

## INTERGOVERNMENTAL AGREEMENT FOR RESPONSIBILITY FOR WATER QUALITY MANAGEMENT WITHIN THE MUNICIPALITY OF ANCHORAGE

This Agreement, effective August 1, 2020, is made between the State of Alaska, Department of Transportation and Public Facilities (hereinafter called the State) and the Municipality of Anchorage (hereinafter called the Municipality). The State and the Municipality are entering into this Agreement pursuant to Article III § 3.01 of the Municipality of Anchorage Home Rule Charter and Article X § 13 of the Alaska Constitution. Whereas Article III § 3.01 of the Municipality of Anchorage Home Rule Charter and Article X § 13 of the Alaska constitution authorize intergovernmental agreements and whereas the State and the Municipality were co-applicants to the United States Environmental Protection Agency (hereinafter called the EPA) for a NPDES Municipal Storm Water Discharge Permit (hereinafter called the Permit), and whereas the EPA has since transferred authority for the Permit to the State of Alaska Department of Environmental Conservation (hereinafter called the ADEC) the State and the Municipality intend to coordinate their efforts in compliance with the conditions of the Permit (see attached table for division of responsibilities), and whereas the State and the Municipality intend that this Agreement set forth their efforts in compliance with the conditions of the Permit, the parties agree as follows:

1. Annual payments by the State to the Municipality under this Agreement are subject to appropriation by the Alaska State Legislature.
2. The State and Municipality shall continue to design, construct, operate and maintain their respective storm water facilities.
3. The State and Municipality shall comply with Permit conditions for design, construction, maintenance, and operation of their respective separate storm sewer system facilities.
4. Construction plans developed by the State shall continue to be reviewed by the Alaska Department of Environmental Conservation.
5. The State and the Municipality shall continue to be responsible for observing the conditions and limitations of the Permit and for the general storm water management (not including design, construction, maintenance, and operation) and

monitoring programs required by the Permit for their respective separate storm sewer system facilities.

6. The State will furnish information and records including electronic files to the Municipality that are necessary to provide the general storm water management and monitoring programs required under the Permit for the State separate storm sewer system facilities and for preparation of the annual report to ADEC.
7. The Municipality will furnish information and records including electronic files to the State that were used to provide the general storm water management and monitoring programs required under the Permit for the State separate storm sewer system facilities and to prepare the annual report to ADEC.
8. The State shall pay the Municipality under the Agreement to provide the general storm water management and monitoring programs required under the Permit for the State separate storm sewer system facilities, and the Municipality shall provide said services. The Municipality shall also prepare and submit the annual report to the ADEC. The State shall pay the Municipality annually the amount of \$350,000 per year, with the State payment for the 2020 permit year due upon execution and subsequent annual payments due by October 1<sup>st</sup> of each succeeding year.
9. If the State fails to pay the Municipality as required under this Agreement, the State shall provide the general storm water management and monitoring programs required under the Permit for the State separate storm sewer system facilities and prepare the annual report to ADEC for said system.
10. The Municipality shall ensure that none of the funds paid under this Agreement will be used for the purpose of lobbying activities before the Alaska State Legislature.
11. Term. The term of this intergovernmental agreement shall be for a period of five (5) years. The State and the Municipality shall review this agreement each year. This intergovernmental agreement may be renewed for a maximum of five (5) additional one (1) year periods upon mutual consent of the parties. Either party may unilaterally terminate this agreement upon 180 days written notice to the other party.

12. Amendments. This intergovernmental agreement may only be amended, modified or changed in writing executed by authorized representatives of the parties, with the same formality as this agreement was executed and such writing shall be attached to this agreement. Any attempt to amend, modify, or change this agreement by either an unauthorized representative or unauthorized means shall be void.

In witness whereof, the parties hereto have executed this agreement.

Approved by:

*Anna C Henderson*

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Anna C. Henderson  
Municipal Manager  
Municipality of Anchorage

Approved by:

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Wolfgang Jung, P.E.  
Central Region Director  
Alaska Department of Transportation  
and Public Facilities

**Term IV - Division of Responsibilities**  
**APDES Permit No. AKS-052558 Storm Water Management Program**

Task	Permit Section	MOA	ADOT&PF	MOA*
<b>General Requirements</b>				
Submit updated interjurisdictional agreement	1.3.3			X
Submit Program Coordination Plan	1.3.4			X
Develop one watershed plan and propose one watershed plan	2.7			X
Develop the SWMP activities and Document how they are implemented to control the discharge of pollutant(s) of concern	2.1.3/2.5	X	X	X
Report on total costs associated with SWMP implementation over the prior 12 month in each Annual Report.	2.8	X	X	X
<b>Construction Site Runoff Control Program</b>				
Update ordinance or other regulatory mechanisms	3.1.1	X	X	
Update and require the use of the manual by construction site operators within their jurisdiction	3.1.2	X	X	
Review and approve preconstruction site plans from construction site operators within their jurisdiction.	3.1.3	X	X	
Inspect construction sites	3.1.4	X	X	
Update and implement an enforcement response plan for their organization	3.1.5	X	X	
Provide construction education for staff and operators	3.1.6	X	X	
<b>New Development and Re-development</b>				
Adopt/implement an ordinance, or other enforceable regulatory requirements	3.2.1	X	X	
Update and distribute a Storm Water Design Criteria Manual specifying permanent storm water management and control practices	3.2.2	X	X	
Update a green infrastructure/low impact development strategy	3.2.3	X	X	
Implement strategy; begin LID projects	3.2.3.1	X	X	
Perform, monitor and evaluate GI/LID projects; report results	3.2.3.2	X	X	X
Revise Design Criteria Manuals based on evaluation	3.2.3.2.4	X	X	X
Review and approve plans for consistency with the ordinance/regulatory mechanism and Storm Water Design Criteria Manual (or equivalent)	3.2.4	X	X	
Inventory for track permanent storm water controls for new and existing controls.	3.2.5.1	X	X	
Require O&M agreements for private projects	3.2.5.2		X	
Ensure proper long term operation and maintenance of all permanent storm water management practices within the permit area through inspection and enforcement	3.2.6	X	X	
Provide training regarding the selection, design, installation, operation and maintenance of permanent storm water controls.	3.2.7	X	X	
<b>Industrial and Commercial Storm Water Discharge Management</b>				
Inventory and map commercial and industrial facilities determined to contribute substantial pollutant load to the MS4s. Update annually.	3.3.1/3.3.2			X
Identify one specific activity within their respective jurisdictions where storm water discharges are not adequately addressed, and develop performance standards.	3.3.1.3			X
Evaluate performance standards developed in Term II and III	2.3.2/3.2.2/3.3.3			X
Inventory and map locations of all snow disposal sites that discharge directly to the MS4 or to receiving waters; revise annually,	3.3.2			X
Evaluate whether regulation to protect water quality is adequate on private snow disposal sites and submit evaluation report	3.3.2			X

\*Performed by MOA with financial contribution from ADOT&PF; however, some ADOT staff participation and knowledge may be required.

Revise applicable requirements in accordance with recommendations contained in the snow disposal evaluation report.	3.2.3			X
Inventory and map all animal facilities that discharge storm water directly to the MS4 or to receiving waters.	3.3.1.2			X
Evaluate programs to regulate animal facilities and submit evaluation report	3.3.3			X
<b>Storm Water Infrastructure and Street Maintenance</b>				
Update Storm Sewer System Inventory and Map	3.4.1	X	X	X
Develop Tracking Database for MS4 function	3.4.1	X	X	
Submit Rate of Fill Schedules	3.4.2.3	X	X	
Continue program to inspect/clean all catch basins and inlets owned or operated by the permittees and take appropriate maintenance action based on those inspections based on rate-of-fill schedules. Report results	3.4.2.1	X	X	
Develop and implement treatment and disposal facility of catch basin and OGS waste facility	3.4.2.2	X	X	
Update and continue to practice the Street Maintenance Standard Operating Procedures for Storm water Control ("SOPs")	3.4.3	X	X	
Maintain inventory of street /road maintenance materials, document the inventory in the corresponding Annual Reports	3.4.3.2	X	X	
Update the Anchorage Street Sweepings Management Plan	3.4.4	X	X	
Identify and map areas by sweeping frequency	3.4.4.1	X	X	
Perform ongoing sweeping operations according to schedule and Plan	3.4.4.2	X	X	
Where sweeping is infeasible create other control procedures	3.4.4.3	X	X	
Provide annual assessments of street sweeping effectiveness	3.4.4.4	X	X	
Continue practices to reduce pollutants to the MS4 associated with the application, storage and disposal of pesticides, herbicides and fertilizers from municipal areas and activities.	3.4.5	X	X	
Continue to develop and implement SWPPPs for all permittee-owned material storage facilities, maintenance yards, and snow disposal sites	3.4.6	X	X	
Provide regular training to appropriate permittee staff on all O&M procedures and SOPs activities	3.4.7	X	X	
<b>Illicit Discharge Management</b>				
Effectively prohibit non-storm water discharges to the MS4 through enforcement of relevant ordinances or other regulatory mechanisms.	3.5.1	X	X	
Respond to reports of illicit discharge from the public	3.5.2			X
Develop a map of reported/documented illicit discharges or connections to identify priority areas.	3.5.3			X
Implement a dry weather analytical and field screening monitoring program	3.5.4			X
Investigate illicit discharge identified by complaint or dry weather inspections within fifteen (15) days; take action to eliminate sources	3.5.5			X
Prevent and respond to spills to the MS4.	3.5.6	X	X	
Coordinate spill prevention, containment and response activities throughout all departments/ programs/agencies to ensure maximum water quality protection at all times.	3.5.6	X	X	
Facilitate disposal of used oil and toxic materials	3.5.7			X
Train all staff	3.5.8	X	X	
<b>Education</b>				
Conduct an education and outreach program that uses a variety of methods to target audiences on specified topics	3.6.1			X
Provide targeted education and training regarding construction, permanent storm water management, infrastructure & street management/maintenance and illicit discharge management	3.6.2	X	X	X

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Convene an annual meeting to coordinate implementation of SWMP among permittee offices/departments, other state/federal agencies, cooperative groups and the public.	3.6.3			X
Organize semi-annual meetings to coordinate SWMP implementation activities Meetings to be held in March and October of each year	3.6.4			X
Maintain and promote a publicly-accessible website	3.6.5	X	X	X
<b><i>Monitoring and Reporting Requirements</i></b>				
Self-evaluate compliance with permit conditions; document in Annual Report	4.1.1	X	X	X
Develop & submit a monitoring and evaluation plan	4.1.2			X
Develop & submit a QAP. Maintain up to date.	4.1.5			X
Conduct pesticide screening in Lake Otis, Hideaway Lake and Little Campbell Lake	4.1.6			X
Conduct storm water outfall monitoring	4.1.7			X
Evaluate monitoring results wrt TMDLs and other trends	4.1.8			X
Evaluate effectiveness of selected BMPs and progress toward goals	4.3			X
Submit storm water discharge monitoring report	4.2.1			X
Submit Annual Report	4.2	X	X	X

INTERGOVERNMENTAL AGREEMENT FOR RESPONSIBILITY FOR WATER  
QUALITY MANAGEMENT WITHIN THE MUNICIPALITY OF ANCHORAGE

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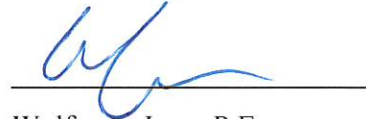
In witness whereof, the parties hereto have executed this agreement.

Approved by:

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Anna C. Henderson  
Municipal Manager  
Municipality of Anchorage

Approved by:



Wolfgang Jung, P.E.  
Central Region Director  
Alaska Department of Transportation  
and Public Facilities

**Term IV - Division of Responsibilities**  
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Submit Program Coordination Plan	1.3.4			X
Develop one watershed plan and propose one watershed plan	2.7			X
Develop the SWMP activities and Document how they are implemented to control the discharge of pollutant(s) of concern	2.1.3/2.5	X	X	X
Report on total costs associated with SWMP implementation over the prior 12 month in each Annual Report.	2.8	X	X	X
<b>Construction Site Runoff Control Program</b>				
Update ordinance or other regulatory mechanisms	3.1.1	X	X	
Update and require the use of the manual by construction site operators within their jurisdiction	3.1.2	X	X	
Review and approve preconstruction site plans from construction site operators within their jurisdiction.	3.1.3	X	X	
Inspect construction sites	3.1.4	X	X	
Update and implement an enforcement response plan for their organization	3.1.5	X	X	
Provide construction education for staff and operators	3.1.6	X	X	
<b>New Development and Re-development</b>				
Adopt/implement an ordinance, or other enforceable regulatory requirements	3.2.1	X	X	
Update and distribute a Storm Water Design Criteria Manual specifying permanent storm water management and control practices	3.2.2	X	X	
Update a green infrastructure/low impact development strategy	3.2.3	X	X	
Implement strategy; begin LID projects	3.2.3.1	X	X	
Perform, monitor and evaluate GI/LID projects; report results	3.2.3.2	X	X	X
Revise Design Criteria Manuals based on evaluation	3.2.3.2.4	X	X	X
Review and approve plans for consistency with the ordinance/regulatory mechanism and Storm Water Design Criteria Manual (or equivalent)	3.2.4	X	X	
Inventory for track permanent storm water controls for new and existing controls.	3.2.5.1	X	X	
Require O&M agreements for private projects	3.2.5.2		X	
Ensure proper long term operation and maintenance of all permanent storm water management practices within the permit area through inspection and enforcement	3.2.6	X	X	
Provide training regarding the selection, design, installation, operation and maintenance of permanent storm water controls.	3.2.7	X	X	
<b>Industrial and Commercial Storm Water Discharge Management</b>				
Inventory and map commercial and industrial facilities determined to contribute substantial pollutant load to the MS4s. Update annually.	3.3.1/3.3.2			X
Identify one specific activity within their respective jurisdictions where storm water discharges are not adequately addressed, and develop performance standards.	3.3.1.3			X
Evaluate performance standards developed in Term II and III	2.3.2/3.2.2/3.3.3			X
Inventory and map locations of all snow disposal sites that discharge directly to the MS4 or to receiving waters; revise annually,	3.3.2			X
Evaluate whether regulation to protect water quality is adequate on private snow disposal sites and submit evaluation report	3.3.2			X

\*Performed by MOA with financial contribution from ADOT&PF; however, some ADOT staff participation and knowledge may be required.

Revise applicable requirements in accordance with recommendations contained in the snow disposal evaluation report.	3.2.3			X
Inventory and map all animal facilities that discharge storm water directly to the MS4 or to receiving waters.	3.3.1.2			X
Evaluate programs to regulate animal facilities and submit evaluation report	3.3.3			X
<b>Storm Water Infrastructure and Street Maintenance</b>				
Update Storm Sewer System Inventory and Map	3.4.1	X	X	X
Develop Tracking Database for MS4 function	3.4.1	X	X	
Submit Rate of Fill Schedules	3.4.2.3	X	X	
Continue program to inspect/clean all catch basins and inlets owned or operated by the permittees and take appropriate maintenance action based on those inspections based on rate-of-fill schedules. Report results	3.4.2.1	X	X	
Develop and implement treatment and disposal facility of catch basin and OGS waste facility	3.4.2.2	X	X	
Update and continue to practice the Street Maintenance Standard Operating Procedures for Storm water Control ("SOPs")	3.4.3	X	X	
Maintain inventory of street /road maintenance materials, document the inventory in the corresponding Annual Reports	3.4.3.2	X	X	
Update the Anchorage Street Sweepings Management Plan	3.4.4	X	X	
Identify and map areas by sweeping frequency	3.4.4.1	X	X	
Perform ongoing sweeping operations according to schedule and Plan	3.4.4.2	X	X	
Where sweeping is infeasible create other control procedures	3.4.4.3	X	X	
Provide annual assessments of street sweeping effectiveness	3.4.4.4	X	X	
Continue practices to reduce pollutants to the MS4 associated with the application, storage and disposal of pesticides, herbicides and fertilizers from municipal areas and activities.	3.4.5	X	X	
Continue to develop and implement SWPPPs for all permittee-owned material storage facilities, maintenance yards, and snow disposal sites	3.4.6	X	X	
Provide regular training to appropriate permittee staff on all O&M procedures and SOPs activities	3.4.7	X	X	
<b>Illicit Discharge Management</b>				
Effectively prohibit non-storm water discharges to the MS4 through enforcement of relevant ordinances or other regulatory mechanisms.	3.5.1	X	X	
Respond to reports of illicit discharge from the public	3.5.2			X
Develop a map of reported/documented illicit discharges or connections to identify priority areas.	3.5.3			X
Implement a dry weather analytical and field screening monitoring program	3.5.4			X
Investigate illicit discharge identified by complaint or dry weather inspections within fifteen (15) days; take action to eliminate sources	3.5.5			X
Prevent and respond to spills to the MS4.	3.5.6	X	X	
Coordinate spill prevention, containment and response activities throughout all departments/ programs/agencies to ensure maximum water quality protection at all times.	3.5.6	X	X	
Facilitate disposal of used oil and toxic materials	3.5.7			X
Train all staff	3.5.8	X	X	
<b>Education</b>				
Conduct an education and outreach program that uses a variety of methods to target audiences on specified topics	3.6.1			X
Provide targeted education and training regarding construction, permanent storm water management, infrastructure & street management/maintenance and illicit discharge management	3.6.2	X	X	X

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Convene an annual meeting to coordinate implementation of SWMP among permittee offices/departments, other state/federal agencies, cooperative groups and the public.	3.6.3			X
Organize semi-annual meetings to coordinate SWMP implementation activities Meetings to be held in March and October of each year	3.6.4			X
Maintain and promote a publicly-accessible website	3.6.5	X	X	X
<b>Monitoring and Reporting Requirements</b>				
Self-evaluate compliance with permit conditions; document in Annual Report	4.1.1	X	X	X
Develop & submit a monitoring and evaluation plan	4.1.2			X
Develop & submit a QAP. Maintain up to date.	4.1.5			X
Conduct pesticide screening in Lake Otis, Hideaway Lake and Little Campbell Lake	4.1.6			X
Conduct storm water outfall monitoring	4.1.7			X
Evaluate monitoring results wrt TMDLs and other trends	4.1.8			X
Evaluate effectiveness of selected BMPs and progress toward goals	4.3			X
Submit storm water discharge monitoring report	4.2.1			X
Submit Annual Report	4.2	X	X	X

\*Performed by MOA with financial contribution from ADOT&PF; however, some ADOT staff participation and knowledge may be required.