational and outreach efforts that are targeted broadly throughout the metropolitan area. Many of these efforts are most effectively approached on a Northwest

Arkansas Stormwater Compliance Group basis - a cooperative effort between the 21 MS4s located in the Benton and Washington County area and the University of Arkansas' Cooperative Extension Service.

- **Public awareness and involvement in the City's Stormwater management program.** Broad awareness and participation in the development and implementation of the Stormwater Plan by residents and local area businesses is a key component to ensure effectiveness of the Stormwater Plan. The Stormwater Plan includes a public involvement component in its development that meets the Federal NPDES program
- **Targeted infrastructure improvements and maintenance programs to improve water quality and restore high priority areas.** The City will prepare a Stormwater Facilities Master Plan, which will list the City's needs assessment for future drainage infrastructure. The Stormwater Plan will support development and implementation of the Stormwater Facilities Master Plan in a manner that helps meet the City's water quality objectives.
- **ADEQ-required Municipal Separate Storm Sewer System (MS4) Plan elements.** The NPDES Stormwater Program requires that the City submit a MS4 plan in order to acquire a MS4 permit to legally discharge stormwater to the waters of the U.S.

The Federal rules and, therefore, ADEQ's permit requirements, direct that the City's MS4 plan address six minimum areas, which are termed "Minimum Control Measures." These areas are broadly titled in the rules as follows:

1. Public Education and Outreach on Stormwater Impacts;
2. Public Involvement and Participation;
3. Illicit Discharges Detection and Elimination;
4. Construction Site Stormwater Runoff Control;
5. Post-Construction Stormwater Management for New Development & Re-Development;
6. Pollution Prevention in Municipal Operations;

Under each of these areas described above, the City's MS4 plan must contain the following information:

- The structural and non-structural Best Management Practices (BMPs) that the permittee or another entity will implement for each of the stormwater Minimum Control Measures;
- The measurable goals and benchmarks for each of the BMPs including, as appropriate, the months and years in which the permittee will undertake required actions, including interim milestones and the frequency of the action; and
- The person or persons responsible for implementing or coordinating the BMPs for the permittee's MS4 plan.

Overview of Rogers's Stormwater Drainage Systems

The City is responsible for implementing surface water management activities within its boundaries, including the planning, design, construction, operation, and maintenance of the stormwater drainage system. The City performs all operation and maintenance on the public drainage system that is designed and constructed to City standards and located within easements or rights-of-way, or real property that has been conveyed or dedicated to the City. The City also maintains open channels throughout the city, and public outfalls to natural streams within the City's jurisdiction. The geographic area covered by this Plan includes roughly 38.9 square miles inside the Rogers' city limits.

The City's metropolitan area's stormwater drainage systems also include some private (commercial, industrial & residential) stormwater management facilities that help moderate and reduce the volume and pollutant content of stormwater leaving private property and entering the public stormwater drainage system and/or local streams.

Stormwater Drainage Basin Characterization

Surface water runoff from Rogers drains several directions. Water draining east travels through unincorporated portions of Benton County to Beaver Lake, the White River, Missouri and then back in to Arkansas. Runoff draining west-southwest passes through neighboring Cave Springs to the Illinois River, and Oklahoma. There is also a modest amount of Rogers' area drains west-northwest through the neighboring communities of Little Flock and Bentonville via tributaries of Sugar Creek to the Elk River and Missouri, which eventually drains back to the west and southwest to the Arkansas River Watershed via the Neosho River in Oklahoma.

The City is broken down into several separate tributaries to each of these streams. A drainage basin can be described as a geographic area within which stormwater drains from many small systems converging on a larger drainage way, ultimately culminating in outfalls to the three (3) major drainage ways. The character and condition of the drainage ways varies significantly throughout the basins, depending on surrounding land uses and contributing drainage.

Goals, Policies, and Implementation Actions

This section provides overall guidance to the City in performing stormwater management activities in a manner consistent with State and Federal laws, while meeting local goals and the long-term outcomes the City hopes to achieve. The following goals are derived from long-term key outcomes that have been reviewed. The policies provide specific direction, consistent with the local goals, State and Federal requirements. Implementation actions include BMPs discussed in detail in the MS4 plan and other actions needed to achieve local objectives. The work plan for completion of implementation actions is in the Stormwater Plan Implementation Action Summary.

GOAL 1: Protect citizens and property from flooding.

Policies

1.1 Maintain surface drainage in the City to reduce the threat of flooding, through proper maintenance of the City's stormwater drainage system and other infrastructure, with practices that are protective of water quality.
1.2 Through the development review process, ensure that new development incorporates adequate stormwater management and infrastructure to avoid up- and down-stream capacity and water quality problems.
1.3 Create and preserve open stormwater drainage networks, where feasible, to best accommodate peak storm flows while providing and maintaining flood storage capacity as well as promoting and improving water quality.
1.4 Adhere to standards, policies, and practices which comply with Federal Emergency Management Agency (FEMA) Flood Management Program requirements to insure that the City maintains flood insurance coverage under this program.

Implementation Actions

1.A. Continue evaluation of City maintenance practices. Implement appropriate BMPs to assure that the City adequately maintains the stormwater drainage system capacity in an environmentally responsible manner.
1.B .Evaluate and refine the City's drainage program, including education, outreach, inspection, and enforcement components to reduce the negative stormwater impacts from land alteration, erosion, sedimentation, and excessive runoff.
1.C. Continue to review the City's Drainage Manual. Assess the public stormwater drainage system and capacity needs. Identify capital improvements and other measures necessary to maintain and provide adequate system capacity for planned community growth.
1.D. Implement BMPs consistent with NPDES Minimum Control Measure #1, Public Education and Outreach on Stormwater Impacts, to ensure that residents, businesses, and industries within our jurisdiction are aware of the importance of preventing pollution from entering the streams and water bodies of the State.
1.E. Implement BMPs consistent with NPDES Minimum Control Measure #4, Construction Site Stormwater Runoff Control, to minimize or eliminate erosion and sedimentation in the stormwater drainage system due to new construction.
1.F. Implement BMPs consistent with NPDES Minimum Control Measure #5, Post-Construction Stormwater Management for New Development and Redevelopment, to ensure that new development is in compliance with Local, State and Federal flow-regulating and water quality management practices, such as detention ponds, on-site stormwater storage, etc.
1.G. BMPs consistent with NPDES Minimum Control Measure #6, Pollution Prevention in Municipal Operations, to ensure adequate creation, maintenance, and inspection of the stormwater system.

GOAL 2: Improve surface and sub-surface waters for aquatic life and other beneficial uses.

Policies

2.1 The City will monitor and implement practices and regulatory programs with the objective of improving surface and groundwater quality to, at a minimum, meet State water quality standards, adequately protect threatened and endangered wildlife, and meet the State beneficial use guidelines.
2.2 The City will maintain its open channels and waterways in a manner that is protective of their natural hydrologic and stormwater management and other habitation functions for the benefit of the citizens of the City, local wildlife (including threatened or endangered species), and for future generations of both.

Implementation Actions

2.A. Promote pollution protection educational efforts, including signage, development project review, and public outreach.
2.B. Enhance erosion and illicit discharge detection and compliance efforts, including permitting and Code enforcement.
2.C. Implement BMPs consistent with NPDES Minimum Control Measure #1, Public Education and Outreach on Stormwater Impacts, to enhance citizens' and businesses' knowledge regarding water quality regulations as well as the benefits to the community from properly functioning waterways.
2.D. Implement BMPs consistent with NPDES Minimum Control Measure #3, Illicit Discharges Detection and Elimination, to eliminate or minimize toxic discharges from business and industry.
2.E. Implement BMPs consistent with NPDES Minimum Control Measure #4, Construction Site Stormwater Runoff Control, to minimize sedimentation and channel degradation from construction sites.
2.F. Implement BMPs consistent with NPDES Minimum Control Measure #5, Post-Construction Stormwater Management for New Development and Re-Development, to ensure long-term functioning of newly- and re-developed sites.
2.G. Implement BMPs consistent with NPDES Minimum Control Measure #6, Pollution Prevention in Municipal Operations, to ensure that municipal properties - including the stormwater drainage system - are maintained in properly-functioning and environmentally-friendly conditions.

GOAL 3: Preserve and maintain surface waters, wetlands, and riparian areas.

Policies

3.1 Through the development plan review process, the City will ensure that development is protective of significant open waterways, wetlands, and riparian areas that meet historical, existing, and future needs.
3.2 The City will implement permitting programs, educational outreach, compliance inspections and enforcement activities as needed to reduce erosion, sedimentation, illicit discharges, and other pollution impacts to the City's waterways.

Implementation Actions

3.A. The City will review and refine its drainage program, which addresses erosion, sedimentation, and the impacts of land alteration, including permitting, inspections, technical education, public outreach, and enforcement.
3.B. The City will review development proposals for impacts on open drainage ways, wetlands, and riparian areas, and protect the functions and benefits of these areas as provided for in the Municipal Code; Design Standards; and other regulations, guidelines, and requirements
3.C. The City will work cooperatively with citizens, businesses, and agencies to protect and improve surface waterways, seek opportunities for stewardship partnerships, further enhance educational

opportunities, and continue participation in intergovernmental work groups.
3.D. The City will implement and continue to refine/improve BMPs for all City activities with potential to impact water quality and/or the functions of waterways, wetlands, and riparian areas.
3.E. Implement BMPs consistent with NPDES Minimum Control Measure #4, Construction Site Stormwater Runoff Control, to reduce or eliminate sedimentation from construction sites as one of several contributors to poor water quality and quantity management.
3.F. Implement BMPs consistent with NPDES Minimum Control Measure #5, Post-Construction Stormwater Management for New Development and Redevelopment, so developments maintain the function and capacity of the stormwater drainage system, as well as preventing the contribution to future degradation of either.
3.G. Implement BMPs consistent with NPDES Minimum Control Measure #6, Pollution Prevention in Municipal Operations, which is critical to maintaining properly functioning wetlands, riparian areas, open channels, and the overall system.

GOAL 4: Citizens, businesses, and industries understand the need to protect water quality.

Policies

4.1 The City will develop targeted education and outreach and technical assistance programs regarding practices and obligations for keeping debris and pollutants out of the stormwater drainage system and train stakeholder groups in appropriate erosion control and sediment prevention practices, as well as stormwater management BMPs.
4.2 The City will seek to form partnerships with neighborhoods and other community groups interested in providing stewardship of local waterways.
4.3 The City will develop, implement, and enforce appropriate development design, and Municipal Codes to address water quality compliance issues, including pollution, habitat, and aesthetic issues, to encourage the development of urban waterways that are positive amenities in the community.

Implementation Actions

4.A. The City will continue to support outreach and education efforts regarding water quality, riparian and wetland areas, including business, contractor, resident, and developer outreach programs to educate these parties about their impacts on stormwater quality.
4.B. Continue maintenance, enforcement, and compliance activities - including inspections, technical assistance, and Code enforcement.
4.C. Implement BMPs consistent with NPDES Minimum Control Measure #1, Public Education and Outreach on Stormwater Impacts, to engage the public in the efforts to create positive urban amenities.
4.D. Implement BMPs consistent with NPDES Minimum Control Measure #3, Illicit Discharges Detection and Elimination, to ensure that waterways are safe; meet Local, State, and Federal water quality standards; and can function as amenities to the whole region.

GOAL 5: Urban drainage ways become community amenities.

Policies

5.1 The City will conduct education and outreach activities to appropriate target groups to increase understanding of the importance of maintaining safe and clean drainage ways, and to seek volunteers willing to be caretakers for water features near them.
5.2 The City will (through the Municipal Code of Ordinances and Rogers Drainage Manual) protect existing significant open waterways and encourage through site planning and landscaping the creation of additional areas that enhances the attractiveness and natural functions of the water features.
5.3 The City will maintain all drainage ways in a manner that provides for safe and attractive conditions

within the limits of its fiscal constraints.

Implementation Actions

5.A. Enhance the City's erosion control program, including educating developers and the community regarding the positive aspects of open waterways to promote acceptance, and integrating effective compliance and enforcement components.
5.B. Provide adequate funding within the City's restraints for public maintenance of the stormwater drainage system, and ensure ongoing maintenance of private stormwater features through development agreements.
5.C. Increase educational outreach to schools and other youth groups to increase awareness of children regarding the need to keep litter and pollutants out of urban drainage ways.
5.D. Implement all six of the NPDES Minimum Control Measure BMPs. Implementing all of the provisions of the MS4 plan will ultimately result in improved water quality and quantity management, improved habitat and resource protection, and, ultimately, enhance urban waterways as desirable community amenities.

Rogers' NPDES MS4 Plan

City Stormwater Management Program - Responsible Parties

The City is responsible for implementing surface water management activities within its boundaries, including the planning, design, construction, operation, and maintenance of the stormwater drainage system. In response to the NPDES Phase II stormwater requirements, the City has developed a MS4 plan addressing each of the six required Minimum Control Measures, as specified in the Federal-NPDES Phase II rules. The City's stormwater management program is the responsibility of the Community Development Department. Other departments within the City of Rogers will receive training to recognize stormwater issues related to their facility, the fieldwork they do, and for reporting these and other activities around the municipality to the Community Development Department for review, investigation, education, enforcement, and/or legal action. Public Education and Involvement would also be encouraged with their co-workers, families, and neighbors.

City Organization Chart – Appendix 1
Rogers Water Utilities Chart – Appendix 2

NPDES Phase II BMP Requirements

Specific BMPs are proposed for each Minimum Control Measure (MCM), which are intended to support the reduction of discharges of pollutants in stormwater runoff to the maximum extent practicable (MEP) as required by the Federal-NPDES Phase II rules. Each MCM section provides the following information:

- A list of planned BMPs (proposed MS4 plan activities);
- A brief explanation of the BMP;
- A list of the responsible parties for the implementation;
- A summary of measurable goals for the planned BMPs; and
- A development/implementation schedule summary listing each BMP's activity, topic emphasis and target audience for each year; and the rationale for each topic chosen.

The BMP schedule shows when certain activities will be completed within the 5-year permit cycle. More specific dates are not given since weather (drought, flood, and/or "normal") conditions as well as the availability of funds from future city budgets may affect the timeline for the various actions. Early or late completion of one activity may also affect the schedule for starting or finishing the next one.

A. Minimum Control Measure #1:
Public Education and Outreach on Stormwater Impacts

Permit Requirements:

Regulation 40 CFR 122.34(b)(1): "The permittee must implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff."

Decision Process:

The NWA Stormwater Compliance Group meets to discuss stormwater pollution prevention and provide input on education activities. The NWA Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests) convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater pollutants, education needs, target audiences, program methods, and public relations strategies.

Applicable Public Education/Outreach BMPs:

Develop and distribute educational materials
Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides the emphases of electronic and printed educational materials. Once topics are identified, materials will be developed, adapted, and/or gathered for distribution at public meetings, in support of presentations, and with educational displays. Examples may include fact sheets, videos, social media content, website content, newsletters, press releases, and PSAs.

Measureable Goals:

Mechanism types and numbers of educational materials will be documented.

Develop 5 educational materials across the permit term.

Attendance of MS4 Stormwater Compliance Group and Education Steering Committee meetings will be documented.

Conduct stormwater education activities
Educational presentations will be given to illustrate stormwater dynamics, identify potential pollutants and pathways, describe techniques to reduce stormwater pollution and encourage voluntary BMP implementation according to the annual topic/audience emphases outlined in the following table.

Measureable Goal:

Stormwater education programs will be conducted and documented.

Responsible Party:

The Northwest Arkansas Regional Planning Commission and the University of Arkansas Cooperative Extension Service have contracted with the municipality to be responsible for the development and implementation of the public education efforts. A copy of that agreement is included in this plan.

Performance Standard:

Urban stormwater outreach/education programs will reach at least 50% of the urbanized area population.

Minimum Control Measure #1:
5 Year Implementation Schedule

2020	2021	2022	2023	2024
Topic Emphases: Storm drain awareness/dumping	*Topic Emphasis:* Litter	*Topic Emphasis:* Sediment control	*Topic Emphasis:* Yard waste	*Topic Emphasis:* Automotive maintenance and Household Hazardous Waste (HHW)
Target Audience: General public	*Target Audience:* General public	*Target Audience:* Land development community	*Target Audience:* General public and green industry	*Target Audience:* General public and vehicle owners
Rationale: Pollutants entering the storm drain system degrade water quality	*Rationale:* Improper handling and disposal of litter can allow it to enter the storm drain system and degrade water quality	*Rationale:* Sediment leaving construction sites can enter the storm drain system and degrade water quality	*Rationale:* Improper yard waste disposal can clog drainage ways and excess fertilizer and pesticide applications can enter the storm drain system and degrade water quality	*Rationale:* Improper vehicle maintenance and HHW disposal can allow pollutants to enter the storm drain system and degrade water quality

B. Minimum Control Measure #2:
Public Involvement/Participation

Permit Requirements:

The permittee must, at a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program.

Decision Process:

The NWA Stormwater Compliance Group meets to discuss stormwater pollution prevention and provide input on education activities. The NWA Stormwater Education Steering committee (public membership comprised of diverse backgrounds/interests) convenes at least once each year to review and evaluate program accomplishments and plan next steps. Both groups provide the localized input used to identify critical stormwater pollutants, education needs, target audiences, program methods, and public relations strategies.

Target Audience:

The audience for public involvement programs and activities will be the general public and may include businesses, trade associations, environmental groups, homeowners, and civic organizations.

Applicable Public Involvement/Participation BMPs:

Engage Residents in Public Participation/Involvement Activities
Input from both the MS4 Stormwater Compliance Group and Education Steering Committee guides the emphases of educational materials, educational programs, and public involvement efforts. Residents will participate in public involvement activities. Examples may include stormwater compliance meetings, stormwater steering meetings, clean ups, etc.

Measureable Goal:
Public participation activities will be documented.

Responsible Party:

The Northwest Arkansas Regional Planning Commission and the University of Arkansas Cooperative Extension Service have contracted with the municipality to be responsible for the development and implementation of the public involvement efforts. A copy of that agreement is included in this plan.

Performance Standard:

At least 5 public participation and involvement activities will be coordinated over the permit term.

C. Minimum Control Measure #3:
Illicit Discharges Detection and Elimination

Permit Requirements:

The permittee must:

- Develop, implement and enforce a program to detect and eliminate illicit discharges [as defined in 40 CFR §122.26(b)(2)] into the permittee's small MS4, including notifying adjacent interconnected MS4 when discharges occur;
- Develop and continue to update a storm sewer system map, showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls, including catch basins, pipes, ditches and public and private stormwater facilities;
- Effectively prohibit (through ordinances or other regulatory mechanisms to the maximum extent allowable under Local, State, and Federal laws) non-stormwater discharges into the permittee's storm sewer system and implement appropriate enforcement procedures and actions for non-compliance;
- Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the permittee's system;
- Inform public employees, businesses, and the general public of the hazards associated with illegal discharges and improper disposal of waste to the stormwater system;
- Address all categories of non-storm water discharges or flows (illicit discharges) if identified as significant contributor of pollutants to the permittee's small MS4;
- Develop a list of occasional incidental non-storm water discharges that will NOT be addressed as illicit discharges because of reasonably expectations (based on information available) that the source would not be a significant source of pollutants. These will primarily be due to the nature of the discharges or conditions the City of Rogers' stormwater management program plan has established for allowing these discharges to the permittee's MS4; and
- Develop a process to respond to and document complaints relating to illicit discharges.

Applicable Illicit Discharges Detection and Elimination BMPs:

Illicit Discharge Detection and Elimination **(IDDE):**
IDDE1 - Ordinance: Reviews and Revisions
IDDE2 - Reporting and Response System for Suspicious Discharges
IDDE3 - Tracking and Enforcement of Illicit Discharges
IDDE4 - Outfall Inventory
IDDE5 - Outfall Mapping
IDDE6 - Citywide Illicit Discharge Detection and Elimination Plan
IDDE7 - Collecting, Identifying, and Assessing Non-Stormwater Discharges

Rationale:

Rogers selected the above seven BMPs to address this requirement. IDDE1 includes a review of the existing stormwater ordinance to compare against both other city ordinances as well as the appropriate state regulations. If any deficiencies are found then department and city policies for updating the ordinance shall be followed by the Department of Community Development personnel. IDDE2, IDDE3, and IDDE6 describe the City's processes that respond to and document complaints regarding water quality (including illicit discharges) as well as The City's program to prohibit and enforce elimination of illicit discharges. These two BMPs, reporting/response and tracking/enforcement, will work in conjunction and include several methods for reporting presumed illicit spills, sightings and discharges as well as follow-up procedures. Most of the City department's personnel, while doing their daily jobs will report potential illicit problem areas to the Director of Community Development, or his/her designee. The problem area will be investigated as soon as practically possible and depending on the situation. All

infractions will be brought to the owner's attention, followed up on, and an investigation report to the Illicit Complaint files complete with pictures and the investigation results. Larger incidents with water bodies, fish kills with unknown circumstances will also be reported to State Fish and Wildlife and/or the ADEQ for their expertise and water quality measurement capabilities. These three IDDE BMPs also include publicizing of the Department of Community Development phone number for complaints and protocols for the most efficient and effective follow-up actions in response to calls as well as the phone number for the Police and Fire Departments for emergency and warranted after-hours reporting of obviously environmentally-dangerous spills (i.e. almost any petroleum product).

IDDE4 and IDDE5 will work together to continue a project began in the previous permit cycle to update the stormwater inventory and map of the City's Stormwater System. As outfalls continue to be visited during dry periods, the channels will be walked to look for new or previously unmapped outfalls. Outfall maps will be reviewed for completeness; completed where information is missing; updated as new development occurs; and maintained during the permit period. The map was created by using GPS, AutoCAD, and ArcGIS by a consulting engineering firm and Community Development Staff. All information is reviewed by City personnel as additional information is provided to compare against older versions of the map or its information. The map will continue to be updated as needed by the Department of Community Development. New development designs will be required for all newly platted areas. As-built construction drawings showing streets, inlets and development tie-ins to existing storm drains or outfalls from the development will be required to be submitted on AutoCAD so they can be transferred from the development drawings to the City's digital copy of the storm sewer map.

Activities conducted under IDDE6 will partner with IDDE2 and IDDE3 to inform the public about the hazards of illicit discharges, implemented through several of the public education outreaches by both the City and their education partner - the University of Arkansas' Cooperative Extension Service. IDDE7 will address the collection, identification, and assessment of non-stormwater discharges. Discharges determined to adversely impact the stormwater system will be followed up by appropriate management practices or regulations will be used, developed, and/or implemented - including enforcement of any municipal regulations available.

Responsible Parties:

- Director of Community Development and/or his/her designee
- Rogers Water Utilities laboratory, Inflow and Infiltration (I-N-I), and inspection staff members
- Rogers Street Department personnel, as needed
- Contracted companies and their employees as directed by the Director of Community Development

Summary of Measurable Goals:

The goals below were selected to correspond with goals from the previous permit cycle so that progress could continue towards achieving reductions and eliminations of non-stormwater discharges to the stormwater system. Some previous goals were divided into separate tasks to better review progress on each while other objectives were more clearly defined so that the assigned personnel have a better idea of what is involved in completing the task. All goals will be monitored, reviewed, evaluated and assessed by an individual within the Department of Community Development with stormwater oversight, but not by the program's coordinator. The measurable goals of the illicit discharges program during the 5-year permit period include, but are not limited to:

- Monitor and revise existing ordinances to meet new federal and state permit requirements.
- Develop and implement a system to monitor, document, and track the number and type of calls received each year and the actions taken in response.
- Visit the known outfalls for a dry-weather screening. Areas visited should overlap with developed and/or mapped areas to search for undocumented and previously unknown outfalls.

Receiving streams (local and ultimate) of all waters will be documented on the field inventory sheets and added to the storm sewer system's digital information.

- Review outfall maps of the storm sewer system to ensure they are up-to-date. All maps cover the city limits of Rogers (not just the Urbanized Area) and include the name of each local and regional receiving stream.
- Monitor the number of illicit discharges that are encountered and document enforcement procedures that are conducted.
- Implement and enforce a program to detect and eliminate illicit discharges. The program will include regulatory and enforcement mechanisms and will be evaluated within the permit period.
- Monitor the number of commercial/industrial uses assessed for possible illicit discharges and document resolution of illicit discharges identified.
- Complete an assessment of non-stormwater discharges along with implementing local controls where identified as needed.
- Encourage Rogers' residents and businesses to report suspected illegal dumping and suspect liquid discharges in and near our drainage ways.

D. Minimum Control Measure #4:
Construction Site Runoff Regulations and Controls

Permit Requirements:

"The permittee must develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to the permittee's small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the permittee's program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more." For stormwater discharges associated with any construction activity must comply with 40 CFR §122.26(b)(15)(i) by developing, implementing, and enforcing a program to reduce pollutant discharges from such sites. The permittee's program must include the development and implementation of, at a minimum:

- An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under Federal, State or Local laws;
- Requirements for site operators to implement appropriate erosion and sediment control Best Management Practices;
- Requirements for construction site operators to prevent or control waste that may cause adverse impacts to water quality such as building materials and their packing systems, concrete truck washout, chemicals, litter, equipment & fluid leaks, and sanitary waste at the construction site;
- Procedures for site plan review and land division that incorporate measures to prevent or control potential water quality impacts;
- Procedures for receipt and consideration of information submitted by the public; and
- Procedures for site inspection and enforcement of control measures.

Construction Site Runoff Regulations and Controls BMPs:

Construction Regulations and Controls **(CRC):**
CRC1 - Ordinance: Reviews and Revisions
CRC2 - Plan Reviews
CRC3 - Drainage Manual
CRC4 - Site Inspections
CRC5 - Complaint Reporting and Response System
CRC6 - Enforcement
CRC7 - City Staff Training

Rationale:

The City selected the above BMPs to address each component of the construction site runoff control requirements. Regulatory authority for implementation and enforcement of the City's erosion and sediment control program is provided in the Stormwater Ordinance, Municipal Codes, Drainage Manual, and other adopted guidelines. These Codes and guidelines provide a framework for oversight of erosion and sediment control measures during construction or redevelopment of any site. This permit creates documentation of new housing sites, provides an avenue for pre-construction meetings, and produces a format for random site reviews. Specific requirements for construction site operators are addressed during the Site Plan Reviews, Grading Permit application processes, Technical Plat Reviews, SWPPP review processes, and are included in the City's Design Criteria as referenced in the Development Code. The Stormwater Ordinance requires the development of erosion and sediment control plans and will be updated to include issues provided by the updated ARR040000. Additionally, the nuisance prohibitions section of the Code of Ordinances provide authority to regulate construction sites to prevent or control wastes that can adversely impact water quality. Training of City staff to recognize and correct erosion problems on construction sites and to enforce the provisions of the City's adopted ordinances is a critical

component of the continuous and on-going stormwater management program.

Responsible Parties:

The City's Department of Community Development maintains the portion of the Municipal Code of Ordinances related to construction and coordinates the Site Plan and Drainage Review process. The Department of Community Development staff is responsible for implementation and inspection of approved land alteration and development projects for overall development criteria as well as erosion and sediment control and construction site runoff controls. Other departments' personnel help the Department of Community Development become aware of land disturbances that are occurring but may not have been through the plan review process. Enforcement of these areas of the City's Codes is conducted in coordination with the Code Enforcement and Police Department - and with the Office of the City Attorney, if necessary.

Summary of Measurable Goals:

The goals below were selected to correspond with goals from the previous permit cycle so that progress could continue towards achieving reductions and eliminations of non-stormwater discharges to the stormwater system. Some previous goals were divided into separate tasks to better review progress on each while other objectives were more clearly defined so that the assigned personnel have a better idea of what is involved in completing the task. All goals will be monitored, reviewed, evaluated and assessed by an individual within the Department of Community Development with stormwater oversight, but not by the program's coordinator. The measurement of success of the program will be based on tracking of compliance and avoidance of impacts to water quality from land alteration and construction. Specific measureable goals during the 5-year permit period include, but are not limited to:

- Revise existing stormwater, grading, erosion control, and tree ordinances to meet new federal and state permit requirements;
- Review, comment, and/or approve a plan review for each large-scale development plan, large-scale waiver, and/or subdivision plan submitted for development;
- Requiring submitted plans to show and/or explain how Rogers' sediment and erosion control requirements will be met on development sites provides city staff, planning commission, city council, appropriate city committees, the construction community, business owners, and adjoining properties owners and residents to all be aware of the size and scope of the project and the expected controls that will be used to prevent sediment and other erosion from leaving the project site;
- Review and revise drainage manual as needed to ensure compliance with federal and state requirements;
- Visit, review, and comment on status of each site under construction for BMP conditions, answer questions, resolve potential problems, and prevent failures;
- Document and respond to a minimum of 90% of all complaints (that are not related to flooding);
- Document and respond to 80% of all neighborhood flooding complaints;
- Document all enforcement actions taken (from discussions on construction sites to formal education settings to stop work orders to fines); and
- Perform and document all annual employee training sessions.

E. Minimum Control Measure #5:
Post-Development Construction Standards

Permit Requirements:

The permittee must:

- Develop, implement, and enforce a program to ensure reduction of pollutants in storm water runoff to the maximum extent practicable (MEP) from new development and redevelopment projects within the permittee's jurisdiction that disturb one acre or more, are part of a larger common plan of development or sale, and/or discharge into the permittee's small MS4. The permittee's program must ensure that developers are aware that controls needed to prevent and minimize water quality impacts.
- Develop and implement strategies that include a combination of structural and/or non-structural BMPs appropriate for the permittee's community.
- Use an ordinance or other legal regulatory mechanism to address construction and post-construction runoff from new and re-development projects to the maximum extent allowable under Federal, State and/or Local laws.
- Ensure adequate long-term operation and maintenance of permanent and long-term BMPs; and
- Ensure adequate enforcement of ordinance or alternative regulatory program.

Post-Development Construction Standards BMPs:

Post-Development Standards **(PDS):**
PDS1 - Ordinance: Reviews and Revisions
PDS2 - Drainage Manual
PDS3 - Post Construction Requirements
PDS4 - Plan Reviews
PDS5 - Maintenance and Inspections
PDS6 - Enforcement
PDS7 - Long-Term Operations and Management Plans
PDS8 - Pollution Control Guidelines (PCG) and Stormwater Facilities Master Plan (SFMP)
PDS9 - Low Impact Development (LID)

Responsible Parties:

- Department of Community Development
- Community Risk Reduction Division
- Code Enforcement
- Street Department
- Rogers Water Utilities
- Police Department
- Parks and Recreation Department

Summary of Measurable Goals:

The goals below were selected to correspond with goals from the previous permit cycle so that progress could continue towards achieving reductions and eliminations of non-stormwater discharges to the stormwater system. Some previous goals were divided into separate tasks to better review progress on each while other objectives were more clearly defined so that the assigned personnel have a better idea of what is involved in completing the task. All goals will be monitored, reviewed, evaluated and assessed by

an individual within the Department of Community Development with stormwater oversight, but not by the program's coordinator.

The regulatory framework for control of post-construction stormwater runoff is contained in the Code of Ordinances and Rogers Drainage Manual. This framework will be refined and expanded as needed to improve the City's capability to achieve reductions in stormwater pollution from new developments through periodic evaluations and updates to the Codes. Measurable goals during the 5-year permit period include, but are not limited to:

- Revise stormwater, grading, erosion control, and tree ordinance existing to meet new federal and state permit requirements for post-construction;
- Review, comment, and/or approve a plan review for each large-scale development, large-scale waiver, grading permit, and/or subdivision submitted for development;
- Review and revise drainage manual as needed to ensure compliance with federal and state requirements;
- Public education and outreach events will be coordinated to educate property and home-owner associations on their operational and maintenance requirements in general as well as for specific BMPs not covered in the general events;
- Develop and implement Pollution Control Guidelines (PCG) for each city-owned or operated site;
- Create a city-wide Stormwater Facilities Master Plan summarizing and containing each PCG; and

F. Minimum Control Measure #6:
Operation and Maintenance for Pollution Prevention in Municipal Operations

Permit Requirements:

The permittee must:

- Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations;
- Using training materials and/or programs that are available, train employees to prevent and reduce stormwater pollution from activities including, but not limited to, park and open space maintenance, fleet and building maintenance, new municipal facility construction and related land disturbances, design and construction of street and storm drain systems, and stormwater system maintenance; and
- Develop a list of city-owned or operated sites with industrial activities that are subject to ADEQ's Industrial Stormwater General Permit or individual NPDES permits for discharges of stormwater associated with industrial activity that ultimately discharge to the MS4. Include the ADEQ permit number or a copy of the Industrial NOI form for each facility. For the municipal facilities that conduct activities described in 40 CFR 122.26(b)(14) that are not required to obtain Industrial Stormwater General Permit coverage shall develop and implement a Stormwater Pollution Prevention Plan (SWPPP) of coverage being granted under this permit. The SWPPP shall conform to the requirements of ADEQ's Industrial Stormwater General Permit in effect at the time coverage under this permit is granted.

Operation and Maintenance for Pollution Prevention in Municipal Operations BMPs:

Operation and Maintenance **(O&M):**
O&M1 - Employee training
O&M2 - Operation and Maintenance program
O&M3 - Pollution Control Guidelines (PCGs) and City-wide Stormwater Facilities Master Plan (SFMP)
O&M4 - Disposal of Wastes including street sweepings
O&M5 - Minimizing the Use of Potential Pollutants
O&M6 - Open Channel Assessment including flood management/water quality projects

Rationale:

As part of the contract with Northwest Arkansas Regional Planning and the University of Arkansas' Cooperative Extension Service, Cooperative Extension Service employees will provide training at least once a year to MS4s. The training will use materials provided by ExCal Visuals and others that include information on construction sites, park & open space maintenance, and fleet & building maintenance. Jurisdictional-specific ordinances, policies, and mandates will also be addressed during these trainings and specific system maintenance as departmentally appropriate. Training will stress how the employees are the "eye and ears" of the city and that they should learn to recognize signs of illicit discharge and how to properly report these instances. Recommendations from these employees are also discussed during the regional stormwater compliance committee's monthly meetings to help to shape the educational outreach messages for future presentations.

The City selected the above six BMPs to address Pollution Prevention in Municipal Operations. O&M2 and O&M3 include:

1. Implementation of a Pollution Control Manual for City Facilities; and
2. Continue scheduled evaluations of City practices. Develop or revise pollution control manuals or

procedures as appropriate.
3. Review and revision of vehicle maintenance and cleaning practices and procedures, as appropriate.
4. Review and revision of site-specific items: material storage; waste clean-up and removal; manuals, practices and procedures, as appropriate.

Responsible Departments:

- Department of Community Development
- Community Risk Reduction Division
- Parks and Recreation Department
- Code Enforcement
- Street Department
- Police Department
- Fire Department
- Rogers Recycling Center
- Rogers Municipal Airport
- University of Arkansas' Cooperative Extension Service (contract for employee training elements)

Summary of Measurable Goals:

The goals below were selected to correspond with goals from the previous permit cycle so that progress could continue towards achieving reductions and eliminations of non-stormwater discharges to the stormwater system. Some previous goals were divided into separate tasks to better review progress on each while other objectives were more clearly defined so that the assigned personnel have a better idea of what is involved in completing the task. All goals will be monitored, reviewed, evaluated and assessed by an individual within the Department of Community Development with stormwater oversight, but not by the program's coordinator.

University of Arkansas Cooperative Extension Service staff will oversee annual and new hire employee stormwater trainings, per their education contract. The Department of Community Development staff with help from the Facilities Manager will oversee the creation and implementation of all manuals, guidelines, and plans listed as well as material and method assessments and reviews. The goals listed below were partially selected by the Cooperative Extension Service's staff that is under contract for our educational portions of our permit, but the MS4 representatives approved the quantity for each goal. Goal quantities were based on the percent of the Urbanized Area within the municipality so larger cities will have more stringent requirements (both in size and quantity) than a neighboring and/or adjoining small town may have. The City of Rogers shall oversee these efforts and will address any and all short-falls of the contract product to ensure that all permit requirements are met. The City's various departments will coordinate with various community and watershed groups for other educational and outreach activities beyond the scope of the Cooperative Extension Service's educational contract for employee training.

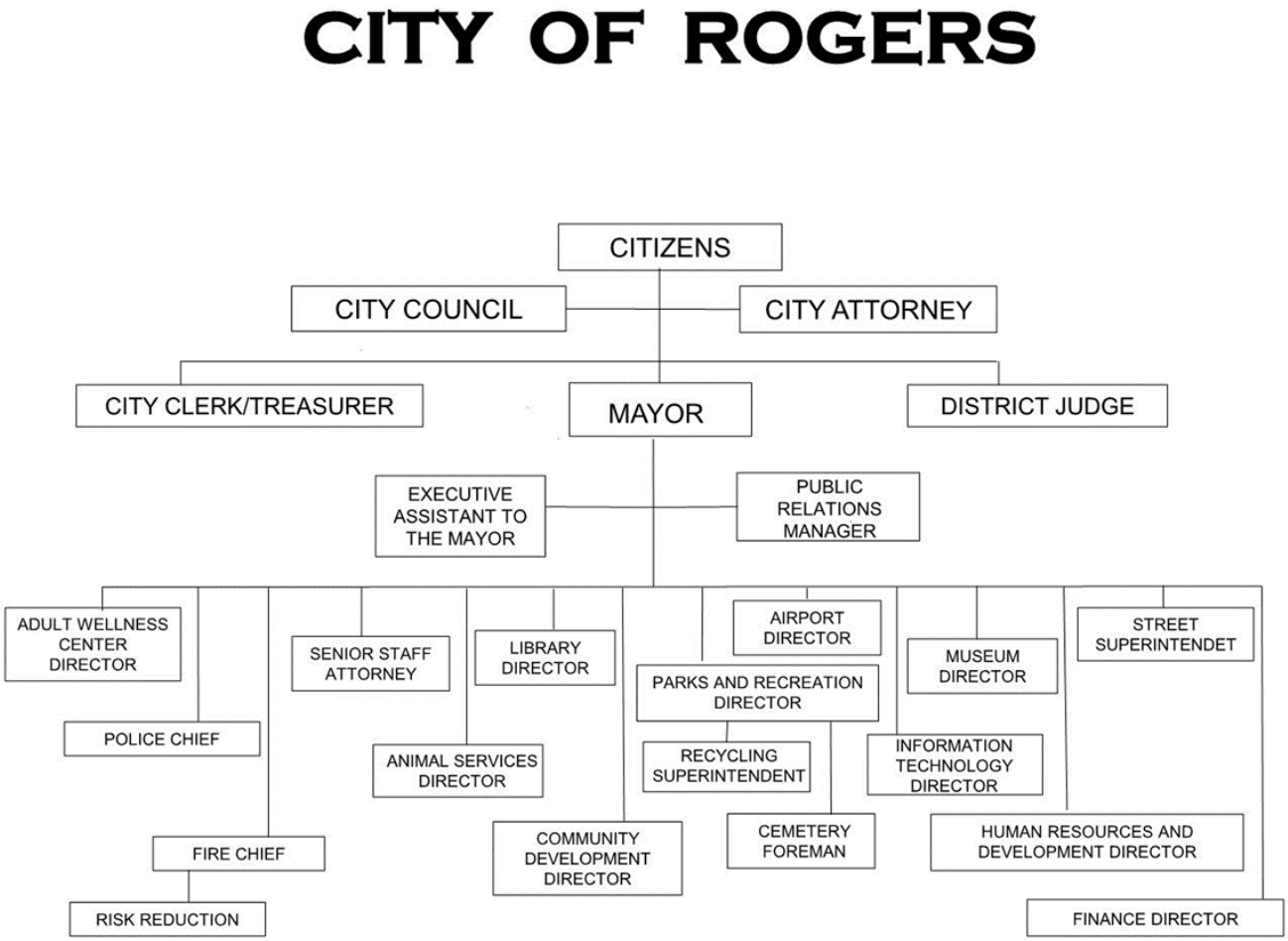
Specific measureable goals during the 5-year permit period include, but are not limited to:

- Annual employee training;
- Develop and implement Operational and Maintenance Guidelines for each city-owned and/or operated site;
- Develop and implement Pollution Control Guidelines (PCG) for each city-owned or operated site;
- Determine Industrial Permit need/status for each city-owned and/or operated site;
- Create a city-wide Stormwater Facilities Master Plan summarizing and containing each PCG;
- Review and assess methods of waste disposals including street sweepings;
- Review and assess ways to minimize the use of potential pollutants; and
- Assess known open channel conditions as well as outfall connections to the channels.

- Create a list of ADEQ-permitted industrial facilities.
- Determine if each of Rogers Water Utilities self-assessing commercial water and sewer users do or do not need an industrial permit from ADEQ.
- Create a (non-municipal) industrial inspection form.
- Begin inspecting known non-municipal industrial facilities for stormwater runoff, post-construction BMPs, good housekeeping practices, possible IDDE cross-connections, and/or evidence of past illicit discharges.
- Create a municipal facility inspection form to better document and provide more uniform inspection by site-department staff.

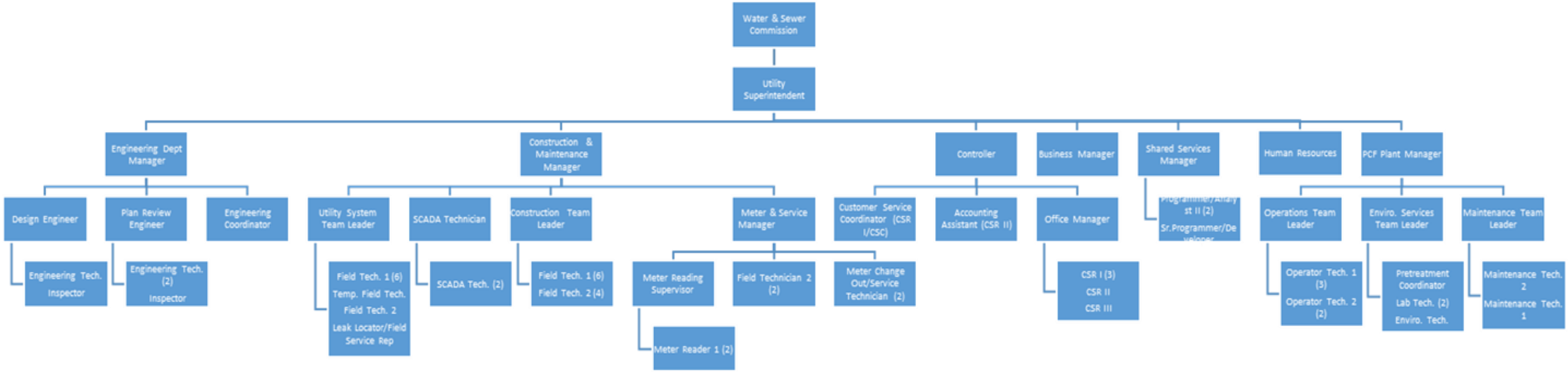
Appendix 1

City of Rogers' Organizational Chart



Appendix 2

Rogers Water Utilities' Organizational Chart



Appendix 3: Code References in SWMP

Code Enforcement Officers:

Chapter 18: Environment: Article I: General: Section 18-1: Outdoor storage of tires is prohibited
The outdoor storage of tires is hereby prohibited unless said tires are contained under a tarpaulin or other similar cover sufficient to prevent the accumulation of water in said tires so as to prevent the breeding of mosquitoes.

Chapter 18: Environment: Article I: General: Section 18-2: Foul and offensive odors declared a nuisance
It is hereby declared that corruption of the atmosphere within the city with vile, foul or offensive odors by the operation of any business, trade or occupation, or by the doing of any act or thing, shall constitute a nuisance and is hereby prohibited.

Chapter 18: Environment: Article IV: Unsanitary Conditions: Section 18-93: Definitions: Unsanitary
Unsanitary means that a place, condition or thing is unsanitary when it might become a breeding place for flies, mosquitoes and germs harmful to the health of the community.

Chapter 18: Environment: Article IV: Unsanitary Conditions: Section 18-94: Clearance of unsightly or unsanitary conditions on real property
(a) Owners or occupants of real property within the corporate limits of the city are hereby required to cut weeds, remove garbage, rubbish, inoperative motor vehicles or other unsightly or unsanitary things; and eliminate, fill up or remove stagnant pools of water or any other unsanitary thing, place or condition upon their real property.
(b) It shall be unlawful for the owner or occupant of real property to permit the accumulation or development of weeds, garbage, rubbish, inoperative motor vehicles or other unsightly or unsanitary things or conditions on real property within the city.
(c) The dumping of tree cuttings, tree trunks, fill dirt and other appropriate fill material may be permitted to reclaim gullies and ravines upon application to, and approval by, the city planning commission under the following conditions:

(1) Written certification by the applicant that he is the legal owner of the property or that he has the written permission of the property owner.
(2) Access must be completely restricted to the applicant only.
(3) All material must be covered by fill dirt and smoothed over at intervals not to exceed two weeks.

(d) Failure to comply with the conditions of subsection (c) of this section will be grounds for revocation of the permit and may result in the issuance of a citation pursuant to subsections (a) and (b) of this section.

Chapter 18: Environment: Article IV: Unsanitary Conditions: Section 18-95: Lien against real property; Notice for abandoned, inoperative vehicles
(a) If the owner or occupant of any real property within the corporative limits of the city neglects or refuses, after being given seven days' written notice by the mayor or his designee to remove, abate or eliminate any condition referred to in section 18-94, the city will do whatever is necessary to correct the condition and will charge the cost of the correction to the property owner to secure its costs; the city will perfect a lien against the affected property pursuant to A.C.A. § 14-54-903 et seq. A.C.A. § 14-54-901 et seq. is hereby adopted by reference as if set out word for word herein.
(b) Before any abandoned or inoperative motor vehicle is taken into custody and possession from private property, the city shall give the private property owner or occupant and the owner of the motor vehicle, if ascertainable, 30 days' notice by registered or certified mail that such action will be taken unless the motor vehicle is restored to a functional use, disposed of in a manner not prohibited by A.C.A. § 8-6-401 et seq. or placed in an enclosed building. The 30-day notice may be waived by the owner or occupants of the property jointly or severally.
Chapter 18: Environment: Article IV: Unsanitary Conditions: Section 18-97: Imminent health or safety hazard
(a) Abatement. Whenever a real and imminent health or safety hazard stemming from a condition or thing described in section 18-94 exists such that the notice provisions provided for in sections 18-95 and 18-96 cannot be complied with without jeopardizing the health and safety of the community, the city shall give notice, as is practical under the circumstances, to the affected property owner. If the property owner does not act immediately to correct the condition or thing complained of, the city shall, pursuant to A.C.A. § 14-54-103 do whatever is necessary to abate the hazard stemming from the condition or thing.

(b) Alternate procedure. Upon the written application of two or more of the individuals described in subsection (c) of this section, the senior staff attorney is authorized to immediately seek a temporary restraining order or preliminary injunction regarding the condition or thing complained of.
(c) Determination. The initial determination of what condition or thing constitutes a real and imminent health or safety hazard must be made by at least two of the following individuals: the mayor, the county health officer, the fire chief, the assistant fire chief and the city inspector. If three of the above individuals agree that a real and imminent health or safety hazard does not exist, no action shall be taken under this section. If the named individuals are equally divided in their opinions, action may be taken under this section. It is not necessary that all of the named individuals participate in the determination.

Chapter 46: Solid Waster: Article I: General: Section 46-1: Depositing on public or private property
No person shall place, leave, throw, deposit or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any paper, trash, human or animal excrement, garbage or other objectionable waste.

Inland Services Corporation:

Chapter 46: Solid Waster: Article II: Collection Service (All of 8 Sections)

Appendix A: Franchises: Article III: Refuse Collection - Inland Services Corporation (All of 11 Sections)

Parks Department:

Chapter 36: Article 1: In General: Section 36-2: Prohibited Acts
No person shall, within any park:

(1) Cut, break, injure, deface or disturb any tree, shrub, plant, building, monument, fence, bench or other structure; or injure, damage or remove any shrub, plant, bush or flower; or mark, mar or write upon any building, fence, bench, tree or structure.
(2) Cut or remove any wood, turf, grass, soil, rock, sand or gravel except in regular places designated by the commission as to where firewood may be secured for picnic purposes.
(3) Swim, bathe or wade in any lake or stream beyond the area designated by the commission.
(4) Scatter rubbish or debris within a recreational center other than the designated places for such debris or make or kindle a fire except in the picnic stoves or other places provided or designated for camping or picnic purposes.
(10) Throw or cast into, or leave in, the water of any lake or stream, or any tributary, brook, stream, sewer or drain flowing into such waters, any substance or thing which may or shall result in pollution of the waters or streams.

Planning Department:

Chapter 14: Development: Article III. Large Scale Development Plan Regulations (All of 6 Divisions and 160 Sections)

Chapter 14: Development: Article IV. Streets, Sidewalks, & Other Public Places (All of 4 Divisions & 185 Sections)

Chapter 14: Development: Article V. Subdivisions (All of 4 Divisions and 121 Sections)

Chapter 14: Development: Article II. Design Criteria & Construction Specifications for Division, Development & Improvement of Land: Division 4: Storm Sewers (All of 28 Sections)

Chapter 14: Development: Article II. Design Criteria & Construction Specifications for Division, Development & Improvement of Land: Division 7: Administration & Enforcement (All of 31 Sections)

Chapter 14: Development: Article VII. Stormwater Pollution Prevention, Grading, Erosion Control, & Tree Preservation (All of 5 Divisions and 250 Sections)

Chapter 22: Floods (All of 2 Articles and 106 Sections)

Police Department:

Chapter 26: Law Enforcement: Article 1: Section 26-2: Violators of Code subject to arrest, prosecution

Any person who shall violate any of the provisions of this Code shall be liable to immediate arrest and prosecution in the manner provided in this Code:

(1) When such offense is committed in the presence of the chief of police or any police officer.

(2) When reasonable information supported by affidavit is given of any offense by any other person and process is procured for the arrest.

Appendix 4: Plan Review

LARGE-SCALE DEVELOPMENT PLAN REVIEW CHECKLIST

GENERAL REQUIREMENTS

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		The large-scale development plan approval letter issued by the Department of Community Development must be signed by the owner and the Director of the Department of Community Development or his or her designee prior to issuance of grading permit. Both approval letter and grading permit are required to be submitted to the Risk Reduction Division prior to issuance of building permit.	Planning	14-228
		Scaled drawings may not be smaller than 1"=100'.	Planning	14-228
		Drawings are required to be prepared and stamped by licensed architect or engineer if building cost requires by state law or if building multifamily housing exceeding four units.	Planning	14-228
		A state contractor's license is required for projects exceeding $20,000.	Planning	14-228
		Proposed landscaping must be provided in accordance with the requirements of Article III. Landscaping must be installed or bonded prior to issuance of Certificate of Occupancy, in addition to a three-year maintenance and replacement agreement provided by owner.	Planning	14-228
		New construction, drives, and curb cuts on state and federal highways require written approval of ArDOT. Copies of the approval must be provided to the Department of Community Development prior to the issuance of building permit.	Engineering	14-228
		Storm drainage design must meet the minimum requirements of the Drainage Criteria Manual. Drainage improvements must be indicated on the plans along with an accompanying drainage report. Engineer-certified calculation must be provided for all improvements. Improvements must be completed and certified by the engineer of record prior to issuance of Certificate of Occupancy.	Engineering	14-228
		Developments within a floodplain or floodway must provide engineer-certified floodplain data and must meet all FEMA requirements for new construction in floodplains or floodways.	Engineering	14-228
		All commercial developments, developments that include plumbing exceeding 15 fixture-units (two bathroom groups), and all public food service establishments require the review and approval of the Arkansas State Health Department. The Arkansas State Health Department approval letter is required prior to issuance of a building permit.	Risk Reduction / RWU	14-228
		Development impact must be identified in relation to Airport Hazard Map if applicable. FAA notification may be requried prior to construction.	Planning	14-228
		All sheets must provide a designated area for the official City of Rogers stamp, signature, or acknowledgement that measures 2"x 3".	Planning	14-228

GENERAL LOT STANDARDS

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		All structures must be located on a lot that fronts a public or private street.	Planning	14-722
		Individual lots, tracts, or parcels that require both septic and well must be 1.5 acres and have minimum frontage width of 120 feet.	Planning / RWU	14-554

COVER SHEET INFORMATION

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		Include location address(es). New addresses are issued by Benton County 911 Administration and Risk Reduction Division.	Planning	14-256
		Must be labeled as "Large-Scale Development" plans.	Planning	14-256
		Include contact information for owner, developer, and engineer/architect.	Planning	14-256
		Revision dates must be tracked on each resubmitted version.	Planning	14-256
		Include note that state contractor's license required for projects exceeding $20,000.	Planning	14-256
		Include note that easement plat required for Certificate of Occupancy.	Planning	14-256
		Include building usage (with description if necessary). Cite CUP if relevant.	Planning	14-256
		Include current zoning information (including Overlay District).	Planning	14-256
		Include project name (other than address/location).	Planning	14-256
		Include CityView project number (PL2019XXXXX).	Planning	14-256
		Include legal description of subject property with exact dimensions indicated. Include survey when possible.	Planning	14-256
		Include a vicinity map indicating major streets and landmarks.	Planning	14-256
		Include a chart of development standards including total site area, development area, unit counts and density calcuations (if applicable), building area (include sf breakdown for multiple uses), building setbacks/build-to zones, building height, lot coverage/open space calculations, greenspace ratio.	Planning	14-256
		Include flood certification statement with correct FIRM effective date (June 5, 2012).	Engineering	-

SITE & UTILITY PLAN INFORMATION

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		Must be designed in accordance with the use, building, and form standards of the zoning district.	Planning	14-256
		Verify that proposed improvements do not violate nonconformity standards.	Planning	14-720
		Show zoning of adjacent property.	Planning	14-256
		Include a chart of development standards including total site area, development area, unit counts and density calcuations (if applicable), building area (include sf breakdown for multiple uses), building setbacks/build-to zones, building height, lot coverage/open space calculations, greenspace ratio.	Planning	14-256
		Indicate the location of all existing and proposed buildings. Must provide dimensions for all buildings and building setbacks (measured from roof overhang to property line) and distance from adjacent buildings.	Planning	14-256
		For residential projects, provide unit counts and rooms per unit.	Planning	14-256
		For non-residential projects, provide gross floor area; provide sf breakdown for multiple uses.	Planning	14-256
		Indicate project phasing as necessary.	Planning	-
		Indicate the location, typical dimensions, and arrangement of parking and loading areas. Indicate circulation and flow patterns if applicable.	Planning	14-256
		Include a parking chart indicating the number of required and provided parking spaces. Include the calcuation per zoning code. Accessible spaces must meet local, state, and ADA requirements.	Planning	14-256
		Provide APBP-approved bicycle parking when providing 15 or more vehicle parking spaces. Must provide detail.	Planning	14-256
		Indicate any existing or proposed signage with dimensions from P/L or R/W. Note that separate sign permit is required. Approval of LSD plans does not guarantee approval of sign permit.	Planning	14-256
		Indicate the location and type of trash removal service, or explanation otherwise. Provide 6-foot screening around all trash dumpsters; screening must be solid-type construction and consistent with the architectural style of the building; dumpsters on permanent foundations may not be located in setbacks/easements.	Planning	14-256
		Indicate adjacent driveways.	Planning	-
		Indicate any proposed fencing to confirm location proximity to easements.	Planning	-
		Include note that all HVAC and other mechanical equipment must be screened from public view.	Planning	Zoning district
		Verify zero horizontal light trespass from outdoor lighting when adjacent to residential. Provide photometric plan if necessary.	Planning	Zoning district
		Indicate the path of pedestrian access from R/W to building entrance.	Planning	14-256
		Verify sight triangle at intersections is not impeded.	Engineering	14-722
		Indicate the dimension of all curb cut widths and the distances from the property line and intersections. Provide 30' curb radius for all access points.	Engineering	14-260
		Verify that all access management standards are met.	Engineering	14-260
		Any traffic calming measures must be coordinated with the Risk Reduction Division.	Engineering	-
		Indicate the location of all existing and proposed utility lines, septic fields, fire hydrants, and utility easements.	Engineering / RWU / Risk Reduction	14-256
		Indicate any floodplain and floodway boundaries and provide a note that Elevation Certificate is required if floodplain is on site.	Engineering	14-256
		Verify that FFE is shown as 2 feet above base flood elevation.	Engineering	-
		Indicate 100-year water surface elevation.	Engineering	-

		Indicate the dimensions of required R/W dedication. Must be completed or bonded prior to issuance of Certificate of Occupancy. Dedication is executed via easement plat during project closeout.	Engineering	14-256
		Indicate the location of required R/W improvements, including streets, trails, sidewalks, street trees and street lights. Decorative street lights required only in Downtown and Uptown. Must be completed or bonded prior to issuance of Certificate of Occupancy.	Engineering	14-256
		Identify any conflicts with overhead electric lines and street trees.	Engineering	-
		Identify any conflicts with stormsewer along r/w.	Engineering	-
		Indicate the location of new sidewalks. Must meet width and greenspace requirements per street classification. Must be installed or bonded prior to issuance of Certificate of Occupancy.	Engineering	14-256
		Verify that street connectivity standards have been met.	Engineering	14-604
		Verify that existing roadway pavement is not in substandard condition.	Engineering	12-256
		Indicate all other site and public improvements as required by Article III.	Engineering	14-256

EROSION CONTROL PLAN INFORMATION

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		Verify that an erosion control plan is provided.	Engineering	-
		Verify that silt fence is shown in proper area.	Engineering	Ch. 14 Art.VII Div. 3
		Indicate the location of non-residential trailers to be used for a project.Trailers must be removed prior to the issuance of Certificate of Occupancy or at the expiration of the temporary trailer permit.	Engineering	14-256
		Verify that ADEQ mailbox is shown.	Engineering	Ch. 14 Art.VII Div. 3
		Verify that construction entrance is 20% of lot depth up to 100 feet. A tire wash must be shown if no construction entrance is needed.	Engineering	Ch. 14 Art.VII Div. 3
		Verify that a concrete washout is shown.	Engineering	Ch. 14 Art.VII Div. 3

GRADING PLAN INFORMATION

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		Indicate proposed site grading in accordance with the requirements of Article VII.	Engineering	14-256
		Include detention pond profiles (10-year and 100-year with 1' freeboard).	Engineering	Drainage Manual
		Verify that dry detention ponds have 5-foot wide concrete trickle channel.	Engineering	Drainage Manual
		Verify that dry detention pond bottoms have minimum 1% slope.	Engineering	Drainage Manual
		Verify that USGS Type-C staff gauge is provided at the pond outlet structure.	Engineering	Drainage Manual
		Verify that a trash rack is provided at the outlet structure.	Engineering	Drainage Manual
		Verify that all-weather access with an easement is provided to the detention pond.	Engineering	Drainage Manual
		Verify that reinforced concrete pipe is provided in r/w, under traffic areas, etc.	Engineering	Drainage Manual
		Indicate any off-site drainage and whether an easement is needed.	Engineering	Drainage Manual
		Include the proposed stormsewer pipe on the road profile sheets, and verify HGL, slope, velocities, minimum cover, etc.	Engineering	Drainage Manual
		Verify if site is in Cave Springs Direct Recharge Area (Zones 1-3) and provide a disturbance report if needed.	Engineering	Drainage Manual
		Indicate mitigation for point discharges at property lines.	Engineering	Drainage Manual

LANDSCAPE PLAN INFORMATION

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		Plantings that exceed the minimum requirements may not be reduced once approved by Planning Commission.	Planning	-
		Include note that owner/developer must provide a 3-year guarantee for maintaining and replacing landscaping before issuance of Certificate of Occupancy.	Planning	14-228
		Include a planting chart showing plant type, quantity, size, and location for all plants in accordance with the landscaping specifications of Article III. Indicate required and provided plants and include calculcations.	Planning	14-256
		Verify that a minimum 25% of all required plantings are trees.	Planning	14-256
		Verify that a minimum 10% of all trees are evergreen.	Planning	14-256
		Verify that a maximum 25% of all trees are ornamental.	Planning	14-256
		Verify that any provided perennials qualify for 20:1 replacement (not exceeding 25% total required plantings).	Planning	14-256
		Identify any preserved trees that are significant in size and qualify for a 1:1 credit.	Planning	14-256
		Identify all significant trees removed for development and provide tree preservation plan if removing more than 7 significant trees. Mitigation trees are required at 1:5 ratio when tree preservation plan is required.	Planning	14-796
		Identify the location and dimension of all landscape buffer zones (Overlay, etc.), and indicate screening fences or walls where required by the Planning Commission or Department of Community Development. Overlay District landscape buffer requires 20' spacing for full frontage width.	Planning	14-256
		Indicate greenspace/impervious area ratio.	Planning	14-256
		Provide parking lot tree islands if more than 10 spaces are provided (18'x18'; 1 tree per 15 spaces).	Planning	14-256
		Verify that sod is shown in detention areas. Drainage detention areas may contribute up to 5% of required landscape area if solid-sodded. Street rights-of-way, public access easements, and private streets shall not contribute to required landscape area.	Engineering	14-256
		Verify that street trees are shown and calculated separate from site landscaping requirements.	Engineering	14-256
		Verify minimum spacing between street lights and sidewalks.	Engineering	14-256

DETAIL SHEET INFORMATION

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		Include all standard City details.	Engineering	Ch. 14 Art. VIII
		Include sidewalk, driveway, and curb details.	Engineering	Ch. 14 Art. VIII
		Include wire-backed silt fence detail.	Engineering	Ch. 14 Art. VIII
		Include construction entrance detail.	Engineering	Ch. 14 Art. VIII
		Verify that no rip rap is shown.	Engineering	Ch. 14 Art. VIII
		Include dumpster and screening detail.	Planning	Ch. 14 Art. VIII
		Include APBP-approved bike rack detail.	Planning	Ch. 14 Art. VIII
		Include fencing detail.	Planning	Ch. 14 Art. VIII

DRAINAGE REPORT INFORMATION

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		Include project title and date.	Engineering	Drainage Manual
		Include project location (with street address and vicinity map).	Engineering	Drainage Manual
		Include a brief description of the proposed project.	Engineering	Drainage Manual
		Include project owner's name, address, and number.	Engineering	Drainage Manual
		Indicate the site area to the nearest 0.1 acre.	Engineering	Drainage Manual
		Include a brief description of the site drainage of the proposed project.	Engineering	Drainage Manual
		Indicate any known drainage problems within the area (on-site, upstream, downstream).	Engineering	Drainage Manual
		Provide upstream and downstream drainage information, including pre- and post-developed drainage area maps and inlet area maps with the TOC flow paths and proposed and existing topography shown as appropriate.	Engineering	Drainage Manual
		Include a summary runoff table with 1, 2, 5, 10, 25, 50, and 100-year storm flows.	Engineering	Drainage Manual
		Provide copies of all calculations performed.	Engineering	Drainage Manual
		Include recommendations/summary.	Engineering	Drainage Manual
		Include certification.	Engineering	Drainage Manual
		Include a FEMA FIRMette to verify the flood zone.	Engineering	Drainage Manual
		Provide a statement about water quality treatment with calculations as needed.	Engineering	Drainage Manual
		Provide a statement if the site is located in a Cave Springs Direct Recharge Area zone.	Engineering	Drainage Manual

SMALL-SCALE REVIEW CHECKLIST

GENERAL LOT STANDARDS

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		All structures must be located on a lot that fronts a public or private street.	Planning	14-722
		Individual lots, tracts, or parcels that require both septic and well must be 1.5 acres and have minimum frontage width of 120 feet.	Planning / RWU	14-554

SITE PLAN

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF
		Must be designed in accordance with the use, building, and form standards of the zoning district.	Planning	14-207
		Verify that proposed improvements do not violate nonconformity standards.	Planning	14-720
		Include contact information for owner, developer, and engineer/architect.	Planning	14-207
		Include total site area.	Planning	14-207
		Indicate all existing structures and provide building area and height.	Planning	14-207
		Indicate all proposed structures and additions, and provide building area and height.	Planning	14-207
		Indicate all building setback lines per zoning standards.	Planning	14-207
		Indicate all existing and proposed parking areas and driveways with material types listed.	Planning	14-207
		Indicate all existing and proposed landscaping improvements meeting 50% of the full LSD requirements.	Planning	14-207
		Indicate all proposed grading.	Engineering	14-207
		Indicate all existing and proposed utilities.	Engineering / RWU / Risk Reduction	14-207
		Indicate all existing and proposed easements.	Engineering	14-207
		Indicate all existing and proposed drainage patterns.	Engineering	14-207
		Indicate existing floodplain and floodway, if applicable.	Engineering	14-207
		Indicate the dimensions of required R/W dedication and provide standard dedication language with signature block, if applicable.	Engineering	14-207

DRAINAGE LETTER

		Provide an engineer-certified drainage letter stating no negative impact on adjacent property unless waived by Department of Community Development.	Engineering	14-207

SURVEY & PLAT REVIEW CHECKLIST

GENERAL LOT STANDARDS

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF	NOTES
		All structures must be located on a lot that fronts a public or private street.	Planning	14-722	
		Individual lots, tracts, or parcels that require both septic and well must be 1.5 acres and have minimum frontage width of 120 feet.	Planning / RWU	14-554	

ALL SURVEYS & PLATS

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF	NOTES
		Verify that all resultant tracts comply with the dimensional lot standards of the zoning district.	Planning	Zoning districts	
		Verify that proposed changes do not violate nonconformity standards.	Planning	14-720	
		Include location address(es). New addresses are issued by Benton County 911 Administration. Existing addresses may be verified by the Risk Reduction Division.	Planning	14-578	
		Must be labeled according to its function (split, combo, adjustment, etc.).	Planning	-	
		Label as "replat" if changing existing platted lots. Verify existing plat record.	Planning	-	
		Revision dates must be tracked on each resubmitted version.	Planning	-	
		Include CityView project number (PL2019XXXXX).	Planning	-	
		Include contact information for owner, developer, and surveyor/engineer.	Planning	14-578	
		Include project name, date, legend, graphic scale, and north arrow.	Planning	14-578	
		Include legal description of subject property with exact dimensions indicated. Verify accuracy of description.	Planning / Engineering	14-578	
		Include total site acreage and number of original and resultant lots.	Planning	14-578	
		Include lot/unit count and density calculations if applicable.	Planning	14-578	
		Include building setback/build-to zone table based on zoning standards. BSLs should not be shown graphically in order to distinguish from easement linework. BSLs should only be shown on setback reduction surveys.	Planning	14-578	
		Include current zoning information.	Planning	14-578	
		Indicate zoning of adjacent property.	Planning	14-578	
		Include a vicinity map indicating major streets and landmarks.	Planning	14-578	
		Indicate the location of all prominent physical features such as buildings, railroads, and creeks.	Planning	14-578	
		Indicate the location of all existing and proposed parcel lines, lot lines, lot and block numbers, easements, dedications, reservations, and non-buildable lots.	Planning / Engineering / RWU	14-578	
		Indicate the location of all existing and proposed utility lines.	Engineering / RWU	14-578	
		Indicate the location of all existing streets, utility easements, and drainage abutting the site.	Engineering / RWU	14-578	
		Indicate the dimensions of dedicated r/w if applicable.	Engineering	14-578	
		Indicate flood areas if applicable.	Engineering	14-578	
		Include flood certification statement with correct FIRM effective date (June 5, 2012).	Engineering	14-578	
		Include a certification of survey accuracy.	Planning	14-578	
		Include owner signature block with standard dedication language.	Planning / Engineering	14-578	
		Include a certification of approval to be signed by Community Development Director prior to recordation.	Planning	14-578	
		If dedicating or vacating easements or r/w, include a certification of acceptance to be signed by Mayor, City Clerk, and Community Development Director prior to recordation. Include signature blocks for RWU and franchise utilities if vacating utility easements.	Planning	14-578	

LOT SPLITS

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF	NOTES
		Verify that the split will not result in more than 7 tracts or lots.	Planning	14-578	
		Verify that each resultant tract or lot can be developed without a variance.	Planning	14-578	
		Verify that the split does not necessitate the construction of new streets or infrastructure.	Planning / Engineering	14-578	
		Verify that the split does not necessitate changes to existing streets.	Planning / Engineering	14-578	
		Verify that each resultant tract or lot has reasonable access to utilities.	Planning / RWU	14-578	
		Verify that any existing utility easements that would prevent development have been vacated.	Planning / RWU	14-578	
		Verify that each resultant tract or lot has a legally recognized means of ingress and egress.	Planning	14-578	
		Verify that the split does not conflict with neighboring land use patterns or any adopted City plans (CGM, MSP, etc.)	Planning	14-578	
		Verify that negative impact on adjacent and nearby rights-of-way is minimal based on existing and future infrastructure and access management needs.	Planning / Engineering	14-578	

PROPERTY LINE ADJUSTMENTS

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF	NOTES
		Verify that the total number of tracts or lots is not changing.	Planning	-	
		Verify that each resultant tract or lot can be developed without a variance.	Planning	14-584	
		Verify that each resultant tract or lot has a legally recognized means of ingress and egress.	Planning	14-584	
		Verify that any existing utility easements that would prevent development have been vacated.	Planning / RWU	14-584	

LOT COMBINATIONS

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF	NOTES
		Verify that each resultant tract or lot can be developed without a variance.	Planning	14-584	
		Verify that each resultant tract or lot has a legally recognized means of ingress and egress.	Planning	14-584	
		Verify that any existing utility easements that would prevent development have been vacated.	Planning / RWU	14-584	

SETBACK REDUCTION SURVEYS

IN PROGRESS	COMPLETED	REVIEW ITEMS	REVIEWER	CODE REF	NOTES
		Verify that the setback reduction is only shown around the structure or portion thereof which the reduction was approved.	Planning	-	
		Include a signature block for the Board of Adjustment secretary in addition to the Community Development Director.	Planning	-	
		If reducing utility easements in addition to setbacks, include signature blocks for RWU and all franchise utilities.	Planning	-	

Appendix 5: Grading Permit Application

DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

GRADING, DISTURBANCE, STORMWATER AND FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

NO. _____ **CITYVIEW NO.** _____

APPLICANT PROVIDES:

PROJECT NAME: _____ TELEPHONE NUMBER: _____

ADDRESS/LOCATION: _____

PROPERTY OWNED BY: _____ TELEPHONE NUMBER: _____

ADDRESS: _____

CONTRACTOR'S NAME: _____ TELEPHONE NUMBER: _____

ADDRESS: _____

ENGINEER'S NAME: _____ TELEPHONE NUMBER: _____

ADDRESS: _____

STATE OF ARKANSAS NOI PERMIT NUMBER: _____

APPLICATION DATE: _____ ACREAGE OF PROPERTY: _____

ATTACH LEGAL DESCRIPTION, GRADING PLAN, AND OTHER INFORMATION AS REQUIRED.

_____

APPLICANT SIGNATURE PRINT NAME TITLE

PLANNING AUTHORITY PROVIDES:

PLANNING COMMISSION APPROVAL DATE: _____

STAFF ACTION: _____ DATE: _____

APPLICATION FEE: _____

PERMIT EXPIRES IF NO ACTIVITY FOR 6 MONTHS. REVEGETATION IS REQUIRED.

Appendix 6: Construction Site Assessment

MS4 Stormwater Management

Construction Site Runoff Control

Construction Site Assessment				
Site Name:		**Contractor:**		
Permit #:	**Total Acreage:**	**Inspection Date:**		
Common Address:				
ADEQ Permit: ☐ Yes ☐ No	**Notice posted:** ☐ Yes ☐ No	**ADEQ Mailbox:** ☐ Yes ☐ No ☐ Improper	**SWPPP:** ☐ Yes ☐ No ☐ Incomplete	**Grading Permit:** ☐ Yes ☐ No ☐ N/A
Are stabilization practices satisfactory? ☐ Yes ☐ No ☐ N/A				
List deficiencies, if any (seeding, mulching, geotextiles, ect.):				
Evidence of sediment leaving the site? ☐ Yes ☐ No		**Evidence of off-site tracking?** ☐ Yes ☐ No		
Evidence of sediment entering the Waters of the State? ☐ Yes ☐ No				
Are inspections conducted and records kept as required in the permit? (Weekly Inspection Sheets) ☐ Yes ☐ No Date of Last Inspection:				
Is there a rain gauge on-site? ☐ Yes ☐ No		**Are daily rainfall totals recorded?** ☐ Yes ☐ No		
Stop Work Order Issued ☐ Yes ☐ No	**Code Violation Issued** ☐ Yes ☐ No	**Fine Issued** ☐ Yes ☐ No		
Other Comments:				
Inspection Date: _____ **Inspector's Signature:** _____				

*Sites that fail to address comments before their next inspection will be in violation and may be subject to a fine of up to **$250 per day per violation**. The City may also issue stop work orders and refrain from issuing any further building or grading permits until outstanding violations have been remedied (Per Section 14-813(4)).*

Appendix 7: Complaint Report

MS4 Stormwater Management

Complaint Report	
Site Name:	**Complaint #:**
Grading Permit #:	**Date Received:**
Inspector Name:	**Complaint via:**
Site Location:	
Nature of Complaint:	
Findings:	
Previous complaint?	**Date(s):**
Discharge to stream?	**Name of stream:**
Corrective action required?	**If so, complete by:**
Follow-up inspection required?	**If so, complete by:**
Inspector's Signature: _____ Inspection Date: _____	
Site Personnel Signature: _____ Date: _____	

*Sites that fail to address comments before their next inspection will be in violation and may be subject to a fine of up to **$250 per day per violation**. The City may also issue stop work orders and refrain from issuing any further building or grading permits until outstanding violations have been remedied (Per Section 14-813(4)).*

Appendix 8: Municipal Facilities Annual Inspection Form

MS4 Stormwater Management

Municipal Facilities Annual Inspection Form

Municipal Site Assessment		
Site Name:	**Address:**	
Facility Supervisor/Responsible Party:	**Facility Location** (if not addressed): Latitude: Longitude:	
Phone #:	**Inspector:**	**Date:**
Is facility permitted by ADEQ? ☐ Yes, then Permit #: ☐ No	Does the facility have a SWPPP? ☐ Yes, then review SWPPP during inspection. ☐ No	
Inspect items/areas of concern for potential contaminated runoff:		
Are the trash areas/dumpsters covered and/or lid closed?	☐ Yes ☐ No ☐ N/A	
Are the material storage areas covered and/or contained?	☐ Yes ☐ No ☐ N/A	
Are the fuel tanks/area covered and/or contained?	☐ Yes ☐ No ☐ N/A	
Evidence of spills or leaks outside covered/contained areas?	☐ Yes ☐ No ☐ N/A	
Spill kit available?	☐ Yes ☐ No ☐ N/A	
Floor drains connected to sanitary sewer?	☐ Yes ☐ No ☐ N/A	
Inspect facility's stormwater drainage: Is there a mapped outfall? ☐ Yes ☐ No If yes, then outfall #: ____ Presence of non-stormwater discharges? ☐ Yes ☐ No If yes, then report findings to Stormwater Coordinator in the Community Development Department.		
Describe deficiencies and additional items of concern:		
Location:	Type of issue and observed condition:	Remedial action and anticipated date of completion:
Other Comments:		
Inspector's signature & date:	**Supervisor/Responsible Party's signature & date:**	

Appendix 9: Outfall Inventory Form

Outfall Inventory Form

Previous GPS readings on WGS84 Standard geogrid

Outfall ID Number _____ **Direction discharges to** _____

Drainage basin (local) _____ **Sub Basin** _____

Ultimate Receiving Water _____ **HUC #** _____

Physical Location _____

Nearest Street Intersection _____

Drainage Class □ Residential □ Commercial □ Industrial □ Institutional □ Open Space

Known Industries _____

Priority Area □ Yes □ No **Priority Status** □ High □ Medium □ Low

Flood Prone Area □ Yes □ No **Flood Potential** □ High □ Medium □ Low

Outfall Description

Latitude N_____ **Longitude** W_____ **LIP Elevation** _____

Close Structure □ Pipe □ Box □ Manufactured Structure □ Constructed Structure

Material □ RCP □ CMP □ PVC □ HDPE □ Steel □ Aluminum □ _____

Shape □ Circular □ Elliptical □ Square □ Rectangular □ _____

□ Single □ Double □ Triple □ _____

Dimension _____ Diameter _____ Width _____ Height

Open Drainage □ Swale □ Trench □ Ditch □ Channel □ Curb & Gutter □ Intersection

Material □ Concrete □ Asphalt □ Earth □ Riprap □ Grass □ _____

Shape □ Trapezoid □ Parabolic □ _____

Dimension _____ Depth _____ Top Width _____ Bottom Width

Control Type □ Structural □ Non-Structural □ Catch Basin □ Weir □ _____

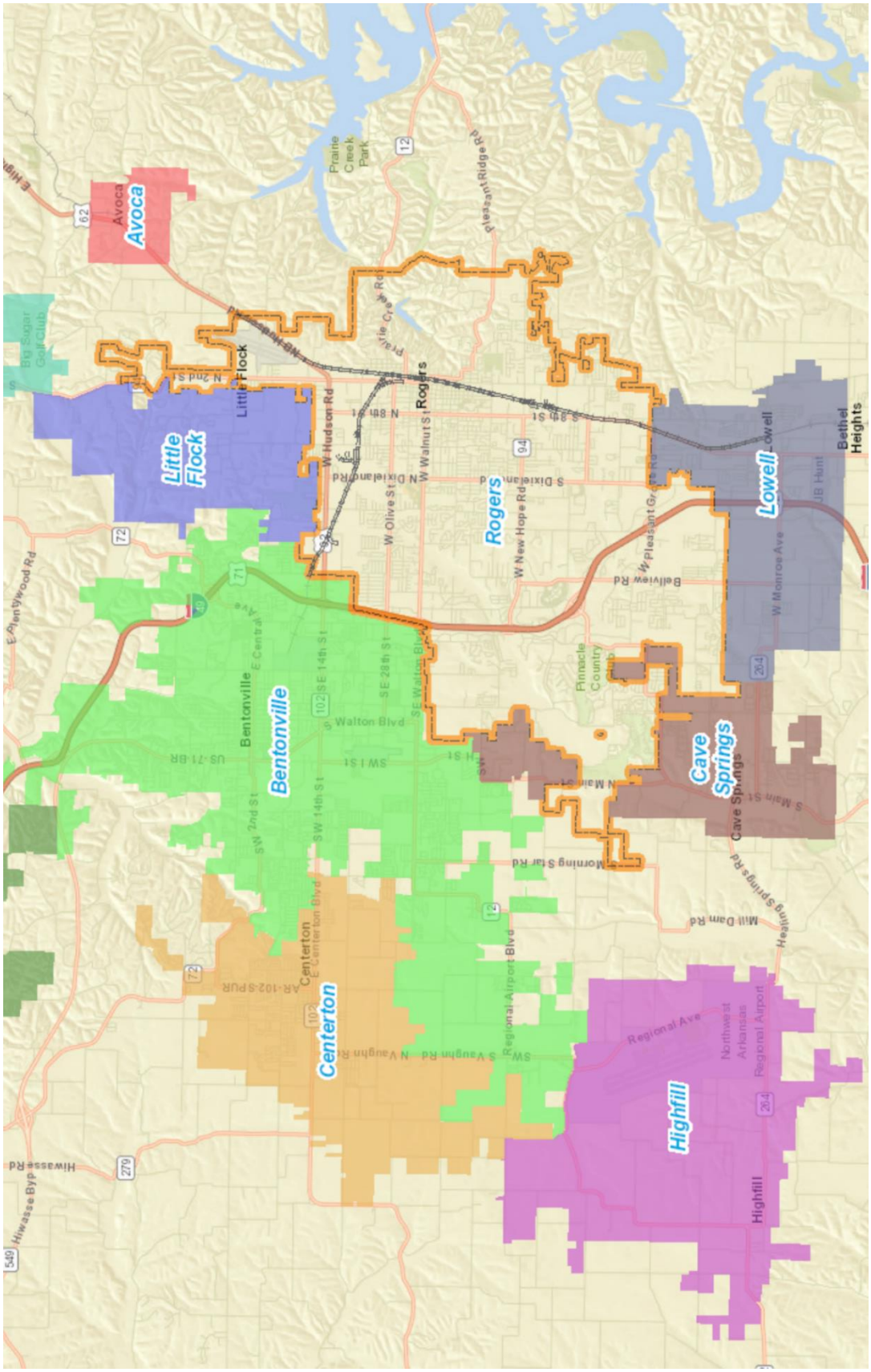
Flow □ Yes □ No **Flow Description** □ Ephemeral □ Perennial □ Intermittent

Map # _____ **Parcel #** _____

Photo Image(s) Description(s) _____

Comments _____

Appendix 10: Maps of Rogers (June 2019)



Appendix 11: NWA Regional Storm Water Education Program

Task 1: Input and Planning

Objective: Develop education committees to identify informational needs and plan storm water outreach, education and public participation programs in urbanized areas of participating MS4s

Subtask 1.1 Two geographically-based education committees will be developed consisting of 10-13 members. Each committee will include two of the large MS4s and their contiguous surrounding Urbanized Areas(UAs). Membership will be weighted according to % of total urbanized area population as follows:

Southern Storm Water Education Committee

MS4	Representatives	% UA
Fayetteville	4	30.4
Springdale	3	25.7
U of A	1	2.1
Farmington	1	1.9
Johnson	1	1.3
Washington County	1	0.8
Elkins	1	0.4
Greenland	1	0.3

Northern Storm Water Education Committee

MS4	Representatives	% UA
Rogers	3	21.0
Bentonville	2	10.8
Lowell	1	2.8
Benton County	1	1.1
Little Flock	1	0.9
Bethel Heights	1	0.4
Elm Springs	1	0.1

Committee members will represent diverse backgrounds/interests and will include, but not be limited to those affiliated with schools and/or youth programs, regional businesses, civic organizations, Property Owner Associations (POAs), public officials (City Council, Planning Commission and Quorum Court members), etc.. Member representatives will be determined by MS4s.

Subtask 1.2 During initial meetings, committees will be presented with history and background on components of EPA Phase II Storm Water regulations and storm water dynamics. The importance and role of the committee members will be emphasized in the context of the regional education storm water education program. Committee input will then be used to identify and plan 1) critical storm water issues, 2) target audiences, 3) program methods and 4) public relations strategies, focusing on elements outlined in the schedule of tasks (such as educational materials development in Year 1).

Subtask 1.3 The committees will be reconvened at least twice a year to review and evaluate program accomplishments and plan next steps.

Projected Accomplishments and Measurable Goals:

- Two storm water education committees will be established with 23 total members that include representatives from all participating MS4s
- Each committee will meet at least twice each year
- Number of potential audiences and storm water education programs identified by committees
- Number of public outreach, education and participation programs implemented based on education committee input

Task 2: Educational Materials Development

Objective: Gather, adapt and/or develop storm water fact sheets, brochures, posters and displays for distribution with public outreach campaigns and education programs

Subtask 2.1 Education committee input will determine the topics of emphasis for printed educational materials. Once topics have been identified, fact sheets will be developed, adapted,

and/or gathered for distribution at public meetings, presentations, and with displays. In addition to committee priorities, a fact sheet outlining the impact of nutrients in storm water runoff will be developed for inclusion with CES lawn and garden soil test result mailings to city residents of participating MS4s.

Subtask 2.2 In much the same way, education committee input will be used to identify storm water topics to be developed into press releases, radio PSAs and utility billing inserts to city residents. The committees will also determine a "schedule" for promoting the topics during this initial 5-year regional storm water education campaign (For example: Year 1- Emphasize storm water dynamics and regional water resources, Year 2 – Emphasize lawn and garden management to protect water quality, Year 3 – Emphasize proper use and disposal of household hazardous products, etc.)

Subtask 2.3 Displays highlighting these topics of emphasis will be created for use at libraries, banks, schools, local festivals and County Fairs.

Subtask 2.4 A regional storm water webpage will be developed to promote regional waterways and their relationship to the Illinois River, Elk River and Beaver Lake watersheds, explain urban storm water runoff dynamics, describe pollution prevention techniques, and list storm water resource and contact information. The website will be hosted by CES but linked to participating MS4 sites.

Subtask 2.5 Once education committees have outlined a "Green Business" program Framework (Subtask 3.6), a series of industry-specific fact sheets and posters will be developed for distribution to regional businesses.

Subtask 2.6 The Urban Home*A*Syst environmental risk homesite self-assessment guide will be modified to reflect Northwest Arkansas regional examples and resource contact information.

Projected Accomplishments and Measurable Goals:

- A minimum of 6 fact sheets, brochures and posters will be created
- A minimum of 10 utility billing inserts will be developed
- A minimum of 10 press releases and PSAs created and submitted to media outlets
- A minimum of 5 storm water displays will be created
- A minimum of 3 industry-specific fact sheets will be developed
- A storm water website will be developed
- A NWA *Urban Home*A*Syst* will be available on CD and the website

Task 3: Public Outreach

Objective: Increase public awareness of storm water dynamics, potential pollutant sources, pathways to regional water resources and pollution prevention techniques

Subtask 3.1 Upcoming events, program successes and contact information will be promoted through mass media sources.

Subtask 3.2 Storm water displays will be set up at regional libraries, schools, banks and public events as planned by education committees at least 4 times each year.

Subtask 3.3 At least twice a year, storm water management and pollution prevention messages will be provided to participating MS4s for inclusion in municipal utility bill mailings to their residents.

Subtask 3.4 CES will include fertilization and nutrient management fact sheets in with lawn and garden soil test result mailings for residents of participating MS4s.

Subtask 3.5 Education committees will help determine potential locations (at parks and along roads that cross urban streams) to identify waterways and their drainage pathways to regional water resources. Where available, CES will work through city and county sign shops to create and install these outdoor, heavy-gauge aluminum signs. If a participating MS4 does not have internal sign-making capabilities, CES will work with local businesses to generate the creek signs, but the MS4 will be financially responsible for them.

Subtask 3.6 A recognition program will be developed through the education committees to acknowledge and promote regional "Green Businesses" with solid environmental records and a commitment to storm water management. Member benefits may include an awards program, training opportunities and increased visibility through media promotion and listings on the regional storm water web site.

Projected Accomplishments and Measurable Goals:

- Partnerships will be pursued with *The Morning News*, the *Northwest Arkansas Times* and the *Arkansas Democrat-Gazette*, KFSM-5 News, KHOG Channel 29, KPOM/KFAA-TV, KUAF 91.3 FM and Cumulus Broadcasting and Clear Channel radio stations
- At least 20 storm water-related articles will be published
- At least 10 different public service announcements will be repeated on radio and TV
- Displays will be used at a minimum of 20 locations and/or events
- Number of people at an event who saw the display (guest book) or took a pamphlet/booklet
- Number of educational materials distributed
- Number of storm water inserts distributed with utility bills
- Number of landscaping and lawn care educational materials distributed with soil test results
- Number of creek signs installed
- Number of educational materials distributed to business owners and operators
- Number of facilities recognized under a "Green Business" awards program

Task 4: Public Education

Objective: Increase urban resident's knowledge and understanding of storm water dynamics and incite individual BMP implementation to reduce storm water pollution

Subtask 4.1 Educational programs for school youth will focus on the water cycle, watersheds, storm water dynamics, water quality and pollution prevention using the EnviroScape surface runoff model, groundwater simulator, hands-on exercises from Project WET, Project WILD, and Project Learning Tree and creekside classrooms. Programs conducted in schools will support the Arkansas State Framework required science curriculum for grades 3-5. Para-professionals will be hired and trained to conduct storm water education programs for 4th or 5th grade classes in the 33 elementary schools in Bentonville, Elkins, Farmington, Fayetteville, Greenland, Springdale and Rogers.

Subtask 4.2 Educational presentations will be given at civic meetings, POAs, annual Master Gardener Training sessions and public libraries to illustrate storm water dynamics, identify potential pollutants and pathways, describe techniques to reduce storm water pollution and encourage voluntary BMP implementation (including reduced homesite storm water runoff, improved lawn and garden management and automotive maintenance, and the proper use, handling and disposal of household hazardous products).

Subtask 4.3 A Northwest Arkansas regional version of the Urban Home*A*Syst environmental risk self-assessment tool will be promoted in conjunction with civic presentations, Master Gardener training, fact sheets, displays, and the storm water website.

Projected Accomplishments and Measurable Goals:

- At least 2,500 students will be reached through storm water education programs

- A minimum of 10 educational presentations will be given each year to adult audiences
- Number of classes and schools that participate in storm water programs
- Number of educational materials distributed to schools
- Number of certificates given out for participation in storm water education
- Number of participants who indicate a change in attitude/behavior following presentations
- Number of Urban Home*A*Syst environmental risk self-assessments conducted

Task 5: Public Participation

Objective: Multiply efforts to educate the public about the link between storm drain systems and regional water quality, instill a sense of public ownership of watershed resources and provide permanence for storm water education programs

Subtask 5.1 Using a "Train-the-Trainer" process, storm water and pollution prevention will be included in the 40 hours of training for 45-50 new Benton and Washington County Master Gardeners during Year 2 through Year 5. In turn, these Master Gardener volunteers will help educate area residents about soil testing, matching fertilizer applications to plant needs, integrated pest management and composting.

Subtask 5.2 Education committee members, Master Gardeners and other potential volunteers will be utilized to staff storm water displays at festivals, fairs and other events.

Subtask 5.3 Organizations including POAs, civic clubs, local Stream Teams, Extension Homemakers, Master Gardeners and youth groups will be approached to stencil storm drains with messages like "Do Not Dump, Drains Directly to River/Lake" as community service projects.

Subtask 5.4 Similar citizen and youth groups will be encouraged to clean up/adopt local creeks in conjunction with the Arkansas Game and Fish Commission's Stream Team program.

Projected Accomplishments and Measurable Goals:

- A minimum of 100 Master Gardener volunteer hours will be spent on educating area residents about proper fertilization, integrated pest management and backyard composting
- Number of volunteer hours staffing displays at local fairs and festivals
- Number of storm drain stenciling volunteers
- Number of storm drains stenciled
- Number of participants in Stream Team programs

Task 6: Training

Objective: Equip municipal employees with a knowledge and understanding of how to reduce the potential impact of their activities on storm water quality

Subtask 6.1 Conduct training sessions for municipal employees on vehicle maintenance, fueling and washing.

Subtask 6.2 Conduct training sessions for municipal employees on soil fertility and integrated pest management practices.

Subtask 6.3 Conduct training sessions for municipal employees on hazardous product use, handling and storage, and spill response.

Projected Accomplishments and Measurable Goals:

- At least 40 municipal employees trained in soil fertility and integrated pest management
- At least 40 municipal employees trained in vehicle maintenance

- At least 40 municipal employees trained in hazardous product management
- Number of turf and garden care educational materials distributed to municipal employees
- Number of spill response and prevention educational materials distributed to municipal employees
- Number of used oil recycling educational materials distributed to municipal employees
- Number of vehicle washing educational materials distributed to municipal employees

Task 7: Evaluation and Reporting

Objective: Evaluate program efforts, track measurable results and annually report the progress of each subtask.

Subtask 7.1 Evaluation tools will be used to assess the impact of storm water outreach and education efforts including youth educational programs, public presentations, Master Gardener trainings and the Urban Home*A*Syst self-assessment guide.

Subtask 7.2 Results of measurable goals will be tracked quarterly and submitted to NWARPC.

Subtask 7.3 Annual reports will be compiled and submitted to each participating MS4 one month prior to the ADEQ Phase II annual reporting deadline.