



**Notice of Intent (NOI) for Small Municipal  
Separate Storm Sewer Systems (MS4) authorized  
under TPDES Phase II MS4 General Permit  
TXR040000**

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**IMPORTANT:**

Use the [INSTRUCTIONS](#) to fill out each question in this form.

Once approved, your permit authorization can be viewed at:  
<http://www.tceq.texas.gov/goto/wq-dpa>

**APPLICATION FEE:**

You must pay the \$400 Application Fee to TCEQ for the application to be complete.

Payment and NOI must be mailed to separate addresses.

You can pay online at: <http://www.tceq.texas.gov/goto/epay>

Select Fee Type: GENERAL PERMIT MS4 PHASE II STORMWATER DISCHARGE NOI  
APPLICATION

**Provide your payment information below, for verification of payment:**

Mailed      Check/Money Order Number:   
Check/Money Order Amount:   
Name Printed on Check:

EPAY      Voucher Number: 421822  
Is a copy of the Payment Voucher enclosed?    ☒ Yes

**One (1) copy of the NOI, Stormwater Management Program (SWMP) cover sheet,  
and SWMP MUST be submitted with the original NOI, SWMP cover sheet, and  
SWMP.**

Is the copy attached?    ☒ Yes

**REASON FOR APPLICATION:**

Select the reason you are submitting this application:

- ☐ New authorization  
☒ Renewal of authorization number: TXR040560

**Note: An authorization cannot be renewed after July 23, 2019**

## Section 1. OPERATOR (Applicant)

- a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? CN 600528608
- b) What is the exact Legal Name of the entity (applicant) applying for this permit?  
City of Helotes
- c) Complete and attach a Core Data Form (TCEQ-10400) for this customer.

## Section 2. ANNUAL BILLING CONTACT

The operator is responsible for paying the annual water quality fee. The annual fee will be assessed to permits active on September 1 of each year. TCEQ will send a bill to the address provided in this section. The operator is responsible for terminating the permit when it is no longer needed.

Provide the name and contact information of the billing contact.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Joshua Mair

Title: Public Works Director

Organization Name: City of Helotes

Phone Number: 210-695-5909

Fax Number: 210-695-2123

Email: jmair@helotes-tx.gov

Mailing Address: 12951 Bandera Rd

City, State, and Zip Code: Helotes, TX, 78023

## Section 3. APPLICATION CONTACT

This is the person TCEQ will contact if additional information is needed about this application.

Provide the name and contact information of the application contact.

Prefix (Mr. or Ms.): Mr.

First and Last Name: Joshua Mair

Title: Public Works Director

Organization Name: City of Helotes

Phone Number: 210-695-5909

Fax Number: 210-695-2123

Email: jmair@helotes-tx.gov

Mailing Address: 12951 Bander Rd

City, State, and Zip Code: Helotes, TX, 78023

#### Section 4. REGULATED ENTITY (RE) INFORMATION FOR SITE

- a) If this is an existing permitted site, what is the Regulated Entity Number (RN) issued to this site? RN 105484679
- b) Name of site as known by the local community:  
City of Helotes
- c) Name of the urbanized area(s) the Phase II MS4 is located within:  
San Antonio
- d) Provide a brief description of the regulated MS4 boundaries: *Example: Area within the City of XXXX limits that is located within the xxx urbanized area:*  
Area within the City Limits of Helotes that is located within the San Antonio urbanized area.

#### Section 5. GENERAL CHARACTERISTICS

- a) Is this site located on Indian Country Lands?
- ☐ Yes, do not submit this form. You must obtain authorization through U.S. EPA Region 6.
- ☒ No, continue to item b
- b) Has TCEQ formally "designated" the small MS4 as needing coverage under this general permit?
- ☒ Yes. Attach a copy of the documentation sent to the MS4 by TCEQ.
- ☐ No
- c) Select the MS4 level, which is based on the population served within the urbanized area (UA) **based on the most recent Decennial Census at the time of issuance of the general permit.**
- ☒ **Level 1:** Traditional small MS4s with a population of less than 10,000.
- ☐ **Level 2:** Traditional small MS4s with a population of at least 10,000 but less than 40,000.
- Non-traditional MS4s: This level also includes all non-traditional small MS4s regardless of population unless the non-traditional MS4 can demonstrate that it meets the criteria for a waiver from permit coverage. *Examples of non-traditional small MS4s include counties, drainage districts, transportation entities, military bases, universities, colleges, correctional institutions, municipal utility districts, and other special districts.*
- ☐ **Level 3:** Traditional small MS4s with a population of at least 40,000 but less than 100,000.
- ☐ **Level 4:** Traditional small MS4s with a population of 100,000 or more.
- d) What is the estimated current population served by your MS4 (regulated area?)  
9,567 People

e) Is the MS4 part of a coalition?

☐ Yes

☒ No

f) If yes, list the entity names of the coalition members responsible for implementation of the SWMP *and* their unique TXR04#### number.

- |        |       |
|--------|-------|
| 1. N/A | TXR04 |
| 2.     | TXR04 |
| 3.     | TXR04 |
| 4.     | TXR04 |
| 5.     | TXR04 |
| 6.     | TXR04 |

If needed, add a copy of this page to add more entities.

g) What is your annual reporting year?

☒ Calendar year

☐ Small MS4 General Permit year

☐ MS4 Fiscal year - What is the last month and day of the fiscal year?

h) Stormwater Management Program (SWMP)

1. I certify that the SWMP submitted with this NOI has been developed according to the provisions of the Small MS4 General Permit TXR040000. ☒ Yes

2. I certify that the SWMP Cover Sheet is completed and attached to the front of the SWMP. ☒ Yes

3. Have the program elements in the previous SWMP been re-assessed and modified and new program elements been developed and implemented, as necessary?

☒ Yes

☐ No. This facility did not have a previous authorization.

4. Is the optional 7<sup>th</sup> Minimum Control Measure (MCM) for Municipal Construction Activities selected and included with the attached SWMP?

☒ No. Continue to Question 5.

☐ Yes.

If yes, is MCM 7 limited to the regulated area within the urbanized area?

☐ Yes. Continue to Question 5.

☐ No

If No, then MCM 7 is included in the geographic area or boundary outside of the urbanized area. Note: In this case, you must incorporate the entire area



5. Does your MS4 discharge into any other MS4 entity's jurisdiction prior to discharge into water in the state?

☒ Yes

What is the name of the MS4 operator? City of San Antonio and Bexar County

☐ No

6. Edwards Aquifer Rule

Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, within the Contributing Zone within the Transition Zone, or zero to ten (0 to 10) miles upstream of the Recharge Zone of the Edwards Aquifer?

☒ Yes - **NOTE: A copy of the agency approved Water Pollution Abatement Plan (WPAP) required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be either included or referenced in the SWMP.**

☐ No

b. Endangered Species?

☒ Yes ☐ No

If YES, does SWMP address the presence of Endangered Species? (See WQ memo)

X Yes ☐ No

Name of species: Peck's Cave amphipod (Stygoparnus comalensis) Comal Springs dryopid beetle (Stygoparnus comalensis); Texas snowbells (Styrax texana)

Peck's Cave amphipod and Comal Springs dryopid beetle is in the Edwards Aquifer (San Antonio Segment) in Bexar County

j) Public Participation Process

1. Provide the name and contact information of the person responsible for publishing notice of the executive director's preliminary determination on the MS4's NOI and SWMP?

Prefix (Mr. or Ms.): Mr.

First and Last Name: Joshua Mair

Title: Public Works Director

Company: City of Helotes

Phone Number: 210-695-5909

Fax Number: 210-695-2123

Email: jmair@helotes-tx.gov

Mailing Address: 12951 Bander Rd

Internal Routing (Mail Code, Etc.):

City, State, and Zip Code: Helotes, TX, 78023

2. Provide the name and location of the public place where copies of the NOI, SWMP, Small MS4 General Permit TXR040000, and general permit fact sheet may be viewed and copied by the public?

Name of Public Place: City of Helotes

Address of Public Place: 12951 Bandera Rd Helotes TX, 78023

County of Public Place: Bexar County

3. Provide the address for the website where the MS4's SWMP and annual report will be posted. <https://www.helotes-tx.gov/city-department/municipal-separate-storm-sewer-system-ms4>

☐ Do not have a website.

## Section 6. CERTIFICATION

I certify that I have obtained a copy and understand the terms and conditions of the Phase II (Small) MS4 General Permit TXR040000 issued January 24, 2019.

☒ Yes

I certify that the small MS4 qualifies for coverage under the Phase II (Small) MS4 General Permit TXR040000.

☒ Yes

I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.

☒ Yes

I understand that authorizations active on September 1<sup>st</sup> of each year will be assessed an

Annual Water Quality Fee.

☒ Yes

**Operator Certification**

Operator Signatory Name: Joshua Mair

Operator Signatory Title: Public Works Director

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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature (use blue ink):



Date:

12-15-20



# STORMWATER MANAGEMENT PROGRAM (SWMP) COVER SHEET

This cover sheet MUST be attached to the front of the SWMP.

## Operator

Operator name: City of Helotes

## Required Program Elements

The SWMP needs to include:

- BMPs and measurable goals that are clear, specific, and measurable,
- Annual Reporting Year selected, and
- Estimated population served by the MS4.

## Legal Authorities

Include in the SWMP the list of local legal authorities (i.e., ordinance, rule) that the MS4 has adopted to implement any of the MCMs. List all and what MCM they each cover.

## Minimum Control Measures

For each MCM, complete the table by entering the page number where the required element can be found in the SWMP

### MCM 1: Public Education, Outreach, and Involvement

Table 1: Required Elements for MCM 1

MCM 1 Required Elements	SWMP page number
SWMP includes a stormwater education and outreach program to educate public employees, business, and the general public about hazards associated with the illegal discharges and improper disposal of waste and about the impacts stormwater can have on water quality, and steps they can take to reduce pollutants in stormwater	41-44
Clearly define the goals and objectives of the program based on high-priority community-wide issues	7
Identify the target audiences	41
Develop or use appropriate educational material	41
Procedures to distribute educational material	41
Make the educational material available to the target audience at least annually	41

<b>MCM 1 Required Elements</b>	<b>SWMP page number</b>
Post the SWMP and annual reports on the MS4's website, if the MS4 has a website	42
Include the MS4's website address where the SWMP and annual reports will be found, if the MS4 has a website	42
SWMP includes a program that complies with state and local public notice requirements	20,43
Include public input in the implementation of the program	43
Include opportunities for citizen to participate in implementation of control measures	45
Ensure the public can easily can find information about the SWMP.	42
SWMP lists Best Management Practices (BMPs) used to fulfill this MCM. Examples of possible BMPs could be stream-clean-ups, storm drain stenciling, volunteer water quality monitoring, brochures, billboards, and websites.	41-44
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	41-51
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	41-51

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

Table 2: Required Elements for MCM 2

<b>MCM 2 Required Elements</b>	<b>SWMP page number</b>
Description of the program that will be used to detect, investigate and eliminate illicit discharges. The program includes a plan to detect and address illicit discharges, including illegal dumping to the MS4 system.	46-48
MS4 map: The map includes: <ul style="list-style-type: none"> <li>• Location of all small MS4 outfalls operated by the MS4 and that discharge into waters of the U.S.;</li> <li>• Location and name of all surface waters receiving discharge from the MS4s outfalls;</li> <li>• For Level 3 and 4 small MS4s: Location of MS4 owned or operated facilities and stormwater controls; and</li> <li>• For Level 4 small MS4s: Location of priority areas.</li> </ul>	63
Methods for informing and training MS4 field staff	47
Procedures for tracing the source of an illicit discharge	47,48

<b>MCM 2 Required Elements</b>	<b>SWMP page number</b>
Procedures for removing the source of the illicit discharge	47,48
Procedures to facilitate public reporting of illicit discharges or water quality impacts associated with discharges into or from the small MS4	46
Procedures for responding to illicit discharges and spills	47
Procedures for inspections in response to complaints	46
<b>For Level 2, 3, and 4 small MS4:</b> Procedures to prevent and correct leaking on-site sewage disposal systems	N/A
<b>For Level 3 and 4 small MS4s:</b> Procedures for follow-up investigation to verify that the illicit discharge has been eliminated	N/A
<b>For Level 4 small MS4s:</b> Procedures for identifying and creating a list of priority areas within the small MS4s likely to have illicit discharges	N/A
<b>For Level 4 small MS4s:</b> Procedures for a dry weather field screening program to assist in detecting and eliminating illicit discharges to the small MS4. Dry weather field screening consists of (1) field observations and (2) field screening.	N/A
<b>For Level 4 small MS4s:</b> Procedures to reduce the discharge of floatables in the small MS4	N/A
SWMP lists BMPs used to fulfill this MCM. Examples of possible BMPs could be hazardous materials disposal opportunities, inspections of the storm sewer system, and dye testing.	N/A
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	N/A
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	N/A

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

Table 3: Required Elements for MCM 3

<b>MCM 3 Required Elements</b>	<b>SWMP page number</b>
Program requires operators of construction sites one acre and greater (including larger common plan) to select, install, implement, and maintain stormwater control measures	48-50
Description of ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state and local law	58

<b>MCM 3 Required Elements</b>	<b>SWMP page number</b>
Program requires construction site operators to implement BMPs for erosion and sediment control	58
Program requires construction site operators to have procedures for initiating and completing soil stabilization measures	59
Program requires construction site operators to implement BMPs to control pollutants from equipment and vehicle washing and other wash waters	58
Program requires construction site operators to implement BMPs to minimize exposure to stormwater of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials	58
Program requires construction site operators to implement BMPs to minimize the discharge of pollutants from spills and leaks.	58
Program ensures that the construction site has developed a stormwater pollution prevention plan in accordance with the TPDES Construction General Permit TXR150000	61
Program prohibits illicit discharges such as wash out wastewater, fuels, oils, soaps, solvents, and dewatering activities	56
Procedures for construction site plan review to consider water quality impacts	49,50
Procedures for construction site inspections and enforcement of control measures, to the extent allowable under state and local law	49
Procedures for receipt and consideration of information submitted by the public	46
Procedures for MS4 staff training	44
<b>For Level 3, and 4 small MS4s:</b> Procedures to develop and maintain an inventory of all permitted active public and private construction sites greater than one acre (and sites that are less than one acre if part of larger common plan of development or sale)	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: notification to discharger of responsibilities under TPDES CGP; hire staff to review construction site plans; provide a web page for public input on construction activities; perform site inspections and enforcement; provide education and training for construction site operators; and mechanism to prohibit discharges into MS4 where necessary.	N/A
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	N/A

<b>MCM 3 Required Elements</b>	<b>SWMP page number</b>
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	N/A

#### **MCM 4: Post Construction Stormwater Management in New Development and Redevelopment**

Table 4: Required Elements for MCM 4

<b>MCM 4 Required Elements</b>	<b>SWMP page number</b>
Description of a program that will be developed, implemented and enforced, to control stormwater discharges from private and public new development and redeveloped sites that discharge into the small MS4 that disturb one acre or more (and sites that disturb less than one acre that are part of a larger common plan of development or sale)	58
Description of ordinance or other regulatory mechanism that is in place or planned which will regulate discharges from new development and redevelopment projects	58
Establish, implement, and enforce a requirement that owners or operators of new development and redeveloped sites design, install, implement, and maintain a combination of structural and non-structural BMPs appropriate for the community and that protects water quality	58
Procedures to document and maintain records of enforcement actions	49
Procedures to ensure long-term operation and maintenance of post construction stormwater control measures	50
Operation and maintenance of post construction stormwater control measures is documented	50
<b>For Level 4 small MS4s:</b> Develop and implement an inspection program to ensure that all post construction stormwater control measures are operating correctly and are being maintained. Inspections must be documented	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: local ordinance in place or planned; guidance document for developers to use; specific BMPs established for particular watersheds; list of appropriate BMPs provided to operators; elimination of curbs and gutters; incentives for use of permeable choices, such as porous pavement; requirements for wet ponds or other BMPs for certain size sites; and xeriscaping.	N/A
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	N/A

<b>MCM 4 Required Elements</b>	<b>SWMP page number</b>
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	N/A

#### **MCM 5: Pollution Prevention and Good Housekeeping for Municipal Operations**

Table 5: Required Elements for MCM 5

<b>MCM 5 Required Elements</b>	<b>SWMP page number</b>
Description of an operation and maintenance (O&M) program, including an employee training component, to reduce/prevent pollution from municipal activities and municipally owned areas included but not limited to park and open space maintenance; street, road, or highway maintenance; fleet and building maintenance; stormwater system maintenance; new construction and land disturbances; municipal parking lots; vehicle and equipment maintenance and storage yards; waste transfer stations; and salt/sand storage locations	51
Develop and maintain an inventory of facilities and stormwater controls that are owned or operated by the MS4	51
Procedures to inform or train staff involved in implementing pollution prevention and good housekeeping practices. Maintain training attendance records	42
Procedures to remove and properly dispose of waste from the MS4	51
Contractors hired by the MS4 must be required to comply with operating procedures. Develop contractor oversight procedures	52
Evaluate O&M activities for their potential to discharge pollutants in stormwater for road and parking lot maintenance, bridge maintenance, cold weather operations, right-of-way maintenance, etc.	52
Identify pollutants of concern that could be discharged from the O&M activities	52
Develop and implement pollution prevention measures that will reduce discharge of pollutants from O&M activities	52
Conduct inspections of pollution prevention measures and maintain inspection log	53
Procedures for inspecting and maintaining structural controls	53
<b>For Level 3 and 4 small MS4s:</b> Develop and implement an O&M program to reduce the collection of pollutants in catch basins and other surface structures in the storm sewer system	N/A

<b>MCM 5 Required Elements</b>	<b>SWMP page number</b>
<b>For Level 3 and 4 small MS4s:</b> Develop a list of potential problem areas in the storm sewer system for increased inspection (for example, areas with recurring illegal dumping)	N/A
<b>For Level 3 and 4 small MS4s:</b> Implement an O&M program to reduce discharge of pollutants from roads that includes at least a street sweeping and cleaning program, or inlet protection. The program includes an implementation schedule and a waste disposal procedure	N/A
<b>For Level 3 and 4 small MS4s:</b> Assess its facilities for their potential to discharge pollutants into stormwater and identify high priority facilities that have a high potential to generate stormwater pollutants. At a minimum, facilities include the MS4s maintenance yards, hazardous waste facilities, fuel storage locations, and any other facilities at which chemicals or other materials have a high potential to be discharged in stormwater. Document the results of the assessments	N/A
<b>For Level 3 and 4 small MS4s:</b> Develop facility specific stormwater management Standard Operation Procedures for high priority facilities	N/A
<b>For Level 3 and 4 small MS4s:</b> MS4 implements stormwater controls at high priority facilities that address good housekeeping; de-icing and anti-icing storage; fueling operations and vehicle maintenance; equipment and vehicle washing	N/A
<b>For Level 3 and 4 small MS4s:</b> Develop and implement an inspection program that includes high priority facilities	N/A
<b>For Level 4 small MS4s:</b> Develop an application and management program for pesticides, herbicides, and fertilizers used at public open spaces. Implement the following: educational activities, permits, etc for applicators and distributors; encourage of non-chemical solutions for pest management; develop schedules that minimizes discharge of pollutants; ensure collection and proper disposal of unused pesticides, herbicides, and fertilizers	N/A
<b>For Level 4 small MS4s:</b> Evaluate flood control projects. Design, construct, and maintain new flood control structures to provide erosion prevention and pollutant removal from stormwater. Retrofitting of existing structural flood control devices is implemented to the maximum extent practicable (MEP)	N/A
SWMP lists BMPs used to fulfill this MCM. Examples may include: BMPs which address fleet vehicle maintenance/washing; BMPs which address parking lot and street cleaning; catch basin and storm drain system cleaning; landscaping and lawn care (e.g. xeriscaping); waste materials management; road salt application and storage practices; used oil recycling; pest management practices; fire training facilities; BMPs which address roadway and bridge maintenance; golf course maintenance/waste	N/A

<b>MCM 5 Required Elements</b>	<b>SWMP page number</b>
disposal; disposal of cigarette butts; and park maintenance (e.g., providing trash bags).	
SWMP includes measurable goals that are clear, specific, and measurable, and the method of measurement, for addressing stormwater quality	N/A
SWMP has been fully implemented, or includes a schedule of implementation not to exceed five (5) years from the general permit issuance date of January 24, 2019	N/A

#### **MCM 6: Industrial Stormwater Sources**

Table 6: Required Elements for MCM 6

<b>MCM 6 Required Elements</b>	<b>SWMP page number</b>
<b>For Level 4 MS4 only:</b> Identify and control industrial stormwater sources that at least includes the MS4's landfills; other treatment, storage, or disposal facilities for municipal waste; hazardous waste treatment, storage, disposal and recovery facilities; and facilities that are subject to Emergency Planning and Community Right-to-Know Act (EPCRA).	N/A
<b>For Level 4 MS4 only:</b> Procedures for inspecting and implementing control measures for discharges from industrial stormwater sources.	N/A

#### **Optional MCM 7: Municipal Construction Activities**

This MCM is only applicable where the small MS4 has selected to be the construction site operator for their municipal construction activities. This MCM provides an alternative to the MS4 operator seeking discharge authorization under the Construction Stormwater General Permit TXR150000.

Table 7: Required Elements for MCM 7

<b>MCM 7 Required Elements</b>	<b>SWMP page number</b>
Description of how municipal construction activities will be conducted so as to take into consideration local conditions of weather, soils, and other site specific considerations	N/A
Description of the area that this MCM will address and where the MS4 operator's municipal construction activities are covered (e.g. within the boundary of the urbanized area, the corporate boundary, a special district boundary, an extra territorial jurisdiction, or other similar jurisdictional boundary)	N/A



<b>MCM 7 Required Elements</b>	<b>SWMP page number</b>
If the area included in this MCM includes areas outside of the UA, then all MCMs (MCM 1 through MCM 7) will be implemented over those additional areas as well	N/A
Description of how contractor activities will be supervised or overseen to ensure that the Stormwater Pollution Prevention Plan (SWP3) requirements are properly implemented at the construction site(s); or how the MS4 operator will make certain that contractors have a separate authorization for stormwater discharges if needed	N/A
General description of how a construction SWP3 will be developed for each municipal construction site	N/A
Records of municipal construction activities authorized under this optional MCM	N/A