MS4 Overlay: Background and Requests for Urban Stormwater Workgroup
Presentation to Urban Stormwater Workgroup March 3, 2015

Background
- In October 2014, the WQGIT charged the USWG with updating MS4 boundaries (MS4 overlay) as part of the Chesapeake Bay TMDL Midpoint Assessment.

- EPA used MS4 overlay to distinguish between NPDES regulated (wasteload allocation, or WLA) and unregulated (load allocation, or LA) stormwater loads in 2010 Bay TMDL.
  - See section 4.5.5 of Bay TMDL and Figure 4-12 on page 4-24 (attached)
  - All construction loads included in WLA

- *If* EPA (or states) were to revise or amend the Bay TMDL based on the Phase 6 model and the Phase III WIPs, the updated MS4 overlay information would inform any future breakout of WLA vs LA.

- For purposes of Bay TMDL, don't need to identify which part of overlay corresponds to which MS4 (eg, Phase II MS4 city vs. nontraditional Phase II MS4 within urbanized area). Bay TMDL only needs to identify:
  - If WLA vs LA
  - A listing of all MS4 permittees, including what Bay tidal segment Bay they drain to
  - Whether Phase I or Phase II MS4. Bay TMDL WLAs do not differentiate between Phase I and Phase II, but map in Section 4 makes distinction

- EPA recognizes that jurisdictions or USWG may choose to submit more detail; request below is *minimum* need. EPA recommends *consistent* approach among jurisdictions

- EPA Region 3 has developed maps of MS4 areas that includes urbanized areas newly identified in 2010 Census. The 2010 Census did not identify new or expanded urbanized areas within New York's portion of the watershed. See Figure 2 and supporting GIS files available for download at: https://archive.chesapeakebay.net/gis/MS4%20Permit%20Data/

- MD and NY's Phase II MS4 permits extend coverage to boundary of any municipality with at least a portion of its land in urbanized area. R3 map will be updated to reflect this; CBPO is proposing changes to MS4 overlay in NY to match permit coverage

Request to States/DC:
By February 27, 2015:
1. Point of contact in each state/DC for Fred Irani (USGS CBPO; firani@chesapeakebay.net) and Elena Grillo (EPA R3 WPD; Grillo.elena@Epa.gov) to work with on updating MS4 overlay.
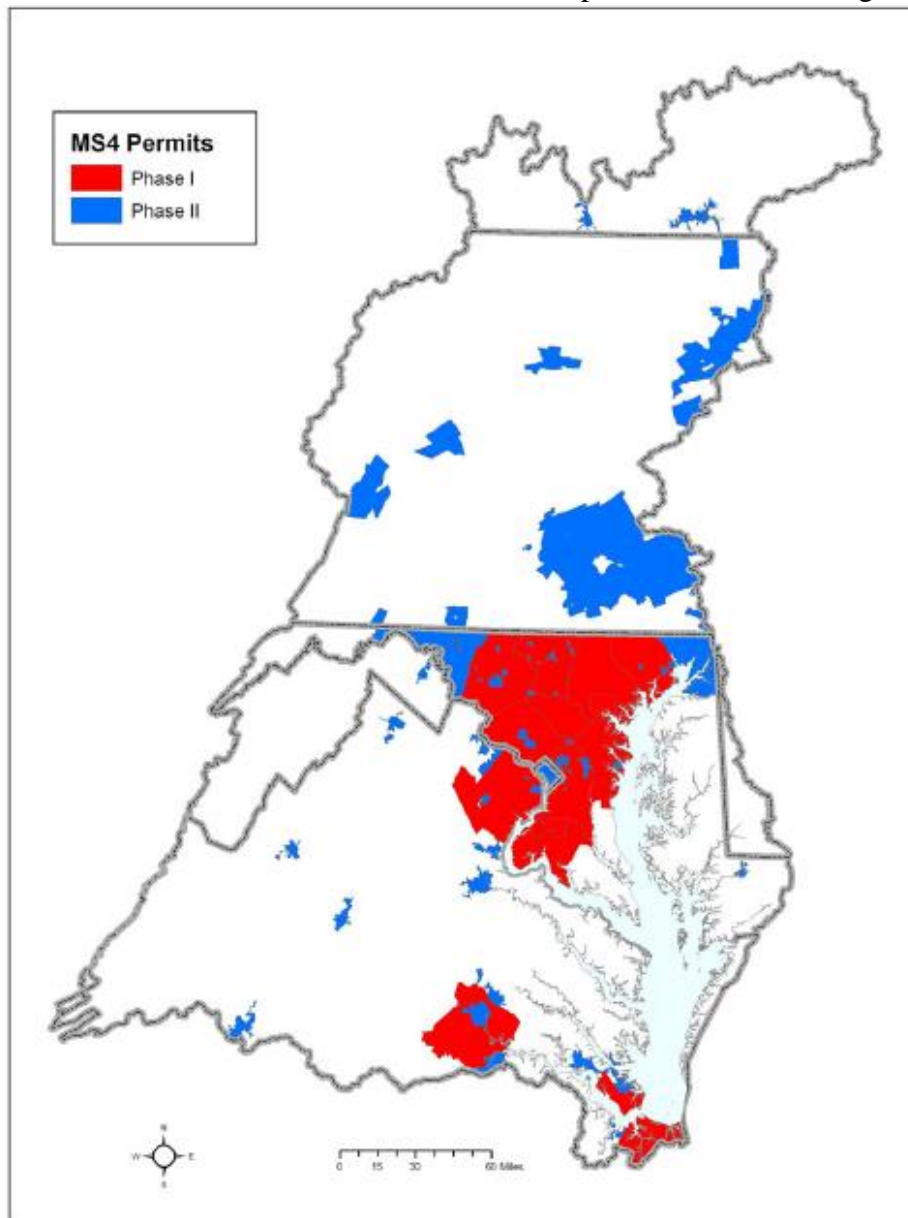
By April 1, 2015, please review EPA's MS4 layers and respond to Fred and Elena with:
1. Any corrections to Phase I or Phase II MS4 data included in Section 4.5.5 of Bay TMDL;
2. Any additions to newly urbanized areas compiled by Region 3 based on 2010 Census;

3. Information on non-traditional MS4s (e.g., state and federal MS4s); and/or
4. Approval of the data compiled by EPA Region 3 (or for NY, EPA CBPO).

Note:
- Any corrected data should be submitted as polygons in GIS files with attribute table that indicates whether MS4 is Phase I or Phase II. Jurisdictions may also indicate which Phase I or II MS4 each polygon belongs to.
- Phase I and Phase II MS4 coverages should be based on the entire Phase I jurisdiction and the entire urbanized area that is a Phase II. For Maryland Phase II MS4s, the coverage should align with the municipal boundary of the Phase II MS4 community
- The CBP will treat all lands within the provided MS4 coverages as regulated WLAs.

Source: Phase 5.3 Chesapeake Bay Watershed Model 2009 Scenario

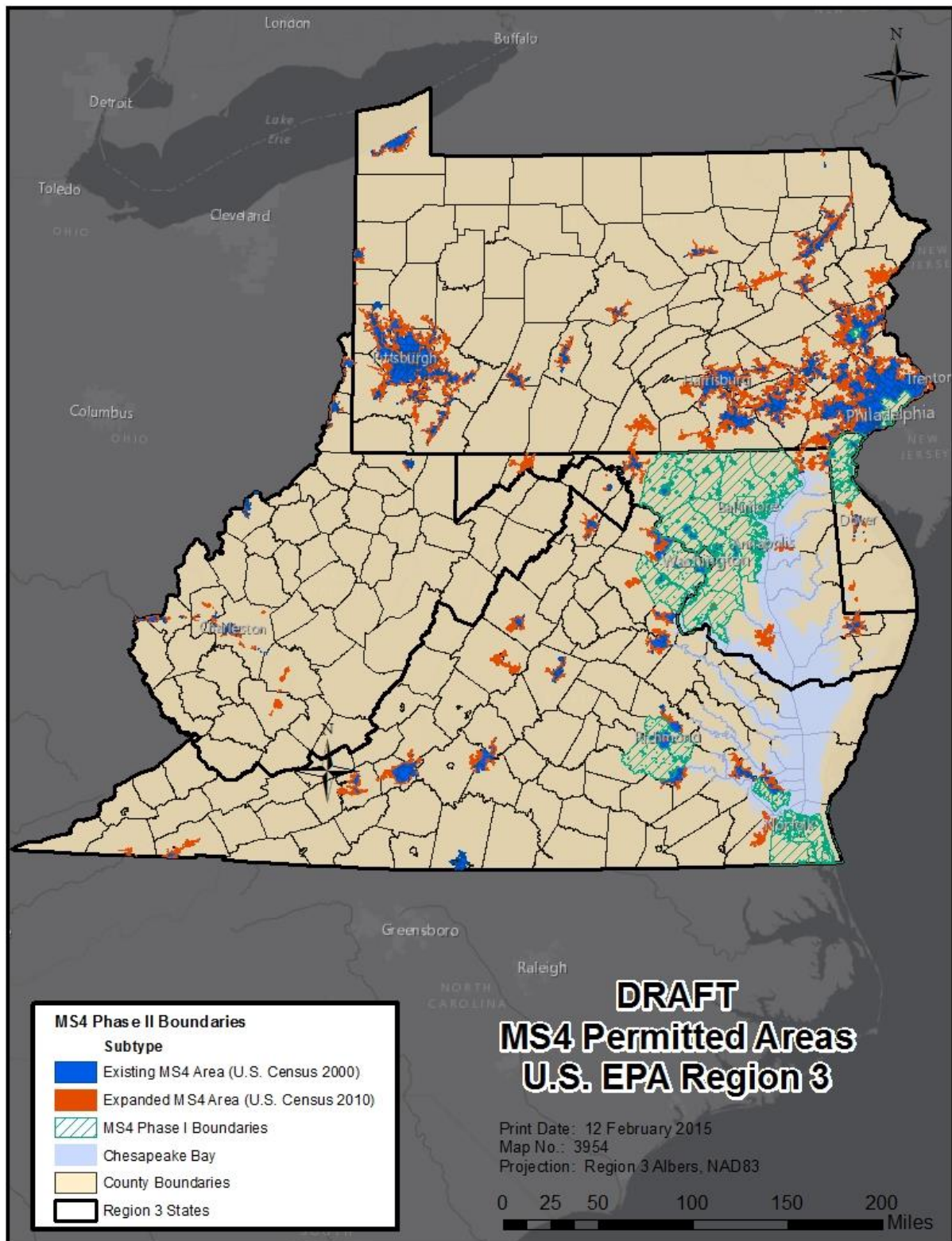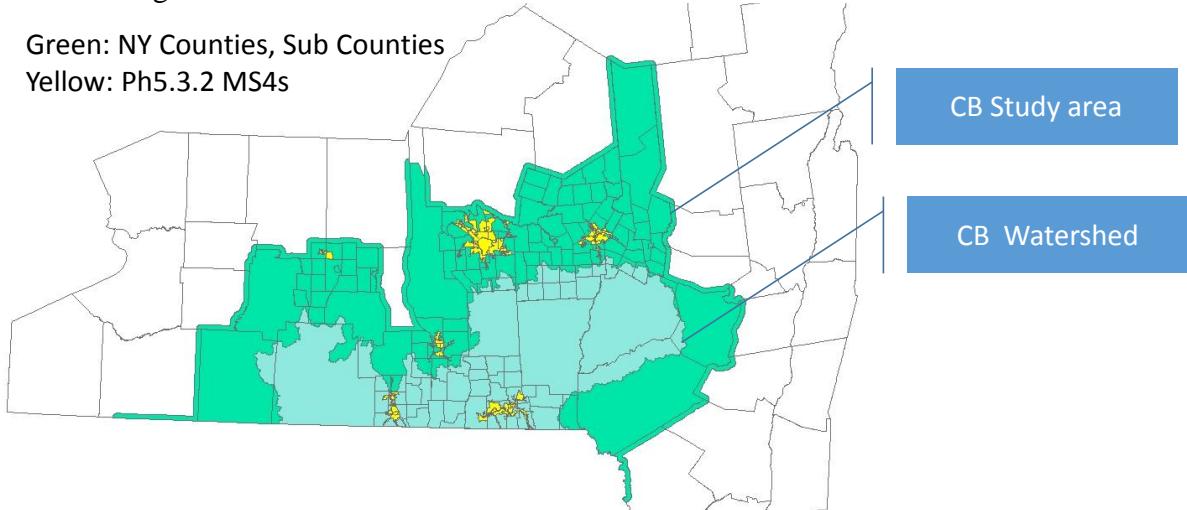Figure 4-12. Phase I and II MS4s in the Chesapeake Bay watershed.
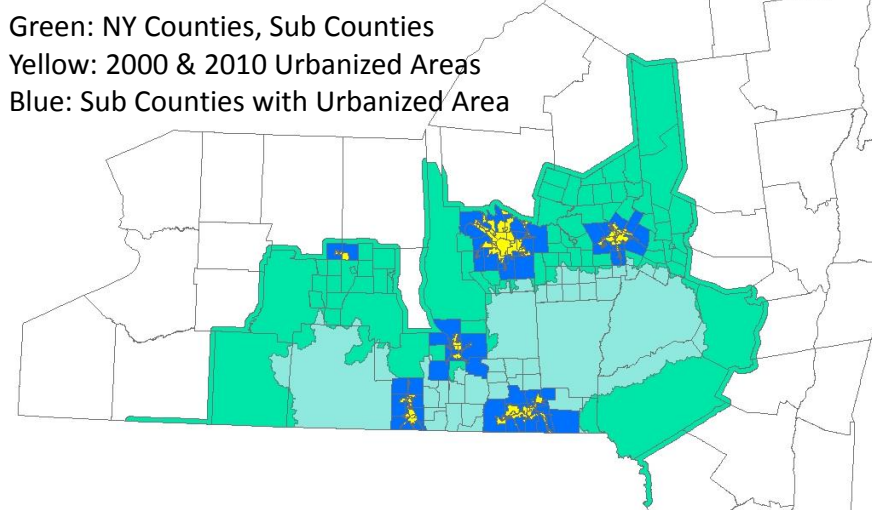
Figure 2:

Figure 3: Proposed Changes to NY Phase II MS4 Boundaries

3a: MS4 Coverage Used in 2010 TMDL

Green: NY Counties, Sub Counties
Yellow: Ph5.3.2 MS4s

CB Study area

CB Watershed

3b: 2000 and 2010 Census Urbanized Area Overlay with Sub County Boundaries

Green: NY Counties, Sub Counties
Yellow: 2000 & 2010 Urbanized Areas
Blue: Sub Counties with Urbanized Area

3c: Proposed updated overlay, extending coverage to municipal boundaries

Blue: Proposed Phase 6.0
NY MS4 Boundaries