



Annual Report

MS4 Phase II General Permit

National Pollutant Discharge Elimination System

MS4 Stormwater Discharge Permit

2020-2021

Monitoring Year

Linn County

Submittal – October 2021

126417

1.0 Certification and Signature

1. Permit Registrant(s): Linn County
2. Legally Authorized Representative: Darrin Lane, PE
3. Title: County Administrator
4. Email: dlane@co.linn.or.us
5. Phone: 541-967-3825

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 (40 CFR 122.22(d)).

Signature: _____

Date: October 19, 2021

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Instructions

At least once per year, the permit registrant must evaluate compliance with the requirements of the MS4 Phase II general permit using this Annual Report template. This self-evaluation includes assessment of progress made towards implementing the SWMP control measures in Schedule A, and implementation of actions to comply with any additional requirements identified pursuant to Schedule D.1 (Requirements for Discharges to Impaired Waterbodies).

For each SWMP control measure or activity listed below, please answer all the questions and in the comments field cite any relevant information and/or statistics that helps to illustrate implementation or compliance. If your answer is “No,” in the comments field explain the reasons and outline the anticipated implementation timeline. If the requirement does not apply, explain why it is not applicable in the comments field.

No later than November 1 each year, beginning in 2020, the permit registrant must submit an Annual Report to DEQ. One signed copy and one electronic copy must be submitted to DEQ using the address provided in permit. DEQ can provide an FTP site for submittal of the electronic copy, upon request.

2.0 General Information						
2.1 Registrant Information						
6. Permit Registrant(s): Linn County						
7. Type(s): <input type="checkbox"/> City / <input checked="" type="checkbox"/> County / <input type="checkbox"/> Special District / <input type="checkbox"/> Other:						
8. Registrant Type: Existing Registrant: <input type="checkbox"/> New Registrant: <input checked="" type="checkbox"/>						
9. Community Type: Large Community: <input type="checkbox"/> Small Community: <input checked="" type="checkbox"/>						
10. DEQ Permit No: ORS126417						
11. EPA File No: 126417						
12. Physical Address: 3010 Ferry Street SW						
City: Albany		State: Oregon		Zip: 97322		
13. Point of Contact: Charles R. Knoll, P.E. (Registered Professional Engineer: Civil, Environmental)						
Title: Linn County Engineering Services		Email: cknoll@co.linn.or.us		Phone: 541-967-3919		
14. Mailing Address (if different): PO BOX 100						
City: Albany		State: OR		Zip: 97321		
2.2 Municipal Separate Storm Sewer System (MS4) Information						
15. Estimate the area in square mileage served by the MS4: 3.925 square miles						
16. Estimate the population served by the MS4: 970 (2020)						
2.3 MS4 Stormwater Discharge Information						
Identify the names of all known waters that receive a discharge from your MS4.						
Receiving Waterbody	# of Outfalls	Impaired waterbody				Impairment(s)
		303d listed		TMDL issued		
a. Willamette River	unknown	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Temperature, Mercury, Bacteria
b. Calapooia River	unknown	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Temperature, Bacteria
c. Oak Creek	unknown	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Temperature, Bacteria
d. Truax Creek	N/A	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Specifically Determined
e. Periwinkle Creek	unknown	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Specifically Determined
f. Cox Creek	unknown	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Specifically Determined
g. Burkhart Creek	unknown	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Specifically Determined
h. Crook Creek	unknown	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Specifically Determined
i. Murder Creek	unknown	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Specifically Determined
j. Lake Creek	unknown	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Specifically Determined
k. Drainage ditches – rural	unknown	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Not Specifically Determined

2.4 Coordination Among Registrants and Joint Agreements

Required for permit registrants relying on another entity to satisfy one or more of the requirements of the permit.

17. Is there a joint agreement in place for the implementation of one or more stormwater management program control measures? *Schedule A.2* Yes No
18. If yes, has there been any change to the joint agreement(s) submitted previously? Yes No
If yes, include, as an attachment, a summary of the changes.
The summary must identify the other co-registrants/co-implementers or other entities.

The City of Albany and City of Millersburg would be involved in a joint agreement with Linn County. However, the two cities had a contested case with the Oregon Department of Environmental Quality until May 2021 regarding the applicability of the MS4 Permit program. MS4 Permits were issued in May 2021 which has not allowed time for development of a joint agreement if one was needed.

Due to the rural urban setting for Linn County Jurisdiction and current City of Albany and County Codes and Policies, there is not any need for a joint agreement. For the City of Millersburg, the city limits are the same as the urban growth boundary so no agreement is necessary. The City of Tangent is not required to have an MS4 Permit so a joint agreement would not be applicable for this MS4 permit.

2.5 Stormwater Management Program Information

19. Discuss the status and overall progress of establishing legal authority to control pollutant discharges into and discharges from the MS4 and to implement and enforce the conditions of this permit. *Schedule A.2.c*
- Linn County's Road Department, Linn County Planning and Building Department and Environmental Health Department work together in application of several Linn County codes that provide legal authority to control pollutant discharges into and discharges from the MS4 and enforce conditions of this permit. These codes include the following:
- 531 – Solid Waste Disposal and Public Nuisance Code
 - 532 – Sewage Facilities Management Code
 - 610 – Forest – Park System Code
 - 850 – Fill and Excavation Code
 - 870 – Flood Plain Management Code
 - 903 – Natural Resources Element Code
 - 904 – Community Facilities and Development Element Code
 - 905 – Land Use Element Code
 - 907 – Transportation Plan Code
 - 923 – New Lot and Parcel Design Standards Code
 - 924 – Partitioning Code
 - 926 – Subdividing Code
 - 929 – Rural Development Zone Code
 - 930 – Urban Growth Area Zone Code
 - 931 – Overlay Code
 - 932 – Specific Conditional Uses Code

933 – Condition, Requirements, and Decision Criteria Code

934 – Development Standards Criteria Code

935 – Access Improvement Standards Code

Linn County also has policies that may pertain to MS4:

43 – Removal of Unlawful Campsites Located on County Property

These codes and policy provide Linn County Road Department authority to oversee Stormwater Management. As an Agency certified by the Oregon Department of Transportation to delivery Federally Funded projects, the Linn County Road Department adopted Best Management Practices from Oregon Department of Transportation, Oregon Department of Forestry for gravel roads, and requirements for storm water management from the Oregon Department of Environmental Quality. Linn County Road Department applies Best Management Practices to road maintenance operations, access and driveway permits program, construction for development of property by landowners and agencies, and for capital improvement projects.

Linn County Planning and Building and Environmental Health also have codes and policy to oversee Stormwater Management so as to comply with the provisions of the MS4 Permit and the TMDL Permit for areas outside of the MS4 Permit jurisdiction.

Linn County Road Department also has had and operated under the requirements of a 1200 CA Permit since 2004. This permit is presently in the process of being renewed.

Implementation of enforcement is provided through the road and driveway access permit program, land development and building permit program, and sewage facilities and management program.

2.6 Stormwater Management Program Information

20. Is an updated SWMP Document attached? *Schedule A.2.c*
 Yes No (must be submitted with the second Annual Report)

If necessary, provide an explanation:

Linn County has provided a SWMP document with this second annual report.

21. Identify the publicly accessible website where the SWMP Document is posted. *Schedule 2.c & A.3.b.ii*
 https:// Not Applicable

If necessary, provide an explanation:

The SWMP Document has been posted in the Linn County Road Department Website under Information. An improved website for Linn County Planning and Building, Environmental Health and the Road Department specifically addressing the MS4 Permit and SWMP is currently being developed for improved public outreach and education.

22. Does the SWMP Document include an implementation schedule for control measures that have yet to be or are partially implemented? *Schedule A.2.c*
 Yes No -

If necessary, provide an explanation:

Control measures are presently in place due to the existing and established Linn County Code and Policies and also the adoption of ODOT Best Management Practices and ODEQ Best Management Practices by the Linn County Road Department and the presently established planning and building, sewer system, and road department permit systems. Linn County also

adopted the City of Albany BMP for all improvements within the MS4 Permit Urban Growth Boundary. This is provided in the SWMP document with this second annual report. Projects such as the Old Salem Road Truax Creek Bridge Replacement Project completed in 2019 is an example of this implementation.

23. Describe the method used to gather, track, and use SWMP information to set priorities or assess compliance:
Schedule A.2.d

SWMP consists primarily of the adoption and application of ODOT BMP and ODEQ BMP, an active Planning building permit program, an active Environmental Health Permit Program, an established road access and driveway permit program, and an illicit discharge monitoring program that is presently in place.

Explanation: The Linn County MS4 Permit applies to a rural urban area of the Albany Area and Millersburg Area and City of Tangent outside of the City Limits and few segments of right of way within the City Limits that are under Linn County Road Department. This area is largely agricultural with and under the jurisdiction of the Department of Agriculture with County Code requiring most lot sizes greater than 20 acre minimum and a few greater than 5 acre minimum. When property is developed to have lot sizes less than 5 and 20 acres, it is typically required to be annexed to the City as a condition of the building permit unless specific written approval is provided after following a permit variance procedure.

Compliance for road maintenance operations is documented as part of the Best Management Practices program. This includes inspection of roadways when work is conducted in that area. Compliance for new development is documented as part of the building permit program.

The water quality criteria of concern is primarily Temperature, Dissolved Oxygen, Iron, Phosphorous, and Bacteria.

Temperature is the result of the warm waters of the Willamette River which is primarily from the management of water in large dams that are upstream and outside the jurisdiction of Linn County. When Temperature is a concern, the small tributaries within the Albany Metropolitan area are either dry or stagnant so no significant flow is discharged into the Willamette River, Therefore, the Willamette River does not change temperature between upstream and downstream of Albany.

Bacteria is primarily the result of agricultural activities, ducks in park areas, and beaver and nutria within riparian areas that are primarily agricultural. Linn County does not have jurisdiction over these areas or activities. Beaver are presently a protected species by ODFW.

Linn County has an established and proactive Environmental Health Program.

Iron and Phosphorous are a result of use of agriculturally applied fertilizer.

Therefore, in recognition of the above, the MS4 program is a maintenance program of what is currently in place by Linn County. This is also in recognition that the population density of this MS4 Permit area is only 970 per 3.925 square miles. (Equivalent to 2.6 people per acre.)

24. Have adequate finances, staff, equipment and other support capabilities been provided to implement the permit? *Schedule A.2.e*

Yes No

If necessary, provide an explanation:

Due to the rural and agricultural nature of most of this area (average of 2.6 people per acre) subject to the MS4 Permit, the use of the Best Management Practices program adopted by Linn County, the Current Permit Programs at Linn County, and current minimum lot size requirement should be adequate to implement and meet the conditions of the permit.

Due to the present increase in building permits and property development, Linn County is presently evaluating the need for additional staff.

25. During this monitoring year was compliance with the requirements of this permit evaluated? *Schedule B.1*

Yes No

If necessary, provide an explanation:

Prior to receiving an MS4 Permit, Linn County has had and still has a TMDL Permit for all of Linn County. Linn County is in compliance with the TMDL Permit. Since the area outside the City Limits and within the Urban Growth Area is primarily agricultural with lot sizes greater than 5 acres and mostly greater than 20 acres, Linn County is in compliance with the MS4 Permit Program.

The monitoring program to make this determination consists of the continued use and implementation of Linn County Code and Policy and the established permit programs by Linn County. The illicit discharge monitoring program is also part of this program to demonstrate permit compliance.

26. During this monitoring year was it determined or reported that discharge from the MS4 caused or contributed to an excursion of an applicable water quality standard? *Schedule A.1.a*

Yes No

If "Yes", complete section 3.7, Water Quality Standards of this template.

Note:

There was not any determined discharge that contributed to an excursion of an applicable water quality standard. No illicit discharges were determined for an inspection program that covers 26 locations. A copy of this program is included with this annual report. Dry period inspection was completed in August 2020 and also completed in September 2021.

3.0 Stormwater Management Program Control Measures

3.1 Public Education and Outreach

27. Provide a brief summary of the ongoing public education and outreach program. *Schedule A.3.a*

Schedule A.3 SWMP Control Measures Implementation Schedule is provided as follows for Linn County that is listed in the MS4 Permit that was issued as a “New Permit Registrant”:

SWMP Control Measures		MS4 Permit Implementation Deadline(s)
a	Public Education and Outreach	September 1, 2023
b	Public Involvement and Participation	September 1, 2023
c	Illicit Discharge and Elimination	September 1, 2023
d	Construction Site Runoff Control	September 1, 2023
e	Post-Construction Site Runoff for New Development and Redevelopment	September 1, 2023
f	Pollution Prevention and Good Housekeeping for Municipal Operations	September 1, 2023

For Schedule 3.a. Linn County is required to implement the following by September 1, 2023:

- Education and Outreach for the (1) General Public and businesses, (2) local elected officials, land use planners, and engineers, and (3) construction site operators at least once per the permit term of 2020 to February 29, 2024.
- Stormwater Education Activities in the form of two (2) educational messages or activities per year
- Construction Site Control Measure Education to target construction site operators within with the community per year.
- Track implementation of the Public Education and Outreach requirements

Linn County has the following presently in place on the Linn County Road Department Website that pertains to compliance with the MS4 Program:

- a. Adopt a Road Program – Last Revised in 2011
- b. No Spray Request Program
- c. Right of Way Encroachment Permit Application Program (Road and Driveway Access and Utilities). Educational outreach is provided to landowners wishing to develop their property with a new access and driveway permit.
- d. Linn County Stormwater Best Management Practices Manual – new in 2021
- e. Transportation System Plan

Linn County has the following presently in place on the Linn County Building and Planning Website that pertains to compliance with the MS4 Program:

- a. Natural Hazard Mitigation Plan 2018
- b. Transportation System Plan 2017

- c. Forestland Development Standard Handbook
- d. Land Use Activities and Code.

Linn County has the following presently in place on the Environmental Health Services website that conducts programs that prevent the spread of disease through food, water, and other environmental exposures.

- a. Siting, permitting and inspection, and regulation of septic systems;
- b. Regulation of public water systems;
- c. Community Health;
- d. Solid Waste and Recycling

In Addition, for Public Education and Outreach, Linn County Staff provide owners with one on one education in regards to requirements for to provide BMP and Stormwater Management and Treatment Improvements to meet TMDL and MS4 Permit requirements for Road Access and Driveway Permits, Land Use and Building Permits, Septic Tank and other Environmental Health Permits.

Linn County Departments are presently reviewing the content of the present outreach programs to ensure that are current with MS4 Permit requirements. Additional outreach may be implemented as a result of this review and in review of current Permit Requirements. This will be completed before the permit deadline of September 1, 2023.

28. Were the required components in place by the implementation date? *Schedule A.3.a.i*
Yes No (*Implementation date: Feb. 28, 2020 for Existing Registrants and Sept. 1, 2023 for New Registrants*)

As provided above, components are in place and are also in the process of being updated. The implementation date is Sept 1, 2023 for this new MS4 Permit.

29. Provide the number of education and outreach activities conducted: *Schedule A.3.a.iii*
During this reporting year: June 30, 2020 – June 30, 2021

For Schedule 3.a. Linn County is required to implement the following by September 1, 2023:

- Education and Outreach for the (1) General Public and businesses, (2) local elected officials, land use planners, and engineers, and (3) construction site operators at least once per the permit term of 2020 to February 29, 2024.
- Stormwater Education Activities in the form of two (2) educational messages or activities per year
- Construction Site Control Measure Education to target construction site operators within with the community per year.

In regards to current activities:

- Land Use Planners and Engineers have been provided information in regards to requirements for Stormwater Management for Road and Driveway and Building Permits.

- Linn County Engineering Staff, Planning and Building Staff, Road Maintenance Supervisors, Directors, and County Administrator have received information regarding MS4 Permit requirements, BMP requirements in November 2020 and ongoing meetings.
- Construction site workers receive instruction in the permits on what is required for stormwater management.
- The BMP Manual was posted to the Linn County web site. This Annual report will be posted on the Linn County Website.
- Four larger development sites received comment on MS4 Permit requirements. One of the sites completed the permitting process and constructed improvements that included stormwater collection and management requirements to meet MS4 requirements as required.

30. During the permit term: March 1, 2019 – February 29, 2024

If necessary, provide an explanation:

See above comments as to education activities.

31. Indicate target audiences addressed during this reporting year: *Schedule A.3.a.iv*

- General public, homeowners, homeowner association, schoolchildren, and businesses
- Local elected officials, land use planners and engineers
- Construction site operators

Note: The Engineering Staff of Linn County and Planning and Building Permit Staff include BMP and SWMP requirements to all contracts that the construction operators comply with as verified by Linn County On-site Inspectors. The current permit system and web site provide information and outreach to all target audiences. The web site is currently being evaluated for improvement for outreach.

32. Have each target audience been addressed during the permit term? *Schedule A.3.a.iv*

Yes No

This is part of the current program set up in compliance with the TMDL permit for Linn County.

33. Indicate target topics addressed during this reporting year: *Schedule A.3.a.iv*

- Impacts of illicit discharges on receiving waters and how to report them
- Impacts from impervious surfaces and appropriate techniques to avoid adverse impacts
- BMPs for proper use, application and storage of pesticides and fertilizer
- BMPs for litter and trash control
- BMPs for recycling programs
- BMPs for power washing, carpet cleaning and auto repair and maintenance
- Low impact development/green infrastructure
- Information pertaining to maintenance of septic systems
- Watershed awareness and how storm drains lead to local creeks and rivers, and potential impacts to fish and other wildlife
- Other: The Above Checked items are part of the Existing TMDL Program for Linn County.

The other items are related to activities under the Jurisdiction of the Department of Agriculture, urban areas of the City, or the established waste management services set up by Republic Services under review and approval by this Area's Waste Management Council.
Target audiences are also indicated in previous questions.

34. Describe the types of educational messages or activities distributed and/or offered during this reporting year. *Schedule A.3.a.iii*

This has been previously described. Ongoing education is also provided for new construction of roads, bridges, and developments as permitted by Linn County.

35. Was outreach to construction site operators working within your community offered during this reporting year? *Schedule A.3.a.v*

Yes No

36. Total number during the permit term:

The outreach is provided through preconstruction meetings and onsite inspection of building and construction activities.

A tabulation of these activities by permit is being prepared and will be available at each department by June 2022.

37. Identify and describe the assessment/evaluation of, at least, one education and outreach activity that occurred during this reporting year. Include the assessment process or metric for evaluation, and why this activity was considered successful. *Schedule A.3.a.vi*

The construction of new entrance with sidewalk and stormwater collection and treatment occurred for improvement to an access to a large industrial facility. The permitting process included education and outreach so as to have a design that met MS4 Permit requirements and BMP. This activity included a pre-construction meeting and on-site inspection. This is standard procedure that has been established and followed on all construction projects for over 15 years.

38. Will the assessment be used to inform future stormwater education and outreach efforts? *Schedule A.3.a.vi*

Yes No - Not Applicable

39. Provide an explanation:

This is an established procedure that is required of our Best Management Practices Program. For Linn County this question is not applicable.

3.2 Public Involvement and Participation

40. Provide a brief summary of the overall progress towards implementation of this control measure. *Schedule A.3.b*
The Linn County Website will be updated and improved to promote and provided public involvement and participation. It will also include a segment for identification and notification of an unacceptable discharge to public waters. This will be completed by no later than September 2023. This information is presently available but the improved website will improve this outreach.

41. Were the required components in place by the implementation date? *Schedule A.3.b.i*
Yes No (Implementation date: Feb. 28, 2020 for Existing Registrants and Sept. 1, 2023 for New Registrants)
Not Applicable - This is a new MS4 Permit and the implementation date is 9/1/23

42. Is the SWMP Document posted on a publicly accessible website? *Schedule A.3.b.ii*
Yes No See Comments below:

Linn County Road Departments BMP Manual will be posted on the Road Department Website by 11/1/21. Other documents have been posted for other Departmental websites. A SWMP is under development and will be posted by 11/1/21.

43. Was the publicly accessible website updated during this reporting year? *Schedule A.3.b.ii*
Yes No
If necessary, provide an explanation:
The website was updated with the posting of the BMP plan for the Road Department and also the SWMP.

44. Does the publicly accessible website include illicit discharge complaint/reporting information or procedures? *Schedule A.3.b.ii.A*
Yes No
If necessary, provide an explanation:

This is included in the SWMP.
This information is posted on the Linn County Road Department website as of November 1, 2021. Illicit discharge complaint/reporting information or procedures will be part of a new improved website when the website is set up prior to Sept 1, 2023.

45. Does the publicly accessible website include draft documents issued for public comment, final reports, plans and other official SWMP policy documents? *Schedule A.3.b.ii.B*
Yes No
If necessary, provide an explanation:
Currently plans and specifications are provided on the Linn County Website for new construction under contract. This has been in effect for 15+ years.
Other documents issued for public comment, final reports, plans and other official SWMP policy documents will be added to the Linn County Road Department website under information for review when ready to post.

46. Does the publicly accessible website include links to all ordinances, policies and/or guidance documents related to the construction and post-construction stormwater management control programs, including education, training, licensing, and permitting? *Schedule A.3.b.ii.C*

Yes No Not Applicable at this time

If necessary, provide an explanation:

The websites for the Road Department, Planning and Building, and Environmental Health currently provide Code, Ordinances and Policies and Guidance documents as previously indicated.

47. Does the publicly accessible website include contact information for relevant staff, including phone numbers, mailing addresses and email addresses? *Schedule A.3.b.ii.D*

Yes No - Not Applicable at this time

If necessary, provide an explanation:

Information regarding contact information is appropriately provided on each department's website.

48. During this reporting year, was a stewardship opportunity created or partnered with another entity? *Schedule A.3.b.iii*

Yes No Not Applicable

If "Yes", summarize the stewardship opportunity(s).

The roadside partnership program of the Linn County Road Department provides an ongoing stewardship opportunity and has been in effect for 10+ years. This program is applicable and appropriate for this rural low populated MS4 area.

3.3 Illicit Discharge Detection and Elimination

49. Provide a brief summary of the overall progress towards implementation of this control measure. *Schedule A.3.c*

Illicit Discharge Detection and Elimination is already part of the current Linn County Program as established the Linn County TMDL program. This program also applies to the MS4 Permit area which has a population density of that is only 970 per 3.925 square miles (equivalent to 2.6 people per acre).

An Illicit Discharge Detection and Elimination Plan for the Linn County MS4 Area has been developed and posted on the Linn County Road Department Website under Information.

The Linn County MS4 Permit applies to urban area of the Albany Area and Millersburg Area outside of the City Limits and few segments of right of way within the City Limits that are under Linn County Road Department. This areas is largely agricultural and under the jurisdiction of the Department of Agriculture. When property is developed, it is usually annexed to the City as a condition of the building permit.

Compliance for road maintenance operations is documented as part of the Best Management Practices program. This includes inspection of roadways when work is conducted in that area. Compliance for new development is documented as part of the building permit program.

The water quality criteria of concern is Temperature, Mercury, and Bacteria.

Temperature is the result of the warm waters of the Willamette River which is primarily from the management of water in large dams that are upstream and outside the jurisdiction of Linn County. When Temperature is a concern, the small tributaries within the Albany Metropolitan

area are either dry or stagnant so significant flow is not discharged into the Willamette River. Therefore, the Willamette River does not change temperature upstream or downstream of Albany.

Bacteria is primarily the result of agricultural activities, ducks in park areas, and nutria within riparian areas that are primarily agricultural. Linn County does not have jurisdiction over these areas. Linn County also has a proactive Environmental Health Program.

Mercury is also not a source with from Albany as provided by samples of the Willamette River taken by the ODEQ. This has been documented by the Linn County TMDL program.

Therefore, in recognition of the above, the MS4 program is a maintenance program of what is currently in place by Linn County. This is also in recognition that the population density of this MS4 Permit area is only 970 per 3.925 square miles (equivalent to 2.6 people per acre).

Since this is next to an urban area, an inspection program has been developed and implemented to inspect natural waterways, and drainage areas within the MS4 Permit area as they enter into the City Limits so as to verify illicit discharges have not occurred.

50. Were the required components in place by the implementation date? *Schedule A.3.c.i*

Yes No (*Implementation date: Feb. 28, 2022 for Existing Registrants and Sept. 1, 2023 for New Registrants*)

Yes, as a component of the program was established by the TMDL Permit for Linn County.

Annual inspection of natural waterways and drainage areas within the MS4 permit area as they enter into the City Limits were also inspected in Fall 2020. A written plan for this program has been developed and posted on the Website prior to November 1, 2021.

51. Is the MS4 map(s) current? *Schedule A.3.c.ii.A*

Yes No - NA at this time

52. Describe the MS4 map(s) format(s):

See the Map(s) submitted as an attachment to the Stormwater Management Plan that is submitted with this annual report.

53. Is the MS4 map(s) included as attachment? Yes No

Or are the digital shape files available for electronic submittal? Yes No

(*Existing Registrants must submit their MS4 map with the third Annual Report; New Registrants must submit by Sept. 1, 2023*)

If necessary, provide an explanation:

Since this is a new MS4 Permit for Linn County the Maps are not required until September 1, 2023. This map has been included with this annual report to demonstrate that this is a rural low populated MS4 area and provide understanding to reviewers of this annual report. The DEQ will review this file and contact Linn County in regards to transfer of shape files if needed.

54. Is the digital inventory of all known outfalls, with the associated receiving waterbody current? *Schedule A.3.c.ii.A*

Yes No

If necessary, provide an explanation:

The current maps and inventory is a working document and is presently considered current. The map(s) and list of outfalls as applicable and appropriate for this rural low populated MS4 area will be finalized when the website is set up prior to Sept 1, 2023.

55. Indicate if the following features are included on your MS4 map:

- Location of all known outfalls, including the requirements in *Schedule A.3.c.ii.B - See Map in the SWMP*
- Stormwater collection and conveyance system, including the requirements in *Schedule A.3.c.ii.C -- See Map in SWMP*
- Stormwater structural controls, including the requirements in *Schedule A.3.c.ii.C -No known controls at this time.*
- Location of known chronic discharges *Schedule A.3.c.ii.D -- None known at this time*

If necessary, provide an explanation:

This MS4 Map is being developed with required components being included as applicable and appropriate for this rural low populated MS4 area. The working document has been developed and submitted as part of the illicit discharge monitoring program with this annual report. This goal has been completed prior to the September 1, 2023 deadline.

56. Have non-stormwater discharges into the MS4 been prohibited through enforcement of an ordinance or other regulatory mechanism? *Schedule A.3.c.iii*

Yes No

If necessary, provide an explanation:

This is part of the Linn County Environmental Health Program as required of Linn County Code. This is also part of the Linn County Road Department procedures for Spill Prevention Control as part of the BMP program adopted by Linn County.

57. Indicate which of the following have an ordinance or other regulatory mechanism to prohibit discharge to the MS4: *Schedule A.3.c.iii*

- Septic, sewage, and dumping or disposal of liquids or materials other than stormwater into the MS4
- Discharges of wash water resulting from the hosing or cleaning of gas stations, auto repair garages, or other types of automotive services facilities
- Discharges resulting from the cleaning, repair, or maintenance of any type of equipment, machinery, or facility, including motor vehicles, cement-related equipment, and port-a-potty servicing, etc.
- Discharges of wastewater from mobile operations, such as mobile automobile or truck washing, steam cleaning, power washing, and carpet cleaning, etc.
- Discharges of wastewater from the cleaning or hosing of impervious surfaces in municipal, industrial, commercial, or residential areas (including parking lots, streets, sidewalks, driveways, patios, plazas, work yards and outdoor eating or drinking areas, etc.) where detergents are used and spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed)
- Discharges of runoff from material storage areas, which contain chemicals, fuels, grease, oil, or other hazardous materials from material storage areas
- Discharges of pool or fountain water containing chlorine, biocides, or other chemicals; discharges of pool or fountain filter backwash water
- Discharges of sediment, unhardened concrete, pet waste, vegetation clippings, or other landscape or construction-related wastes
- Discharges of trash, paints, stains, resins, or other household hazardous wastes
- Discharges of food-related wastes (grease, restaurant kitchen mat and trash bin washwater, etc.)

If necessary, provide an explanation:

Explanation - These prohibited activities are all included under the TMDL Program in which Linn County is in compliance with. As previously described, Linn County Code has been developed which also prohibits these activities. This information will also be provided in an updated Linn County Website.

<p>58. Is the written escalating enforcement and response procedure included as an attachment? <i>Schedule A.3.c.iv</i> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (For Existing Registrant must be submitted with the third Annual Report. New Registrants must submit by September 1, 2023) If necessary, provide an explanation: Not Applicable at this time since Linn County is a new registrant.</p>
<p>59. Is there a phone number, webpage, and/or other communication channel publicized for the public use to report illicit discharges? <i>Schedule A.3.c.v.A</i> <input checked="" type="checkbox"/> Phone number(s) <input checked="" type="checkbox"/> Webpage(s) <input checked="" type="checkbox"/> Other communication channels If necessary, provide an explanation: The offices of the Building Department, Environmental Health, and Linn County Road Department have a website and also office staff to received complaints and follow up on complaints. Complaints may also always be directed to the Linn County Board of Commissioners during the public meetings held on most Tuesday mornings or to the County Administrator.</p>
<p>60. Provide the number of complaints received during this reporting year. <i>Schedule A.3.c.v.D</i> Number: (complaints related to IDDE) -- 0 complaints received for 6/30/20 to 6/30/21</p>
<p>61. On average, how long did it take to respond to complaints? <i>Schedule A.3.c.v.B</i> In working days: NA – As not complaints received. No complaints have been received for this past reporting year. A complaint tabulation system will be set up as applicable and appropriate for this rural low populated MS4 prior to Sept 1, 2023.</p>
<p>62. Provide the number of complaints that included notification of the Oregon Emergency Response System during this reporting year. <i>Schedule A.3.c.v.B</i> Number of notification: 0 - None</p>
<p>63. Provide the number of complaints where staff performed an investigation during this reporting year. <i>Schedule A.3.c.v</i> Number: 0- None within MS4 Permit Area (investigations related to IDDE)</p>
<p>64. On average, how long did it take to conduct an initial investigation? <i>Schedule A.3.c.v.B</i> In working days: Not Applicable.</p>
<p>65. Provide the number of illicit discharges discovered and eliminated during this reporting year. <i>Schedule A.3.c.v</i> Number: 0- None within MS4 Permit Area</p>
<p>66. On average, how long did it take to eliminate an illicit discharge? <i>Schedule A.3.c.v.B</i> In working days: Not Applicable</p>
<p>67. Provide the number times escalating enforcement procedure was used to eliminate illicit discharge during this reporting year. <i>Schedule A.3.c.v.D</i> Number of times: 0- None within MS4 Permit Area</p>
<p>Do any of the illicit discharges involve the repair or replacement of the wastewater and/or storm sewer conveyance systems? <i>Schedule A.3.c.v.B</i> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/></p>

<p>If necessary, provide an explanation: 0- None within MS4 Permit Area</p>
<p>68. Provide the number of illicit discharges that were referred to another entity during this reporting year. <i>Schedule A.3.c.v.C</i> Number: 0- None within MS4 Permit Area</p>
<p>69. On average, how long did it take to notify the entity(s)? In working days: 0- None within MS4 Permit Area If necessary, provide an explanation: 0- None within MS4 Permit Area</p>
<p>70. Indicate which of the following are included in the complaints or reports tracking documentation: <i>Schedule A.3.c.v.D</i></p> <ul style="list-style-type: none"><input type="checkbox"/> Date the complaint was received and, if available, the complainant's name and contact information<input type="checkbox"/> Name of staff responding to the complaint<input type="checkbox"/> Date the investigation was initiated<input type="checkbox"/> The outcome of the staff investigation<input type="checkbox"/> Corrective action(s) taken to eliminate the illicit discharge<input type="checkbox"/> The responsible party for the corrective action(s)<input type="checkbox"/> The status of enforcement procedure(s), when necessary<input type="checkbox"/> The date the corrective action(s) was completed and staff who evaluated final compliance <p>If necessary, provide an explanation: 0- No complaints were received within MS4 Permit Area for 2020 – 2021 annual reporting period.</p>
<p>71. Provide percentage of outfalls inspected. <i>Schedule A.3.c.vi.A/B</i> Known outfalls screened this reporting year: There are not any known outfalls in this rural MS4 Permit Area. Major drainage ways and streams were inspected in Fall 2020 as part of the development and implementation of the Illicit Discharge Detection Program. The Final inspection system will be set up as applicable and appropriate for this rural low populated MS4 prior to Sept 1, 2023.</p>
<p>72. Known outfalls screened during the permit term: See comment above for item 71 If necessary, provide an explanation: See comment above for item 71</p>
<p>73. Provide percentage of outfalls inspected as part of field screening of priority location. <i>Schedule A.3.c.vi.C</i> Priority location outfalls screened this reporting year: 6 Streams were inspected in Fall 20 as they entered City Limits</p>
<p>74. Priority location outfalls screened during the permit term: 6 location outfalls If necessary, provide an explanation:</p>
<p>75. Indicate which of the following dry-weather field screening activities have been performed in the last year: <i>Schedule A.3.c.vi</i></p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> General observation<input checked="" type="checkbox"/> Field Screening and Analysis<input type="checkbox"/> Pollutant Parameter Action - NA<input type="checkbox"/> Laboratory Analysis - NA <p>If necessary, provide an explanation:</p>

The larger streams and drainage ways were inspected in Fall 2020 and Fall 2021 during dry weather and then wet weather. No visible pollutants or contamination was observed. Therefore, pollutant parameter action and laboratory analyses was not required.

76. If flow is observed and the source is unknown, provide a brief description of the field investigation and analysis process. *Schedule A.3.c.vi.D,E,G*

The Professional Staff of Linn County Road Department and Environmental Health will use their professional expertise to determine this. All settings are different and will provide a different approach depending on the location and setting. Typically, a visual observation is made and if a source is not known, the source will be tracked upgradient. Photographs will be taken for documentation in a report and samples will be collected and analyzed as appropriate. A final system will be set up as applicable and appropriate for this rural low populated MS4 by Sept 1, 2023.

77. Have pollutant parameter action levels been established and are they included as an attachment? *Schedule A.3.vi.F*
Yes No - NA
(For Existing Registrant must be submitted with the third Annual Report. New Registrants must submit by September 1, 2023)

If necessary, provide an explanation:

Not Applicable since this is a new MS4 Permit for Linn County. A system will be set up as applicable and appropriate for this rural low populated MS4 by Sept 1, 2023.

78. Are all persons responsible for investigating and eliminating illicit discharges and illicit connections into the MS4 appropriately trained to conduct such activities? *Schedule A.3.c.vii*
Yes No

If necessary, provide an explanation:

A list of Qualified staff and qualifications and training can be provided. As an example, the Linn County Engineer during this past report period is Professionally Licensed as a Civil Engineer and Environmental Engineer with 40+ years of experience that includes environmental compliance, water quality, and construction. The Linn County Road Department also includes staff with Supervisory Erosion and Sediment Control training and BMP training.

79. Are all new staff working to implement the IDDE program trained within 30 days of their assignment to this program? *Schedule A.3.c.vii*

Yes No

If necessary, provide an explanation:

Additional or existing staff to work in the IDDE program will be trained within 30 days of assignment into this program.

3.4 Construction Site Runoff Control

80. Provide a brief summary of the overall progress towards implementation of this control measure. *Schedule A.3.d*
Linn County Road Department and Linn County Planning and Building, and Environmental Health Department work together in application of several Linn County codes, 903- Natural Resources Element Code, 850- Fill and Excavation Code and 935- Access Improvement and Standards Code. These codes provide Linn County Road Department authority to oversee Construction Site Runoff Control.
As a Certified Agency Linn County Road Department adopted Best Management Practices from Oregon Department of Transportation, Oregon Department of Forestry for gravel roads, and requirements of Oregon Department of Environmental Quality. Linn County Road Department applies Best Management Practices to road maintenance operations, access and driveway permits program, construction for development of property by landowners and agencies, and for capital improvement projects.
81. Were the required components in place by the implementation date? *Schedule A.3.d.i*
Yes No (Implementation date: Sept. 1, 2023 for New Registrants (Linn County))
They are already in place as documented as part the Linn County TMDL Permit Program, and the Linn County BMP. The Checklists developed and used by Linn County Engineering are also in place.
82. Do ordinances or other regulatory mechanisms require erosion controls, sediment controls, and waste materials management controls to be used and maintained at all qualifying construction projects? *Schedule A.3.d.ii*
Yes No NA
If necessary, provide an explanation:
These are described and required as provided in the Plans and Specifications developed by the Linn County Road Department for each project. These documents are available on the Linn County Road Department website.
83. Indicate the minimum land disturbance where construction site operators are required to complete and implement an Erosion and Sediment Control Plan (ESCP) for construction project sites: *Schedule A.3.d.ii*
In square feet or portion of an acre: 1/4 , acres NA - See comment below
If necessary, provide an explanation:
The Plans and Specifications specify when an ESCP is required. An ESCP is typically provided as part of the Plans and Specifications for each project as required of the 1200 CA Permit and also DEQ 401 Certification Program.
84. For construction projects that disturb one or more acres (or that disturb less than one acre, if it is part of a “common plan of development or sale” disturbing one or more acres), provide a brief description how these project are referred to DEQ or the appropriate DEQ agent, to obtain a NPDES Construction Stormwater General Permit. *Schedule A.3.d.iii*
Linn County Road Department has a 1200 CA Permit which in the past has not required notification of DEQ for each project. The 1200 CA permit is presently being updated by the DEQ. If the project triggers a federal permit 401 Certification is usually required.

85. Provide the written specifications that address the proper installation and maintenance of such controls during all phases of construction activity as an attachment *Schedule A.3.d.iv*

Attached: Yes No - See comment below

If necessary, provide an explanation:

Go to the Linn County Road Department Website under Contracts. Then please see the Plans and Specifications and Permits provided for each project. Including them as an attachment is not necessary with the document available on the website. For directions and questions contact Charles Knoll, PE or Daineal Malone, PE, Linn County Engineering 541 967 3919.

86. Provide the Erosion and Sediment Control Plan template as an attachment. *Schedule A.3.d.iv.A*

Attached: Yes No

If necessary, provide an explanation:

See template currently in use that is in the Linn County BMP Plan.

87. Indicate which of the following are required for qualifying construction projects: *Schedule A.3.d.iv*

Site operator required to complete a ESCP template prior to beginning construction/land disturbance

Site operator required to keep the ESCP on site

Site operator required maintain and update the ESCP as site conditions change, or as needed.

Site operator required to provide the ESCP to the permit registrant, DEQ, or another administrating entity

If necessary, provide an explanation:

The Plans and Specifications specify when an ESCP is required. An ESCP is typically provided as part of the Plans and Specifications for each project.

88. ESCP templates [from construction projects that will result in land disturbance of one or more acres (or that disturb less than one acre, if it is part of a “common plan of development or sale” disturbing one or more acres)] are reviewed using a checklist or similar document to determine compliance. *Schedule A.3.d.v*

Yes No

89. Provide the ESCP review template as an attachment. *Schedule A.3.d.v*

Attached: Yes No See template currently in use that is in the Linn County BMP Plan.

90. Indicate the minimum land disturbance where you require the ESCP to be reviewed, if different than one acre: ft² , 1/4 acres

If necessary, provide an explanation:

The Plans and Specifications specify when an ESCP is required. An ESCP is usually provided as part of the Plans and Specifications for each project.

91. All construction projects [that will result in land disturbance of one or more acres (or that disturb less than one acre, if it is part of a “common plan of development or sale” disturbing one or more acres)] are expected or scheduled to be inspected at least once per permit term. *Schedule A.3.d.vi.A.1*

Indicate the number of inspections completed to comply with this requirement during this reporting year:

See Comment Below

Indicate the number of inspections completed to comply with this requirement during the permit term:

See Comment Below

If necessary, provide an explanation:

Linn County Road Department has a 1200 CA Permit which has not required notification of DEQ for each project. If the project triggers a federal permit, 401 Certification is usually required. The Plans and Specifications specify when an ESCP is required and when inspections are required. An ESCP is usually provided as part of the Plans and Specifications for each project.

92. Are construction projects with visible sediment in stormwater/dewatering discharge or when a complaint is received inspected? *Schedule A.3.d.vi.A.2*
 Yes No

93. Indicate number of projects that were inspected based on this inspection trigger:
 If necessary, provide an explanation:
 0 projects were managed in such a way that triggered a complaint or non-compliance. Complaints are typically not received since projects are managed properly as required of the plans and specifications. Construction projects are required to be inspected daily to detect and prevent visible sediment.

94. Indicate the total number of construction projects that were inspected this monitoring year:
 One for the MS4 Permit Area. 4 outside the MS4 Permit area as well as Linn County Road Maintenance activity.

95. Indicate the total number of construction projects that were inspected during the permit term:
 (2) Two for the MS4 Permit Area as it pertains to larger road and bridge improvement projects. Additional projects as it pertains to road access and driveways and building and planning permits also were inspected.

96. Indicate which of the following are documented during an inspection: *Schedule A.3.d.vi.B*
 That the ESCP is reviewed to determine if the described Control measures were installed, implemented, and maintained appropriately
 Assessment of the site's compliance with the ordinances or requirements
 Visual observation of any existing or potential non-stormwater discharges, illicit connections, and/or discharge of pollutants from the site
 Recommendations to the construction site operator for follow-up
 Education or instruction provided to the site operator related to stormwater pollution prevention practices
 If necessary, provide an explanation:
 These are all required of the Engineering Plans and Specifications developed for each project. See the Linn County Website. The erosion and sediment monitoring report template is also used.

97. If available, provide a copy of the written or electronic inspection report form. *Schedule A.3.d.vi.B*
 Attached: Yes No See template currently in use that is in the Linn County BMP Plan.

98. For Existing Large Communities: Indicate the number of new construction projects inspected that disturb less one acre during this monitoring year. Is this number at least 25% of the qualifying new construction sites? *Schedule A.3.d.vi.C*
 If necessary, provide an explanation:
 The MS4 Permit does not pertain to a large community since the MS4 area has a population density of about 2.6 people per acre. The total MS4 Permit area is only 3.9 square miles.

99. Provide the written escalating enforcement and response procedure as an attachment. *Schedule A.3.d.vii*
 Yes No
 (For Existing Registrant must be submitted with the third Annual Report. New Registrants must submit by September 1, 2023)
 If necessary, provide an explanation:
 Linn County is a new registrant. The existing Linn County Code which is under review, as a condition of the MS4 Permit, currently provides adequate procedures to meet this requirement.

100. Was the escalating enforcement procedure used to achieve compliance at any construction projects? *Schedule A.3.d.vii*
 Yes No - NA
 Indicate number of times during this reporting year: There was not any non-compliance in association with a construction project.

101. Indicate number of times during the permit term: 0

If necessary, provide an explanation:
There was not any non-compliance in association with a construction project.

102. Were all persons responsible for ESCP reviews, site inspections, and enforcement appropriately trained to conduct such activities? *Schedule A.3.d.viii*
Yes No
If necessary, provide an explanation:
A list of Qualified staff and qualifications and training can be provided. As an example, the Engineer developing the MS4 Permit Compliance Program for the Linn County Road Department has an MSCE/EnvE, is Professional Licensed as a Civil Engineer and Environmental Engineer with 40+ years' experience that includes environmental compliance, water quality, and construction. The Linn County Road Department also includes staff with Supervisory Erosion and Sediment Control training and BMP training.

103. Were all new staff working to implement the construction site runoff control program appropriately trained within 30 days of their assignment to this program? *Schedule A.3.d.viii*
Yes No
We have not had any new staff this part year except for one who was properly trained before being assigned to this program.

3.5 Post-Construction Site Runoff for New Development and Redevelopment

104. Provide a brief summary of the overall progress towards implementation of this control measure. *Schedule A.3.e*
All projects designed and constructed have a post construction stormwater management plan as required by current ODEQ requirements. This program has been developed and implemented for over 15 years and updated as current rules and regulations have required.

105. Were the required components in place by the implementation date? *Schedule A.3.e.i*
Yes No (*Implementation date: Feb. 28, 2023 for Existing Registrants and Sept. 1, 2023 for New Registrants*)
The required components were in place for over 15 years.

106. For projects creating or replacing impervious area, indicate the area (or threshold) where the site is required to implement the post-construction site runoff program requirements: *Schedule A.3.e.ii*
In square feet: ft² - NA - See Comment Below
If necessary, provide an explanation:

If the project creates or reconstructs a paved surface or adds more than 1 inches of new pavement a Stormwater Management Plan is required. Current requirements of the ODEQ are reviewed on a project by project basis since requirements seem to constantly change.

107. Indicate which of the following are required at qualifying sites: *Schedule A.3.e.ii*
 The use of stormwater controls
 A site-specific stormwater management approach that targets natural surface or predevelopment hydrological function through the installation and long-term operation and maintenance of stormwater controls
 Long-term O&M of stormwater controls at project sites that are under the ownership of a private entity
If necessary, provide an explanation:
These are typical required components of a Stormwater Management Plan

108. Were ordinance(s), code(s) and development standards reviewed to identify, minimize or eliminate barriers that inhibit design and implementation techniques intended to minimize impervious surfaces and reduce stormwater runoff? *Schedule A.3.e.iii*

Yes No

109. If barriers were identified or if necessary, provide an explanation:

Barriers have not been identified or necessary - ODEQ, EPA and SLOPES define what is required for Stormwater Management and Treatment. The design is required to meet current requirements.

110. Provide an explanation of the timeline for removal of barriers or if removal is outside your authority:

The removal of a barrier in the context of this question indicates the design could be exempt from a local, state or federal environmental requirement by a specific process. Linn County has not pursued the removal of any environmental requirements for public works improvement projects, building projects or land development projects.

111. Indicate which of the following technical standards are used to determine the retention requirement: *Schedule A.3.e.iv.A*

- Volume-based method
- Storm event percentile-based method
- Annual average runoff-based method

If necessary, provide an explanation:

The project is typically designed at a minimum to retain and treat 50% of a 2 year storm event. A greater storm event may be used for certain projects but is not required by current regulations.

112. For projects that are unable to meet the retention requirement, is the remainder of the rainfall/runoff treated prior to discharge with a structural stormwater control? *Schedule A.3.e.iv.B*

Yes No The stormwater collection, management and treatment plan includes a retention and treatment requirement that is required of all projects to meet SLOPES and ODEQ requirements and City of Albany Standard. There are not any projects that have been provided a variance from this requirement since this requirement was established.

113. Was the stormwater structural control designed to remove, at minimum, 80 percent of the total suspended solids?

Yes No

If necessary, provide an explanation:

See answer to 112.

114. Are the allowable structural stormwater controls and specifications available for review? *Schedule A.3.e.iv.C*

Yes No

115. Indicate if they are attached or the location where they can be viewed:

Attached -See comment below

Location:

A Stormwater Management Plan design and report is developed for each project as required of Linn County's 1200CA Permit. A number of these have been submitted to the DEQ via The Corps of Engineers for a 401 Certification. These are on file with the DEQ. The Stormwater Control requirements are provided in the City of Albany standards, ODEQ Requirements, and the Linn County BMP Manual and SLOPES V document.

<p>116. Have alternatives for projects complying with the retention requirement been approved? <i>Schedule A.3.e.iv.D</i> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Linn County Complies with current ODEQ requirements and has not ever applied for an alternative.</p> <p>117. If yes, are the written technical justifications evaluated? <i>Schedule A.3.e.iv.D</i> Yes <input type="checkbox"/> No <input type="checkbox"/> - Not Applicable</p> <p>118. Provide a brief description of the factors of technical infeasibility or site constraints that prevented the on-site management of the runoff amount stipulated in the stormwater retention requirement or a portion thereof. <i>Schedule A.3.e.iv.D</i> Not Applicable If necessary, provide an explanation: Not Applicable</p>
<p>119. Before the allowance of alternative compliance, were mitigation options established? <i>Schedule A.3.e.iv.E</i> Yes <input type="checkbox"/> No <input type="checkbox"/> If necessary, provide an explanation: Not Applicable</p>
<p>120. If applicable, indicate which of the following mitigation options have been used and provide a narrative description of the implementation of the mitigation option? <i>Schedule A.3.e.iv.E</i> <input type="checkbox"/> Off-Site Mitigation Not Applicable <input type="checkbox"/> Groundwater Replenishment Projects Not Applicable <input type="checkbox"/> Treatment Equivalent to the Retention Requirement Not Applicable If necessary, provide an explanation: Not Applicable</p>
<p>121. Was a procedure developed for the review and approval of structural stormwater control plans for new development and redevelopment projects? <i>Schedule A.3.e.v</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If necessary, provide an explanation: A procedure has been previously developed for the review and approval of all such plans for new development and redevelopment projects. This is provided in Linn County Code 935 and is also part of the Linn County road access and driveway permit program. It is also part of the Planning and Building Permit program.</p>
<p>122. Indicate the minimum land disturbance or creation of new impervious area where plans are required to be reviewed: 5,000 ft² <input checked="" type="checkbox"/> of land disturbance <input checked="" type="checkbox"/> creation of new impervious area <input checked="" type="checkbox"/></p> <p>123. Are all sites that use alternative compliance to meet the retention requirement reviewed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If necessary, provide an explanation: If the project creates or reconstructs a paved surface or adds more than 2 inches of new pavement a Stormwater Management Plan is required. Current requirements of the ODEQ are reviewed on a project by project basis since requirements seem to constantly change.</p>
<p>124. Indicate if an inventory and implementation strategy is used to ensure that all stormwater controls are operated and maintained to meet the site performance standard in Schedule A.3.e.iv of the permit? <i>Schedule A.3.e.vi</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>

If necessary, provide an explanation:

The site is evaluated to make sure it will comply with Current ODEQ requirements and current SLOPES if applicable as well and City of Albany standards.

125. Indicate which of the following strategies have been developed to ensure that all stormwater controls are operated and maintained to meet the site performance standard in Schedule A.3.e.iv.: *Schedule A.3.e.vi*

- Legal authority to inspect and require effective operation and maintenance of privately owned and operated stormwater controls
- Inspection procedures and an inspection schedule to ensure compliance with the O&M requirements of each stormwater control operated by the permit registrant and by other private entities
- A tracking mechanism for documenting inspections and the O&M requirements for each stormwater control
- Reporting requirements for privately owned and operated stormwater controls that document compliance with the O&M requirement in Schedule A.3.f.

If necessary, provide an explanation:

The above checked boxes would pertain to facilities constructed for or by Linn County Road Department within the MS4 Permit Area. The first box does not apply to this MS4 Permit area as there are not any privately owned and operated stormwater controls in this MS4 Permit Area.

126. Are the location of all public and private stormwater controls installed during this permit term are documented on the MS4 Map? *Schedule A.3.e.vi*

Yes No - Not Applicable

If necessary, provide an explanation:

Not Applicable. This is a new MS4 Permit for Linn County. This will be included as applicable and appropriate for this rural low populated MS4 area when the website is set up by Sept 1, 2023.

127. Were all persons responsible for performing post-construction runoff site plan reviews, administering the alternative compliance program, or performing O&M practices or evaluating compliance with long-term O&M requirements appropriately trained to conduct such activities? *Schedule A.3.e.vii*

Yes No

If necessary, provide an explanation:

128. Were all new staff working to implement the post-construction site runoff for new development and redevelopment program appropriately trained within 30 days of their assignment to this program? *Schedule A.3.e.vii*

Yes No

If necessary, provide an explanation:

3.6 Pollution Prevention and Good Housekeeping for Municipal Operations	
129. Provide a brief summary of the overall progress towards implementation of this control measure. <i>Schedule A.3.f</i>	Linn County does not have any Municipal Operations within the MS4 Permit Area. This area is very rural. Linn County follows Best Management Practices for Road Construction and Maintenance for right of way contained within the City Limits.
130. Were the required components in place by the implementation date? <i>Schedule A.3.f.i</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> (Implementation date: Feb. 28, 2022 for Existing Registrants and Sept. 1, 2023 for New Registrants)	Linn County Road Department currently has adopted and follows BMP as developed by ODOT.
131. Were O&M strategies for existing controls developed for both permit registrant-owned controls and controls owned and operated by another entity discharging to the MS4? <i>Schedule A.3.f.ii</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> If necessary, provide an explanation:	Linn County Road Department currently has adopted and follows BMP as developed by ODOT.
132. Indicate the percentage of catch basins inspected/cleaned: <i>Schedule A.3.f.iii</i> Percentage inspected this reporting year: ; Percentage cleaned: - NA	
133. If known, estimate of material removed: units - NA	
134. Percentage inspected during the permit term: ; Percentage cleaned: - NA	
135. If known, estimate of material removed: units - NA If necessary, provide an explanation:	Comment – Linn County has limited right of way within the City Limits that include catch basin associated with a stormwater management program. A report regarding inspection and cleaning of catch basins is being developed so as to be implemented within the duration of this permit.
136. Indicate if a catch basin inspection prioritization system and/or an alternate inspection frequency has been established. <i>Schedule A.3.f.iii</i> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If necessary, provide an explanation:	Comment – Linn County has limited right of way within the City Limits that include catch basin associated with a stormwater management program. A report regarding inspection and cleaning of catch basins is being developed so as to be implemented within the duration of this permit.
137. During the permit term were existing procedures for inspection and maintenance schedules reviewed/updated to ensure pollution prevention and good housekeeping practices were conducted for the following activities? <i>Schedule A.3.f.iv</i>	<input checked="" type="checkbox"/> Pipe cleaning for stormwater and wastewater conveyance systems <input checked="" type="checkbox"/> Cleaning of culverts conveying stormwater in roadside ditches <input checked="" type="checkbox"/> Ditch maintenance <input checked="" type="checkbox"/> Road and bridge maintenance <input checked="" type="checkbox"/> Road repair and resurfacing including pavement grinding <input checked="" type="checkbox"/> Dust control for roads and municipal construction sites <input checked="" type="checkbox"/> Winter road maintenance, including salt or de-icing storage areas <input checked="" type="checkbox"/> Fleet maintenance and vehicle washing <input checked="" type="checkbox"/> Building and sidewalk maintenance including washing <input checked="" type="checkbox"/> Solid waste transfer and disposal areas <input checked="" type="checkbox"/> Municipal landscape maintenance

- Material storage and transfer areas, including fertilizer and pesticide, hazardous materials, used oil storage, and fuel
- Firefighting training activities
- Maintenance of municipal facilities including public parks and open space, golf courses, airports, parking lots, swimming pools, marinas, etc.

If necessary, provide an explanation:

Comment – Linn County has limited right of way within the City Limits that include catch basin associated with a stormwater management program. A report regarding inspection and cleaning of catch basins is being developed so as to be implemented within the duration of this permit. Linn County Road Department follows and has adopted ODOT Best Management Practices.

138. Do any permit registrant-owned facilities have coverage under DEQ’s 1200-Z Industrial Stormwater Discharge Permit? *Schedule A.3.f.v*

- Yes No NA

If “Yes”, provide DEQ File Number(s):

If necessary, provide an explanation:

Not Applicable

139. Are practices in place to reduce the discharge of pollutants to the MS4 associated with the application and storage of pesticides and fertilizers? *Schedule A.3.f.vi*

- Yes No

If necessary, provide an explanation:

This would include a containment plan for storage which is in place for the Linn County Road Department. Activities outside of this on private lands would be covered by the Oregon Department of Agriculture.

140. Are methods/practices in place to reduce the discharge of litter within the jurisdiction? *Schedule A.3.f.vii*

- Yes No

If necessary, provide an explanation:

Road Maintenance Supervisors and their staff monitor the roads within their area of supervision. If roadside litter is noticed from an activity, the person causing the litter is contacted. The Sheriff's department is contacted for support and enforcement as necessary.

141. Are practices in place to ensure that collected material or pollutants removed in the course of maintenance are managed and disposed of in a manner such as to prevent such pollutants from entering the waters of the state in accordance with state and federal rules? *Schedule A.3.f.viii*

- Yes No

If necessary, provide an explanation:

142. Were all persons responsible for evaluating O&M practices, evaluating compliance with long-term O&M requirements or ensuring pollution prevention at facilities and during operations appropriately trained to conduct such activities? *Schedule A.3.f.ix*

- Yes No

If necessary, provide an explanation:

143. Were all new staff working to implement the pollution prevention and good housekeeping for municipal operations program appropriately trained within 30 days of their assignment to this program? *Schedule A.3.f.ix*

- Yes No

If necessary, provide an explanation:

4.0 Monitoring

If the requirement does not apply, mark "NA" and explain why it does not apply to you in the comments field.

144. Was municipal stormwater monitoring performed at outfall locations, in the receiving waterbody, or to demonstrate compliance with this permit? *Schedule B.3*

Yes No

145. If "Yes" is the data included in the Annual Report?

Yes No

If necessary, provide an explanation:

Not Applicable. - The MS4 Permit Area is very rural and agricultural. The municipal stormwater monitoring would be within the city limits of each City where Linn County does not have jurisdiction.

4.1 Wood Village Monitoring Requirements - Not Applicable

146. Provide a summary of the following to evaluate the control strategies established for the Lower Columbia Slough Phosphate, Lead, and Bacteria TMDLs: *Schedule D.1.b* -

Not Applicable –Wood Village is outside of Linn County.

Phosphate: Not Applicable

Lead: Not Applicable

Bacteria: Not Applicable

147. Indicate which of the following were completed:

- For phosphate, monitor influent and effluent dissolved orthophosphate concentrations and total phosphate concentrations at a representative site in Fairview Lake (Reach 4) and Fairview Creek (Reach 5)
- For lead, estimates of the effectiveness of controls to remove TSS
- For bacteria, measuring E. coli concentrations and its distribution over flows (for example, flow duration intervals) to demonstrate compliance with E. coli criteria

If necessary, provide an explanation: Not Applicable –Wood Village is outside of Linn County.

5.0 Water Quality Standards

148. During this monitoring year was it determined or reported that the MS4 discharge caused or contributed to an excursion of an applicable water quality standard? *Schedule A.1.b*

Yes No

If necessary, provide an explanation:

The Linn County MS4 Permit applies to the urban area of the Albany Area, Millersburg Area, and Tangent Area outside of the City Limits and few segments of right of way within the City Limits that are under Linn County Road Department. This area is largely agricultural and primarily under the jurisdiction of the Department of Agriculture. When property is developed, it is usually annexed to the City as a condition of the building permit unless it is a small development which would be small disturbance of land.

Compliance for road maintenance operations is documented as part of the Best Management Practices program. This includes inspection of roadways when work is conducted in that area. Compliance for new development is documented as part of the building permit program.

The water quality criteria of concern is Temperature, Mercury, and Bacteria.

Temperature is the result of the warm waters of the Willamette River which is primarily from the management of water in large dams that are upstream and outside the jurisdiction of Linn County. When Temperature is a concern, the small tributaries within the Albany Metropolitan area are either dry or stagnant so not significant flow is discharged into the Willamette River, Therefore, the Willamette River does not change temperature upstream or downstream of Albany.

Bacteria is primarily the result of agricultural activities, ducks in park areas, and nutria within riparian areas that are primarily agricultural. Linn County does not have jurisdiction over these areas. Linn County also has a proactive Environmental Health Program.

Mercury is also not a source with from Albany as provided by samples of the Willamette River taken by the ODEQ as well as samples collected for preparation of construction projects to determine proper management of excavated soils and materials. This has been documented by the Linn County TMDL program.

Therefore, in recognition of the above, the MS4 program is primarily a maintenance program of what is currently in place by Linn County. This is also in recognition that the population density of this MS4 Permit area is only 970 per 3.925 square miles (equivalent to 2.6 people per acre).

The current setting of the MS4 Permit Area and administration of Linn County's currently adopted and managed programs would not provide a discharge that would contribute to an excursion of an applicable water quality standard.

149. How and when did the excursion of an applicable water quality standard occur? *Schedule A.1.b*

If necessary, provide an explanation:

Not Applicable - no such discharge occurred.

150. Was the excursion self-reported or did DEQ send written notification? *Schedule A.1.b*

Self-reported: Yes No

If necessary, provide an explanation:

Not Applicable - no such discharge occurred.

151. Within 48 hours was an investigation started into the cause of the water quality excursion? <i>Schedule A.1.b.i</i> Yes <input type="checkbox"/> No <input type="checkbox"/> If necessary, provide an explanation: Not Applicable - no such discharge occurred.
152. Within 30 days of becoming aware of the excursion, was DEQ notified in writing, if self-reporting? <i>Schedule A.1.b.ii</i> Yes <input type="checkbox"/> No <input type="checkbox"/> If necessary, provide an explanation: Not Applicable - no such discharge occurred.
153. Within 60 days of becoming aware of or being notified of the excursion, was a report submitted to DEQ that documents the following: <i>Schedule A.1.b.iii</i> <input type="checkbox"/> The results of the investigation, including the date the excursion was discovered <input type="checkbox"/> A brief description of the conditions that triggered the violation or the cause <input type="checkbox"/> Corrective actions taken or planned, including the date corrective action was completed or is expected to be completed If necessary, provide an explanation: Not Applicable - no such discharge occurred.
154. Were the corrective actions implemented in accordance with the schedule approved by DEQ? <i>Schedule A.1.b</i> Yes <input type="checkbox"/> No <input type="checkbox"/> If necessary, provide an explanation: Not Applicable - no such discharge occurred.
155. Provide any additional comments or narrative description, if necessary: Not Applicable - no such discharge occurred.

Submittals/Attachments to this 2020-2021 MS4 Permit Annual Report:

- SWMP - November 1, 2021 to be submitted with the MS4 Permit Annual Report
- Maps OF MS4 Area – included with SWMP
- Placement of SWMP in Linn County Road Department Website – November 1, 2021
- Illicit Discharge Monitoring Program – November 1, 2021
- Linn County Road Department Best Management Practices (BMP) Manual – Placed in Linn Co Road Dept Website under Information

Future Submittals as required of the MS4 NPDES Permit for Linn County

- Development and implementation of New MS4 Permit Website – Due Sept 1, 2023
- Report regarding inspection and cleaning of catch basins will be developed and provided in the next annual report per annual report condition 135.