June 16, 2022

Michael Thomas
City Administrator
Amity City Hall
109 Maddox Ave Ste C
Amity, OR 97101

Re: Department Order Approving the City of Amity Nonpoint Source Mercury TMDL Implementation Plan

Dear Michael Thomas:

The Oregon Department of Environmental Quality approves the City of Amity’s Mercury Total Maximum Daily Load Implementation Plan received on Oct 5, 2021. The city was notified on March 3, 2021, that this plan was due by Sept 3, 2022. The City’s Plan meets the implementation plan criteria as outlined in OAR 340-042-0080 and DEQ’s 2019 Revised Mercury TMDL Water Quality Management Plan. As a designated management agency identified in the revised mercury TMDL, the city is required to prepare, submit, and implement a nonpoint source TMDL implementation plan in accordance with rule and WQMP. The WQMP was issued on Nov. 22, 2019, as part of the DEQ Final Revised Willamette Basin Mercury Total Maximum Daily Load. The U.S. Environmental Protection Agency Feb 4, 2021, Total Maximum Daily Load for Mercury in the Willamette Basin, Oregon and DEQ’s 2019 TMDL WQMP are in effect.

This Department Order Approving the City of Amity Nonpoint Source Mercury TMDL Implementation Plan sets forth the effective implementation timelines as follows:

1. Begin Plan implementation: 09/03/2022
2. Fully implement Plan, as defined by the plan acknowledgements and measurable goals established by the DMA’s Plan, for the five-year timeline: September 3, 2022, through December 31, 2027. To adequately fulfill this requirement the City of Amity must:
   a. Implement the best management practice activity it has proposed to address the TMDL pollutant(s) described in the WQMP.
   b. Consult DEQ for approval on changes to the approved implementation plan activities and timelines in advance.
   c. Monitor and document progress in implementing the provisions of the Plan:
      i. Submit annual reports to the Department by April 1 in the following years: 2023, 2024, 2025, 2026. The first annual report is due April 1, 2023. Reports should cover the previous twelve months of implementation for January 1 through December 31. The first report is an exception, covering only 4 months.
      ii. Submit complete reports. Reports must contain sufficient information to enable the Department to assess reporting metrics, measurable goals, compliance with the provisions of the Plan, progress, and delays and challenges, towards implementing the Plan for meeting the TMDL load allocations.
d. TMDL implementation is an iterative process that continues every five years. The fifth report submittal, due on April 1, 2027, must document 1 & 2 above and include information on the following:

   i. A comprehensive review of overall plan implementation progress over the previous years (September 3, 2022, through December 31, 2026)
   ii. Evaluation, in consult with DEQ, to determine whether strategies, timelines, or other components of the plan are adequate for the next five-year timeline.
   iii. Submittal of the updated plan for approval by the Department.

      a. At a minimum, update the five-year timeline for the continuation of implementation effective January 1, 2027.
      b. Update plan for components if evaluation determined implementation plan and/or effectiveness of management strategies are inadequate for meeting the TMDL load allocations.

The TMDL, WQMP, and Department approved TMDL Implementation Plan are enforceable orders. Failure to implement or timely implement the approved Plan is therefore enforceable violation. The City’s reporting on implementation is the mechanism to document the city is implementing the terms and conditions of the orders (The TMDL, WQMP, and Department approved Plan) and is also enforceable. If a nonpoint source DMA or responsible person complies with a department approved TMDL implementation plan, the Department will consider them in compliance with the TMDL.

This approved Plan outlines the actions for minimizing mercury and sediment inputs into surface waters from those areas where the city has jurisdiction to reduce mercury and sediment in the Willamette Basin in order to protect people who regularly eat fish and shellfish from streams and lakes across the basin. Reporting is necessary for documenting that TMDL measures are being implemented to restore and protect water quality in the Willamette Basin.

The Department endeavors to assist you in your implementation efforts. Please do not hesitate to contact your basin coordinator if you have questions about TMDL implementation:

Nancy Gramlich
nancy.h.gramlich@deq.oregon.gov
503-378-5073 (desk) 503-701-8983 (cell)
DEQ, Western Region
4026 Fairview Industrial Dr. SE, Salem, OR. 97302

Sincerely,

Zachary J. Loboy
Water Quality Manager DEQ, Western Region

ec

DEQ file/BC - nancy.h.gramlich@deq.oregon.gov
Gary Mathis, City of Amity Public Works Superintendent - gmathis@ci.amity.or.us
TMDL Implementation Plan
Nonpoint Source Clean Water Plan
Willamette Basin Mercury

City of Amity
109 Maddox Avenue
P.O. Box 159
Amity, OR 97101
(503) 835-3711

Required Submittal Date: Sept 3, 2022
Submittal Date: October 5, 2021
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Introduction

On Nov. 22, 2019, DEQ issued the Final Revised Willamette Basin Mercury Total Maximum Daily Load that was submitted to the U.S. Environmental Protection Agency for action. EPA disapproved DEQ's TMDL on Dec. 30, 2019, and issued their final TMDL on Feb. 4, 2021, following a public comment period. EPA notified DEQ that, “EPA has established this TMDL and is hereby providing it to the State for implementation.” EPA's TMDL states that reasonable assurance for their TMDL relies on DEQ's Water Quality Management Plan (WQMP). The WQMP was issued on Nov. 22, 2019, as part of the EPA TMDL. EPA and DEQ expect that with implementation of the WQMP, mercury water quality standards will be met.

The WQMP describes a multi-faceted approach that requires implementation of management practices through development of nonpoint source TMDL implementation plans (clean water plans) by Designated Management Agencies (DMAs) and Responsible Persons (RPs) across the entire Willamette Basin to reduce human-caused sources of mercury. The City of Amity, along with approximately 189 other DMAs/RPs, was identified in the Mercury TMDL WQMP by DEQ and issued notification of the requirements in March 2021 (Appendix 1 copy of letter).

Summary of plan development and implementation requirements

The City of Amity is required to develop and implement a nonpoint source TMDL implementation plan that includes mercury and sediment reduction strategies (Appendix 2 DEQ Nov 2019 Mercury Water Quality Management Plan Summary) that must be met by September 3, 2022. The plan must be approved by DEQ.

Implementing a Total Maximum Daily Load

Oregon Administrative Rule 340-042-0080 (4) & (5)

As per OAR 340-042-0080, management strategies identified in a TMDL WQMP to achieve waste load and load allocations in a TMDL will be implemented through water quality permits for those sources subject to permit requirements in ORS 468B.050 and through sector-specific or source-specific implementation plans for other sources, respectively:

(4) Persons, including DMAs other than the Oregon Department of Forestry or the Oregon Department of Agriculture, identified in a WQMP as responsible for developing and revising sector-specific or source-specific implementation plans must:

(a) Prepare an implementation plan and submit the plan to the Department for review and approval according to the schedule specified in the WQMP. The implementation plan must:

(A) Identify the management strategies the DMA or other responsible person will use to achieve load allocations and reduce pollutant loading.
(B) Provide a timeline for implementing management strategies and a schedule for completing measurable milestones.

(C) Provide for performance monitoring with a plan for periodic review and revision of the implementation plan.

(D) To the extent required by ORS 197.180 and OAR chapter 340, division 18, provide evidence of compliance with applicable statewide land use requirements; and

(E) Provide any other analyses or information specified in the WQMP.

(b) Implement and revise the plan as needed.

(5) For sources subject to permit requirements in ORS 468B.050, wasteload allocations and other management strategies will be incorporated into permit requirements.

Overview of Mercury TMDL

Mercury overview below was extracted from the 2019 WQMP Mercury TMDL: https://www.oregon.gov/deq/wq/Documents/willHgtmdlwqmpF.pdf

The Willamette River and many of its tributaries do not currently meet water quality standards for mercury and are included on Oregon's list of impaired waters under Clean Water Act §303(d). Mercury fish consumption advisories are in place throughout the Willamette Basin.

Water quality standards are in place to protect people from high levels of mercury exposure when eating fish and shellfish. The fish tissue criterion allows Oregonians to safely consume higher amounts of fish (approximately 23 8-oz fish meals a month) caught in Oregon waterways. Among those who rely on Willamette Basin fish and shellfish as a food source are tribal, immigrant and low-income communities and other historically marginalized communities.

A TMDL is a planning tool designed to restore and maintain the quality of waters that have been identified as not meeting applicable water quality standards (USEPA, 1991). A TMDL is typically expressed as:

\[
\text{TMDL} = \sum \text{WLAs} + \sum \text{LAs} + \text{MOS} \leq \text{LC}
\]

where:

\(\text{WLA} = \text{Wasteload Allocation} \) – the portion of the loading to the water body assigned to each permitted point source of the pollutant.

\(\text{LA} = \text{Load Allocation} \) – the portion of the pollutant loading assigned to nonpoint sources of the pollutant.

\(\sum = \text{Summation across multiple items}\)
The TMDL identified sources of mercury and how much mercury needs to be reduced to meet water quality standards. The TMDL used linked models and significantly more data than the 2006 TMDL. The greatest source of mercury in the basin is from atmospheric deposition, which is mercury in the air falling onto the land or into the water. The mercury in air originates mainly from national and global sources rather than from sources in Oregon.

Once mercury is deposited on the landscape, the major pathways to streams are erosion of sediment-bound mercury and surface runoff. Of the many different types of land use that exist within the Willamette Basin, forestry, agriculture, and urban uses comprise most of the area within the basin. Management actions on these land uses influence the amount of mercury from these sources that reach streams and rivers in the basin. Point source discharges, such as sewage treatment plants or industries, contribute significantly less mercury to streams than nonpoint sources, such as runoff from logging roads and agricultural fields.

City of Amity TMDL Implementation Plan

The community of Amity was incorporated in 1880. Amity is a city in Yamhill County, Oregon. The population of Amity is approx. 1655. According to the United States Census Bureau, the city has a total area of 0.6 square miles of which 1.64% is water.

Yamhill Subbasin

Watershed information is from the following source: https://gywc.org/wp-content/uploads/2021/03/Salt-Creek-Watershed-Assessment.pdf

South Yamhill, Salt Creek, Ash Swale

The City of Amity is located in the Yamhill Subbasin (Hydrologic Unit Code 17090008) in the Western portion of the Willamette Basin and drains portions of the Coast Range. The Yamhill River flows into the Willamette River just upstream of the City of Newberg (approximately river mile 48). The Subbasin’s 772 square miles (493,762 acres) include the following eight watersheds:

• Willamina Creek Watershed
• Agency Creek-South Yamhill River Watershed
• Mill Creek Watershed
• Deep Creek-South Yamhill River Watershed
• Salt Creek Watershed
• North Yamhill River Watershed
• Yamhill River Watershed

The subbasin is within portions of Yamhill and Polk counties, and also includes the Cities of Carlton, Dayton, Dundee, Lafayette, McMinnville, Newberg, Sheridan, Willamina, and Yamhill. The subbasin is primarily owned by private landowners, however federal and state ownership accounts for 14% of the
total land use in the subbasin. There are scattered landholdings by the U.S. Forest Service and Bureau of Land Management. The subbasin consists of forestry, agriculture, and urban land uses.

The City of Amity resides in the Salt Creek watershed of the Yamhill Subbasin of the Willamette Basin. The Salt Creek watershed has approximately 63,000 acres and three sub-watersheds: Ash Swale, Lower Salt Creek, and Upper Salt Creek. The 63,000-acre Salt Creek watershed is on the eastern side of the Coast Range. Approximately 78% of the drainage lies in Polk County while the remaining 22% is in Yamhill County. Land use is predominantly agricultural (70%). Urban areas, such as Amity make up .72% of the land use.

**General approach for mercury reductions**

**Ash Swale and Salt Creek water quality limitations**

This plan is focused on the TMDL for mercury and sediment reduction to improve water quality. The water bodies and parameters applicable to the City of Amity are identified in Table 1. Ash Swale enters south of town and enters Salt Creek along and within the westside of the city (Figures 1-3).

<table>
<thead>
<tr>
<th>Basin Name</th>
<th>Subbasin</th>
<th>Water bodies City of Amity</th>
<th>Parameter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willamette</td>
<td>Yamhill</td>
<td>Ash Swale tributary to Salt Creek</td>
<td>Mercury</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Salt Creek tributary to South Yamhill River</td>
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</tbody>
</table>
Activities and services

The City of Amity is the provider of drinking water and DEQ permitted sanitary sewer hook-ups. The City of Amity also has jurisdiction for non-permitted (nonpoint source) activities that can affect the quality of surface water and groundwater in its jurisdiction. The City of Amity TMDL Implementation Plan Nonpoint Source Clean Water Plan when implemented, is designed to protect water quality, improve stormwater management, and stimulate new approaches to land use design and development that minimize associated water resource problems as a result of nonpoint source activity.

Voluntary actions and existing programs

Focus of this plan is on mercury and sediment reduction, however, strategies being implemented also benefit surface water quality overall for other parameter limitations, such as, bacteria, phosphorus, dissolved oxygen. Additionally, control of sediment erosion benefits surface water diverted for Amity’s public drinking water system.

In addition to mercury limitations, Salt creek and Ash swale are also limited for other parameters:

Name: Salt Creek  
Description: Ash Swale to confluence with South Yamhill River  
Status:  
Impaired Uses: Fish and Aquatic Life; Water Contact Recreation; Aesthetic Quality  
Category 5: Temperature- Year-Round; Chlorophyll-a; Dissolved Oxygen- Spawning; Dissolved Oxygen- Year-round; Fecal Coliform  
Active TMDLs: WILLAMETTE BASIN TMDL; YAMHILL RIVER  
Category 4A: Phosphorus- Aquatic Life; Mercury – Fish consumption

Name: Ash Swale  
Description: Lower Watershed  
Status:  
Impaired Uses: Fish and Aquatic Life; Water Contact Recreation; Aesthetic Quality  
Category 5: Not Assessed  
Active TMDLs: WILLAMETTE BASIN TMDL; YAMHILL RIVER  
Category 4A: Phosphorus- Aquatic Life; Mercury – Fish consumption

Mercury reductions

1) The EPA Willamette Basin TMDL has reduction targets for mercury at the Yamhill Subbasin level. Reductions of 75% from nonpoint source urban stormwater are needed to eliminate fish consumption advisories. These percent reductions apply to all waters of the Yamhill Subbasin (Appendix 4 EPA Allocation Summary). Like most small city systems, the biggest challenges are budget, and lack of employees to do
everything on our own. The City of Amity’s key actions toward meeting these reductions focus on Stormwater management. The TMDL Implementation Plan may also be called a Stormwater Management Plan. Stormwater discharges can be a source of mercury and sediment in surface waters. The Appendix 2, DEQ Nov 2019 Mercury Water Quality Management Plan Summary, measures and timelines were used for the assessment and consideration of stormwater management strategies that will be implemented under this plan.

The attached matrix (Appendix 3) includes the management strategies, timeline and schedule and performance initiatives that will be implemented by the City of Amity under this plan to mitigate the potential nonpoint sources of mercury and sediment.

**Plan monitoring and reporting requirements**

The DEQ 2019 TMDL Mercury WQMP describes DEQ’s plan for implementing actions to reduce mercury in fish tissue. Effectiveness of these measures will be tracked, evaluated, and improved, as warranted, to meet the standards.

The City of Amity will conduct two types of monitoring in support of DEQ’s effectiveness monitoring strategy:

1) Plan implementation monitoring (evaluating progress on accomplishments) and
2) Effectiveness monitoring (success of BMPs and reduction evaluations)

The monitoring assessment will focus on the adequacy of the BMPs (in terms of implementation and maintenance), not the response of the receiving waterbody.

**Four annual progress reports and one five-year review report**

TMDL implementation is in iterative process that continues every five years. The Implementation Plan documents the City’s efforts to improve water quality over five years starting Sept 3, 2022.

Monitoring will be documented in reports that Amity is required to submit under this plan. The City of Amity will annually report on progress in implementing nonpoint source strategies identified in the TMDL implementation plan, including any delays or challenges DMAs had in implementing strategies (WQMP page 125-221). This information is provided in an annual report over a five-year timeline (4 progress reports and a five-year review covering the progress over the previous five-year timeline.

The status column in the matrix or a written summary by control measure number will be used each year to report progress toward the commitments and to indicate adaptive changes that are planned before the five-year report.
For the five-year review report, the City of Amity will review their implementation plan in collaboration with DEQ staff to evaluate whether strategies, timelines, milestones, or other components of the plan should be updated for the next five years. The fifth-year report is a more comprehensive report on overall progress for the previous four years and preparing for the next five years. The five-year review report will also describe: (a) the progress on implementation and the effectiveness of the strategies implemented, (b) planned adaptations if strategies are not effective, (c) the findings of the evaluation and (d) the basis for these conclusions.

**Land use compliance and legal authority**

Land use compatibility statements (LUCS) are required for DEQ permits issued within the city limits. These statements are reviewed and approved or disapproved by the City of Amity on an as needed basis. NPS TMDL implementation management strategies proposed in the plan by the city for mercury and sediment reduction will be cross-checked with Amity’s’ Comprehensive Plan to ensure compliance with land use. Based on the review for the BMPs proposed in the matrix to date, the TMDL Implementation Plan is consistent with the City’s Comprehensive Plan to the extent required by law. As a result, management strategies determined to significantly affect land use will be implemented in a manner that complies with the statewide land use goals and be compatible with the provisions in the Comprehensive Plan.

The City of Amity has adequate legal authority, through ordinance, interagency agreements or other means, such as establishing contracts, to implement the provisions of this plan. Appendix 3 matrix activities used to carry out the management strategies include:

- Amity Comprehensive Plan Adopted – May 7, 1979 Revised – March 2015
- Annual budget approval by City council for general fund, contracts, interagency agreement
- Ordinance No 652 to be evaluated
- Public involvement process
- Building Code 150.30 standards as outlined in Design Standards (1.7 erosion control)
- Building Code 150.030 Section 4 Stormwater – Post-Construction
- Annual costs and funding analysis to determine extent of Appendix 3 stormwater program measures

**Cost and funding**

Oregon Administrative Rule 340-042-0040(4)(I)(N) establishes requirements for costs and funding for implementing management strategies in the nonpoint source TMDL implementation plan needed over a five-year timeframe. Identifying estimated costs and demonstrating there is sufficient funding available to begin and sustain reasonable implementation of the plan is essential for developing and sustaining the clean water plan overtime.
As a DMA, the City of Amity provides a fiscal analysis of the resources needed to develop, execute, and maintain the programs described in their Implementation plans (refer to Appendix 3 matrix for funding and stormwater program measure best management activities for budget strategies) overtime. Staff salaries, supplies, volunteer coordination, regulatory fees, installation, operation, and maintenance of management measures will be considered.

**Public Involvement and Participation**

Amity will implement a public involvement and participation program that provides opportunities for the public to effectively participate in the development of stormwater control measures (Appendix 3 matrix). Amity will comply with their public notice requirements when implementing a public involvement participation process, including maintaining and promoting at least one publicly accessible website with information on the city’s stormwater control implementation, contact information and educational materials.

TMDL plan and progress reports will be posted on a publicly accessible website. The Public education and outreach and public involvement and participation program measure is outlined in the City’s matrix (Appendix 3). As documented in the reporting section above, the initial plan and all reports and plan updates will be approved by City Council and posted on the city website or other alternative format approved by DEQ Public education and outreach and public involvement and participation program measure is outlined in the City’s matrix (Appendix 3).
Appendix 1  DEQ Notification Letter of Revised Mercury TMDL

Certified Mail 7017 0530 0000 7750 5974

March 3, 2021

Amity City Council
109 Maddox Ave. Suite C
Amity, OR. 97101

Re: EPA takes final action on Revised Willamette Basin Mercury Total Maximum Daily Load

Dear City Council Members:

This letter provides notification that the U.S. Environmental Protection Agency (EPA) released the Total Maximum Daily Load (TMDL) for Mercury in the Willamette Basin, Oregon on Feb. 4, 2021. EPA notified DEQ that, “EPA has established this TMDL and is hereby providing it to the State for implementation.”

The EPA’s TMDL says that the required reasonable assurance of implementation for the TMDL relies on DEQ’s Water Quality Management Plan. The WQMP was issued on Nov. 22, 2019 as part of the DEQ Final Revised Willamette Basin Mercury Total Maximum Daily Load. You received this letter because DEQ listed the City of Amity as a Designated Management Agency in the WQMP. Therefore, the City of Amity is responsible for implementing strategies to reduce mercury according to requirements identified in the WQMP that are specific to the City of Amity.

DEQ submitted its TMDL and associated documents to EPA for review and action on Nov. 22, 2019. EPA disapproved DEQ’s TMDL on Nov. 29, 2019. On Dec. 30, 2019, EPA established the Willamette Basin Mercury TMDL, which was in effect until EPA released the revised TMDL on Feb. 4, 2021. EPA's 2019 TMDL, as revised in Feb. 2021, and DEQ's 2019 TMDL WQMP are in effect and apply to the City of Amity. DEQ's WQMP and additional information can be accessed at: https://www.oregon.gov/DEQ/WQ/TMDLs/Pages/wllbgmtmdl2019.aspx

As a DMA, the City of Amity is required under OAR 340-42-080 to prepare a TMDL implementation plan to incorporate implementation requirements in the WQMP based on several criteria. TMDL implementation plans must be submitted to DEQ for review and approval by Sept. 3, 2022, which is 18 months from the date of this letter. Should the City of Amity fail to submit the plan by this date, this matter may be referred to the Department's Office of Compliance and Enforcement for formal enforcement action, including the assessment of civil penalties and/or a Department Order. Please note that civil penalties can be assessed for each day of violation.

Please contact your basin coordinator, Nancy Gramlich, to determine what your specific requirements are and to discuss any questions you may have. Your basin coordinator will work closely with you to support your submittal of all TMDL- required documents and reports.
We appreciate the City of Amity involvement in TMDL implementation to reduce mercury in the Willamette Basin in order to protect people who regularly eat fish and shellfish from streams and lakes across the basin.
Sincerely,

Zach Loboy
Water Quality Manager DEQ, Western Region
(541) 687-7425, Zach.LOBOY@deq.state.or.us
165 E. 7th Ave. Ste. 100, Eugene, OR. 97401

Nancy Gramlich
Willamette Basin Coordinator DEQ, Western Region
(503) 378-5073, Nancy.H.GRAMLICH@deq.state.or.us
4026 Fairview Industrial Dr. SE, Salem, OR. 97302

ec: Michael Thomas, City Administrator, City of Amity
    Gary Mathis, Public Works Superintendent, City of Amity
Appendix 2 DEQ Nov 2019 Mercury Water Quality Management Plan Summary

Management strategies for plan development and implementation

- Nonpoint source requirements for cities without MS4 permits and a population of less than 5,000
  - Evaluate the six minimum stormwater control measures listed in WQMP Table 13-11. Identify the strategies and actions that can be implemented to reduce mercury and sediment, including sources of runoff, sediment, and erosion.
  - Upon request, provide information to DEQ regarding their specific limitations to implementing all or some of the six stormwater controls in Table 13-11.

Summary of WQMP Stormwater Management Six Measures and Schedule
Table 13-11. Minimum requirements for cities - WQMP page 92-221
Table 13-14. Stormwater Control Measures Implementation Schedule for Cities - WQMP page 100-221
https://www.oregon.gov/deq/wq/Documents/willHgtmdlwqmpF.pdf

<table>
<thead>
<tr>
<th>Stormwater Measure</th>
<th>Requirements</th>
<th>Less 5000 population Implementation Timeline</th>
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</table>
| 1. Pollution Prevention Municipal Operations | DMAs must properly operate and maintain its facilities, using prudent pollution prevention and good housekeeping to reduce the discharge of mercury-related pollutants, such as sediment, through the stormwater conveyance system to waters of the state.  
DMAs must ensure that DMA-owned or operated facilities with industrial activity identified in DEQ’s 1200-Z Industrial Stormwater General Permit have coverage under this permit. The DMA must also conduct its municipal operation and maintenance activities in a manner that reduces the discharge of pollutants to protect water quality.  
DMAs must maintain records for activities to meet the requirements of the Pollution Prevention and Good Housekeeping for Municipal Operations program requirements and include a descriptive summary of their activities in the TMDL Annual Report. | As determined by DEQ based on information provided by DMA                                               |
<p>| 2. Public Education and Outreach        | DMAs must conduct an ongoing education and outreach program to inform the public about the impacts of stormwater discharges on waterbodies and the steps that they can take to reduce mercury-related pollutants in stormwater runoff. The education and outreach program must address stormwater issues of significance within the DMA’s community. | As determined by DEQ based on information provided by DMA                                               |</p>
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<tr>
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<th>Requirements</th>
<th>Less 5000 population Implementation Timeline</th>
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<tr>
<td>3. Public Involvement and Participation</td>
<td>DMAs must implement a public involvement and participation program that provides opportunities for the public to effectively participate in the development of stormwater control measures. The DMA must comply with their public notice requirements when implementing a public involvement participation process, including maintaining and promoting at least one publicly accessible website with information on the city’s stormwater control implementation, contact information and educational materials.</td>
<td>As determined by DEQ based on information provided by DMA</td>
</tr>
<tr>
<td>4. Illicit Discharge Detection and Elimination</td>
<td>DMAs must implement and enforce a program to detect and eliminate illicit discharges into the stormwater conveyance system. An illicit discharge is any discharge to a stormwater conveyance system that is not composed entirely of stormwater. The DMA must develop and maintain a current map of their stormwater conveyance system. The stormwater conveyance system map and digital inventory must include the location of outfalls and an outfall inventory, conveyance system and stormwater control locations. The DMA must make maps and inventories available to DEQ upon request. When in digital format, the DMA must fully describe mapping standards in the TMDL implementation plan or other city planning document. The IDDE program must prohibit non-stormwater discharges into the stormwater conveyance system through enforcement of an ordinance or other legal mechanism, including appropriate enforcement procedures and actions to ensure compliance. The ordinance or other regulatory mechanism must also define the range of illicit discharges it covers,</td>
<td>As determined by DEQ based on information provided by DMA</td>
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City of Amity TMDL Implementation Plan
Nonpoint Source Clean Water Plan
Willamette Basin Mercury
October 2021

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<th>Requirements</th>
<th>Less 5000 population Implementation Timeline</th>
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<td>including those discharges that are conditionally allowed, such as groundwater and lawn watering discharges. The IDDE program must also maintain a procedure or system to document all complaints or reports of illicit discharges into and from the stormwater conveyance system. The DMA must track implementation of the IDDE program requirements. In each TMDL Annual Report, the DMA must assess their progress towards implementation of the program.</td>
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5. Construction Site Runoff Control

DMAs must refer project sites to DEQ, or the appropriate DEQ agent, to obtain NPDES 1200-C Construction Stormwater Permit coverage 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).

In addition, DMAs must require construction site operators to complete and implement an Erosion and Sediment Control Plan for construction project sites in its jurisdictional area that result in a minimum land disturbance of 21,780 square feet (one half of an acre) or more, and are not already covered by a 1200-C permit.

Through ordinance or other regulatory mechanism, to the extent allowable under state law, the DMA must require erosion controls, sediment controls, and waste materials management controls to be used and maintained at all qualifying construction projects (as described above) from initial clearing through final stabilization to reduce pollutants in stormwater discharges to the stormwater conveyance system from construction sites.

The DMA must develop, implement, and maintain a written escalating enforcement and response procedure for all qualifying construction sites. The procedure must address repeat violations through progressively stricter response, as needed, to achieve compliance.

The DMA must track implementation of its construction site runoff program required activities. In each TMDL annual report, the DMA must assess their progress toward implementing its construction site runoff program’s control measures.

As determined by DEQ based on information provided by DMA
<table>
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<tr>
<th>Stormwater Measure</th>
<th>Requirements</th>
<th>Less 5000 population Implementation Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Post-Construction Site Runoff for New Development and Redevelopment</td>
<td>DMAs must develop, implement, and enforce a program to reduce discharges of pollutants and control post-construction stormwater runoff from new development and redevelopment project sites in its jurisdictional area.</td>
<td>As determined by DEQ based on information provided by DMA</td>
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<td>Through ordinance or other regulatory mechanism, the DMA must require the following for project sites discharging stormwater to the storm water conveyance system that create or replace 10,890 square feet (one quarter of an acre) or more of new impervious surface area:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>A) The use of stormwater controls at all qualifying sites.</td>
<td></td>
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<tr>
<td></td>
<td>B) 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.</td>
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<td></td>
<td>C) Long-term operation and maintenance of stormwater controls at project sites that are under the ownership of a private entity.</td>
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<td>The DMA must target natural surface or predevelopment hydrologic function to retain rainfall on-site and minimize the offsite discharge of precipitation utilizing stormwater controls that infiltrate and evapotranspiration of stormwater. For projects that are unable to fully retain rainfall/runoff from impervious surfaces on-site, the remainder of the rainfall/runoff from impervious surfaces must be treated prior to discharge with structural stormwater controls. These stormwater structural controls should be designed to remove, at a minimum, 80 percent of the total suspended solids.</td>
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</table>
Appendix 3 – Plan Matrix (see excel spreadsheet dated Oct 2021)

Appendix 4 – EPA Allocation Summary

U.S. EPA Total Maximum Daily Load (TMDL) for Mercury in the Willamette Basin, Oregon
Prepared May 2021


In compliance with the provisions of the Clean Water Act, 33 U.S.C. 1251 et seq., as amended by the Water Quality Act of 1987, P.L. 100-4, the Environmental Protection Agency is hereby establishing a TMDL to address discharges of mercury to the waters of the Willamette Basin, Oregon.

Yamhill Subbasin Allocation Summary

Allocations are the same as in ODEQ’s 2019 TMDL except for atmospheric deposition which is increased for all subbasins to 35% based on re-assessment of predicted reductions in atmospheric deposition.

Table 3 from EPA TMDL - Load and wasteload allocations for Yamhill Subbasins

<table>
<thead>
<tr>
<th>Category for EPA Allocated Reduction</th>
<th>Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>General NPS - Agriculture, forest, shrub, developed, other (runoff and sediment)</td>
<td>88%</td>
</tr>
<tr>
<td>Groundwater (agriculture, forest, shrub, developed, other)</td>
<td>88%</td>
</tr>
<tr>
<td>Atmospheric deposition direct to water</td>
<td>35%</td>
</tr>
<tr>
<td>NPDES Permitted Stormwater Point Source Discharges</td>
<td>75%</td>
</tr>
<tr>
<td>Non-Permitted Urban Stormwater</td>
<td>75%</td>
</tr>
<tr>
<td>Legacy Metals Mines</td>
<td>95%</td>
</tr>
<tr>
<td>NPDES Permitted Wastewater Discharges</td>
<td>10%</td>
</tr>
<tr>
<td>NPDES Permitted Industrial Discharges</td>
<td>10%</td>
</tr>
<tr>
<td>Stormwater Program Measure</td>
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</tr>
<tr>
<td>WQMP Requirement - Assess existing programs</td>
<td>DEQ monkey surveys used July 2021 to assess existing programs to: 1. reduce mercury and sediment: street sweeping; 1200C requirement check 2. reduce other water quality parameters: bacteria, temperature, dissolved oxygen, phosphorous</td>
</tr>
<tr>
<td>PM1. Pollution Prevention and Good Housekeeping for Municipal Operations</td>
<td>Properly operate and maintain facilities, using prudent pollution prevention and good housekeeping to reduce the discharge of mercury-related pollutants</td>
</tr>
</tbody>
</table>

City of Amity TMDL Implementation Plan 2022-2027
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<tbody>
<tr>
<td>PM2. Pollution Prevention and Good Housekeeping for Municipal Operations</td>
<td>Conduct municipal operation and maintenance activities in a manner that reduces the discharge of pollutants to protect water quality.</td>
<td>Maintain public works drinking water(#17472) wastewater treatment plant(22320) emergency and hazardous materials chemical inventories and DEQ 200J permit logs</td>
<td>Water Fund Repair/System Maintenance, Sewer Fund Repair/System maintenance</td>
<td>Annually describe submittal dates or provide weblinks</td>
<td>Maintain records and submit chemical inventories and 200J records according to annual schedule w/records available upon request</td>
<td></td>
</tr>
<tr>
<td>PM3. Pollution Prevention and Good Housekeeping for Municipal Operations</td>
<td>Ensure DMA owned or operated facilities with industrial activity identified in DEQ’s 1200-Z Industrial Stormwater General Permit have coverage under this permit.</td>
<td>Obtain 1200Z permit for applicable City operations</td>
<td>Water Public Works Payroll, Water Engineer</td>
<td>Provide description, and date, of any new 1200Z City facility identified during the reporting year or document none</td>
<td>Initial check for: DEQ database for City owned 1200Z facilities; City building inventory reviewed for 1200Z. Evaluate new city owned facilities or changes</td>
<td>DEQ permit database check completed 7/29/2021 w/no 1200Z facilities; Building inventory review discussed April 22, 2022</td>
</tr>
<tr>
<td>PE1. Public Education and Outreach and Public Involvement and Participation/WQMP Requirement-Reasonable assurance plan will be implemented and sustained overtime.</td>
<td>Cost analysis and estimation page 128-221 <a href="https://www.oregon.gov/deq/wq/Documents/willhtgmdlwqmpf.pdf">https://www.oregon.gov/deq/wq/Documents/willhtgmdlwqmpf.pdf</a></td>
<td>Budget development and City Council approval for plan development, implementation, annual status reporting and a five-year review</td>
<td>General fund Payroll</td>
<td>Report date of budget approval and Council approval for all TMDL implementation plan approved activities</td>
<td>Each year, document dates for confirming budget and Council approval; Annual costs and funding to determine approximate extent of BMP activity(PE1 Appendix 3)</td>
<td></td>
</tr>
</tbody>
</table>

6/16/2022 Page 2 TMDL Implementation Plan Matrix Mercury and sediment reduction
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<tr>
<td>PE2. Public Education and Outreach and Public Involvement and Participation</td>
<td>Implement a public involvement and participation program that provides opportunities for the public to effectively participate in the development of stormwater control measures and this plan</td>
<td>Post City Council approved implementation plan and reports for public viewing to the City website</td>
<td>General fund Payroll</td>
<td>Provide web link for access to Plan and reports</td>
<td>Post plan on website before Sept 3, 2022; Post annual reports before next TMDL reporting cycle</td>
<td></td>
</tr>
<tr>
<td>PE3. Public Education and Outreach and Public Involvement and Participation</td>
<td>Inform residents about the impacts of stormwater discharges on waterbodies and the steps that they can take to reduce mercury-related pollutants in stormwater runoff.</td>
<td>Use a Social media tool such as Twitter, Facebook, Next-door, and Instagram to send a protect water quality message or notification about information available</td>
<td>General fund Payroll</td>
<td>Report use of tool(s) used and describe for what</td>
<td>Maintain list of social media tools and dates used</td>
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<td>PE4. Public Education and Outreach and Public Involvement and Participation</td>
<td>Inform residents about the impacts of stormwater discharges on waterbodies and the steps that they can take to reduce mercury-related pollutants in stormwater runoff.</td>
<td>Drinking water Consumer Confidence Report - include corner on water quality protection for sediment reduction in the report annually</td>
<td>Water Public Works Payroll</td>
<td>Annually submit a copy of current CCR with source water protection tips or provide weblink</td>
<td>Maintain source water protection tips in CCR</td>
<td></td>
</tr>
<tr>
<td>PE5. Public Education and Outreach and Public Involvement and Participation</td>
<td>Provide opportunity for residents and the public to effectively participate in the development of stormwater control measures.</td>
<td>Comply with the City public notice requirements when implementing a public involvement participation process for the plan and stormwater programs, such as, fee increases, design standards, planning and development, ordinance development and approval, budget</td>
<td>General fund Payroll</td>
<td>Annually document any notice dates and topics related to this Plan or confirm none</td>
<td>Maintain list of public notices for reporting year with description and dates of activity or City website links</td>
<td></td>
</tr>
<tr>
<td>ID1. Illicit Discharge Detection and Elimination</td>
<td>Implement and enforce a program to detect and eliminate illicit discharges into the stormwater conveyance system.</td>
<td>The DMA must develop and maintain a current map of their stormwater conveyance system.</td>
<td>Conduct program measure enhancement feasibility 2027 for 2019 DEQ WQMP Table 13-11 &amp; 13-14 (Plan Appendix 2)</td>
<td>Revisit 2027. Dependent on city growth.</td>
<td>Revisit 2027. Dependent on city growth.</td>
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<td>ID2. Illicit Discharge Detection and Elimination</td>
<td>Implement and enforce a program to detect and eliminate illicit discharges into the stormwater conveyance system.</td>
<td>Evaluate if Amity Ordinance NO. 652 Section 2 #4 meets the following: 1) Prohibit non-stormwater discharges through enforcement of an ordinance or other legal mechanism 2) Ordinance or other regulatory mechanism defines the range of illicit discharges it covers</td>
<td>Ps Yamhill Deputy Contract, Ps YCOM Dispatch Service</td>
<td>9/3/2024 - Document and describe findings in Sept 2024 status report</td>
<td>Review code between Sept 2022 and Aug 2024 to determine if BMP activity 1 and 2 are met or not; Using findings conduct program measure enhancement feasibility 2027 for 2019 DEQ WQMP Table 13-111 &amp; 13-14(Plan Appendix 2)</td>
<td></td>
</tr>
<tr>
<td>ID3. Illicit Discharge Detection and Elimination</td>
<td>Implement and enforce a program to detect and eliminate illicit discharges into the stormwater conveyance system.</td>
<td>Document all complaints or reports of illicit discharges or pollution concerns received; Respond to calls or complaint submittals that have potential to impact water quality</td>
<td>Str Public Works/Admin Payroll, Ps Yamhill Deputy Contract</td>
<td>1. Track calls, media used by complainant (e.g., phone, Facebook, walk-in), date received, response if needed or not, and resolution; 2. Update emergency phone number on city website to include use for stormwater concerns</td>
<td>Maintain information for complaints and response; Update website phone number description by Aug 2023</td>
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<td>CS1. Construction Site Runoff Control</td>
<td>Refer project sites to DEQ to obtain NPDES 1200-C Construction Stormwater Permit coverage for construction projects that disturb one or more acres (or less than one acre, if it is part of a &quot;common plan of development or sale&quot; disturbing one or more acres)</td>
<td>Follow and implement Amity - Land Usage Building Code 150.30 standards applicable to building and other standards as outlined in City of Amity July 2021 Public Works Design Standards (1.6 per-application and 1.7 construction plans)</td>
<td>General Fund</td>
<td>Annual report any sites referred or active; confirm if none</td>
<td>Conduct pre-application conference for any new or redevelopment</td>
<td></td>
</tr>
<tr>
<td>CS2. Construction Site Runoff Control</td>
<td>Program to mitigate pollution from public and private construction sites regardless of size - Require construction site operators to complete and implement a waste and materials management plan and an erosion and sediment control plan for sites 1/2 of an acre or more, and not covered by DEQ 1200C permit. Plan will include long-term spoil stabilization.</td>
<td>Follow and implement DEQ WQMP Table 13-11 construction site runoff control for 1/2 acre or more; Amity - Land Usage Building Code 150.30 standards applicable to building and other standards as outlined in City of Amity July 2021 Public Works Design Standards (1.7 erosion control) directs to TMDL plan</td>
<td>General Fund</td>
<td>Annually report any sites 1/2 or more have requirements in place or confirm no pre-applications performed</td>
<td>Conduct pre-application conference for any new or redevelopment to determine site size and erosion sediment control</td>
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### Stormwater Program Measure

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<tr>
<td>PC1. Post-Construction Site Runoff for New Development and Redevelopment</td>
<td>Through ordinance or other regulatory mechanism require project sites discharging stormwater to the stormwater conveyance system that create or replace 10,890 square feet (one quarter of an acre) or more of new impervious surface area: A. The use of stormwater controls at all qualifying sites. B. 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 to retain rainfall on-site and minimize the offsite discharge of precipitation utilizing stormwater controls that infiltrate and evapotranspiration stormwater. C. For projects that are unable to fully retain rainfall/runoff from impervious surfaces on-site, the remainder of the rainfall/runoff from impervious surfaces must be treated prior to discharge with structural stormwater controls. These stormwater structural controls should be designed to remove, at a minimum, 80 percent of the total suspended solids.</td>
<td>Follow and implement Amity - Land Usage Building Code 150.30 standards applicable to building and other standards as outlined in City of Amity July 2021 Public Works Design Standards (Section 4 Stormwater)</td>
<td>General fund Payroll</td>
<td>Annually include a descriptive summary, including project dates, of the sites implemented under this program and confirm A, B/C were met; Confirm if no development or redevelopment occurred for reporting year</td>
<td>Maintain records for activities to meet the requirements of the post-construction site runoff reporting metrics</td>
</tr>
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</table>
# City of Amity TMDL Implementation Plan 2022-2027

**Report Submittal Date:**

**Due April 1**

**MM/DD/YY**

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<tr>
<td>PC2. Post-Construction Site Runoff for New Development and Redevelopment</td>
<td>Develop, implement, and enforce a program to reduce discharges of pollutants and control post-construction stormwater runoff from new development and redevelopment project sites in its jurisdictional area.</td>
<td>Routinely monitor SDC funds and other funds to determine adjustments for future growth and program implementation</td>
<td>Water, Sewer, Streets, Storm, Parks, General Funds</td>
<td>Annually confirm any planned or implemented changes to SDC or other funding for sustaining program described in plan</td>
<td>Implement public involvement process via City Council for changes in funding</td>
<td></td>
</tr>
</tbody>
</table>