

**OFFICE OF THE CITY MANAGER
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION
NOVEMBER 4, 2024 AGENDA**

Subject:	Action Required:	Approved By:
<p>An ordinance to amend Chapter 29 of the Little Rock Code to add a new article VII entitled “Industrial Stormwater Discharge Monitoring Program.”</p> <p>Submitted by: Public Works Department</p>	<p>√ Ordinance Resolution</p>	<p>Emily Cox Acting City Manager</p>

<p style="text-align: center;">SYNOPSIS</p>	<p>The ordinance authorizes the amendment of Chapter 29 of the Little Rock Code of Ordinances, Stormwater Management and Drainage, to add a new article VII entitled “Industrial Stormwater Discharge Monitoring Program.”</p>
<p style="text-align: center;">FISCAL IMPACT</p>	<p>To offset the administrative costs for the monitoring and inspection of industrial facilities and the costs to assure compliance with the Industrial Stormwater Discharge Monitoring Program, Section 29-214 of article VII requires that the board of directors establish an appropriate fee schedule, and the board of directors may review and adjust such fees periodically to offset applicable costs of the program. Administrative and program operating expenses will include the salary of program staff, vehicle, equipment and communication devices, software and other miscellaneous related expenses.</p>
<p style="text-align: center;">RECOMMENDATION</p>	<p>Staff recommends approval of the ordinance.</p>
<p style="text-align: center;">BACKGROUND</p>	<p>Effective stormwater management, which provides protection against pollutants carried by stormwater to the Waters of the United States, is regulated by the Clean Water Act, the National Pollutant Discharge Elimination System (“NPDES”), and state and federal statutes and regulations regarding municipal separate storm sewer systems (“MS4”). Effective stormwater</p>

**BACKGROUND
CONTINUED**

management is critical for protecting public health and the environment. The Arkansas Department of Energy and Environment, Division of Environmental Quality (“DEQ”) issued the “Authorization to Discharge Under the National Pollutant Discharge Elimination System and the Arkansas Water and Air Pollution Control Act,” Storm Water Quality Management MS4 Permit ARS000002 (“Permit”) for the City of Little Rock and the Arkansas Department of Transportation, as co-permittees. The Permit authorizes the discharge of stormwater under the requirements of the NPDES, provides water quality guidance and contains state compliance criteria for various sources of stormwater discharges. The City is required under the Permit to “develop and implement a program to control pollutants in stormwater discharges to the MS4 from industrial facilities through ordinance, permit contract, order or similar means, in accordance with 40 CFR Part 122.26(d)(2)(i)(A). The City has until December 31, 2024 to develop and implement policies and ordinances to effectuate a program to control pollutants in industrial stormwater discharges to the City’s MS4. It is necessary to amend Chapter 29 of Little Rock, Ark., Rev. Code (1988), Stormwater Management and Drainage, to add a new Article VII entitled “Industrial Stormwater Discharge Monitoring Program” in order to comply with this new Permit requirement.