



Canyon County, Idaho

## RESOLUTION NO. 2012-04

### RESOLUTION TO REQUIRE CONSTRUCTION SITE OPERATORS TO PRACTICE APPROPRIATE EROSION, SEDIMENT AND WASTE CONTROL

**WHEREAS**, Idaho Code § 40-1310(1) vests the Commissioners with "...exclusive general supervision and jurisdiction over all highways and public rights-of-way within their highway system..."; and

**WHEREAS**, Nampa Highway District No. 1 desires to protect public waters from pollution; and

**WHEREAS**, Nampa Highway District No. 1 desires to meet its obligations under U.S. Environmental Protection Agency Permit No. IDS-028142; and

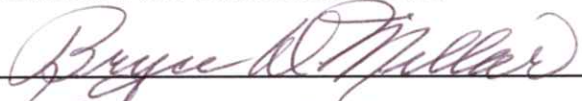
**WHEREAS**, U.S. Environmental Protection Agency Permit No. IDS-028142 requires the District to require construction site operators to practice appropriate erosion, sediment and waste control within the municipal separate storm sewer system (MS4) permit are; then

**THEREFORE BE IT RESOLVED**, that a Construction Site Stormwater Runoff Control Program is hereby established with the requirements, inspection and enforcement features shown in Exhibit A.


Approved and adopted this 27<sup>th</sup> day of September, 2012,

#### BOARD OF COMMISSIONERS OF NAMPA HIGHWAY DISTRICT NO. 1:

**Bryce D. Millar, Chairman**

  
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**Richard F. Farner, Vice-Chairman**

  
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**Dick Smith, Treasurer**

  
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## EXHIBIT A

# Nampa Highway District No. 1 Construction Site Stormwater Runoff Control Program

This program is established to control the quality of storm water runoff from construction sites on Nampa Highway District No. 1 (NHD) right-of-way within the MS4 permit area.

1. **Projects Less than 1 Acre:** All non-NHD projects within the right-of-way require a permit from NHD. Permits for projects which disturb less than one (1) acre shall require Best Management Practice (BMP) features (i.e., straw wattle, silt fence, etc.) as approved by the Engineer be placed to protect any MS4 inlets downstream from the project site. The BMPs must remain in place throughout the duration of the project and until the disturbed area is re-vegetated or otherwise stabilized. (II.B.4.a, II.B.4.d)

If the project is part of a larger common plan or development which totals one (1) acre or more in size, then the requirements of "Projects 1 Acre or Larger" shall apply. (II.B.4.a)

2. **Projects 1 Acre or Larger:** All non-NHD projects within the right-of-way require a permit from NHD. Permits for projects which disturb one (1) acre or more shall require the permittee to prepare a Storm Water Pollution Prevention Plan (SWPPP), and file a Notice of Intent (NOI) and subsequent Notice of Termination (NOT) under the Idaho Construction General Permit. (II.B.4.a, II.B.4.d)
3. **NHD Projects:** All requirement of "Projects Less than 1 Acre" and "Projects 1 Acre or Larger" shall apply to projects by NHD forces or contractors, except that no permit from NHD is required. (II.B.4.a, II.B.4.d)
4. **Storm Water Pollution Prevention Plan (SWPPP):** The SWPPP shall be reviewed and concurred with by NHD before start of work. The SWPPP will serve as a pre-construction site plan, if no other plan is submitted. Among other things, the SWPPP must address erosion and sediment control, and control of other wastes. (II.B.4.e)
5. **Control of Waste:** All construction waste shall be removed from the right-of-way and disposed of in a lawful manner. Any washout of trucks on site shall be done per EPA requirements with the resulting waste adequately contained and promptly removed from site. Hazardous or migratory waste, such as chemicals, sanitary waste or litter shall be contained in industry standard containers until removal from site. (II.B.4.d)
6. **Inspection:** NHD will inspect projects for compliance with this program and protection of MS4 inlets. Projects with a SWPPP will be inspected weekly. Projects with no SWPPP, if they are upstream of an MS4 inlet, will be inspected twice monthly. Other projects will be inspected if an associated complaint is received. (II.B.4.g)
7. **Enforcement:** At the discretion of the NHD Board, violators of this program are subject to written warning, revocation of permit, forfeiture of permit bond or security deposit, barring issuance of future permits, or legal action. The EPA may also be notified if any EPA regulations are violated. (II.B.4.g)