

**B.O.C.C. Regular**

**Agenda Item 5. c.**

**Meeting Date:** 03/24/2026

**Title:** Yellowstone County MS4 Annual Report 2025

**Submitted For:** Monica Plecker, Public Works Director

**Submitted By:** Jay Anderson, Deputy Public Works Director

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**TOPIC:**

Yellowstone County's Municipal Separate Storm Sewer System (MS4) Annual Report for Calendar Year 2025

**BACKGROUND:**

Montana Department of Environmental Quality (MDEQ) requires that each permittee authorized under the Montana Pollutant Discharge Elimination System (MPDES) General Permit for storm water discharges associated with Small MS4's complete and submit an annual report each year to document the permittee's progress towards satisfying requirements set forth by the MPDES General Permit. The 2025 Annual Report is attached.

Yellowstone County maintains that it does not have the legal authority to fulfill several of the minimum control measures set forth by the MPDES General Permit and that some of the requirements may constitute an unfunded mandate. Yellowstone County is currently awaiting a court ruling to obtain a determination regarding the extent of Yellowstone County's legal authority to enforce the MPDES General Permit requirements, and whether the MPDES General Permit represents an unfunded mandate.

**RECOMMENDED ACTION:**

Approve and return signed copy to Public Works for submission to MDEQ.

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**Attachments**

YC MS4 Annual Report 2025

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Agency Use	
Permit No.:	MTR04
Date Rec'd	
Amount Rec'd	
Check No.	
Rec'd By	

FORM MS4-AR	<b>Annual Report Form</b> <b>Storm Water Discharges Associated with MS4s</b> <b>MTR040000</b>
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This annual report form is to be completed by each permittee authorized under the General Permit for Storm Water Discharges Associated with Small Municipal Separate Storm Water Sewer Systems (MS4s). The completed form must be electronically submitted to DEQ by March 1<sup>st</sup> of each year starting March 1<sup>st</sup>, 2023.

**Reporting Year:**  2023  2024  2025  2026 *(reporting period is for the preceding calendar year, Jan 1<sup>st</sup>- Dec 31<sup>st</sup>)*

**MS4 Information**

Permit Number	<u>M</u> <u>T</u> <u>R</u> <u>0</u> <u>4</u> <u>0</u> <u>0</u> <u>5</u> <u>4</u>
Small MS4 Name	<u>Yellowstone County</u>
Contact Person, (name, title)	<u>Jay D. Anderson</u>
Mailing Address	<u>PO Box 35024</u>
City, State, and Zip Code	<u>Billings, MT 59107</u>
Phone Number, Email Address	<u>(406) 254-7926</u>

Authorized as a Co-permittee?  Yes: \_\_\_\_\_  No  
*(If, yes provide Co-permittee MS4 name in the blank provided. Each co-permittee must submit a separate complete annual report form.)*

Is the MS4 sharing responsibility? If yes, attach written acceptance and explanation of shared obligation(s).  Yes  No  
 Attach an organizational chart identifying the primary SWMP coordinator, positions responsible for implementing requirements of the permit, and contact information for each individual.  Attached  Not Attached

**Minimum Control Measure 1 & 2**

Link to storm water website	<u><a href="https://www.yellowstonecountymt.gov/publicworks/StormWater.asp">https://www.yellowstonecountymt.gov/publicworks/StormWater.asp</a></u>	
List of four key target audiences:	Associated Pollutants:	Outreach strategy:
<u>Yellowstone County Residents</u>	<u>Household hazardous wastes, grease, oils, detergents</u>	<u>Website, fliers, info packets, fair booth</u>
<u>Construction Industry</u>	<u>Concrete, asphalt, oils, exposed soils, trash</u>	<u>Website, fliers, info packets, fair booth</u>
<u>Landscape Industry</u>	<u>Lawn clippings, yard waste, material stockpiles, fertilizers, fuels</u>	<u>Website, fliers, info packets, fair booth</u>
<u>Automotive Maintenance Industry</u>	<u>Detergents, fuels, oils, chemicals</u>	<u>Website, fliers, info packets, fair booth</u>

Attach documentation of participation and/or feedback of key target audiences.  Attached  Not Attached

**Minimum Control Measure 3** (attach the following in the order listed)

List of potential non-storm water discharges identified as significant contributors of pollutants (i.e. illicit discharges), associated pollutants, and any local controls or conditions placed on these discharges.  Attached  Not Attached

Have there been updates to the MS4's storm sewer maps?  Yes  No, the map(s) were last updated: 2021

If yes, submit the maps using one of the following options:

- Electronic GIS shapefiles emailed to [DEQMPDESDataManagement@mt.gov](mailto:DEQMPDESDataManagement@mt.gov)
- Attached Hard copy
- Link to online maps: \_\_\_\_\_

Summary of investigations and corrective actions taken over the past year per the Illicit Discharge and Corrective Action Plan.  Attached  Not Attached

Number of outfalls inspected during dry weather: \_\_\_\_\_ of \_\_\_\_\_ (total number of outfalls)

Number of high priority outfalls inspected: \_\_\_\_\_ of \_\_\_\_\_ (total number of high priority outfalls)

Attach a summary of any resulting actions taken from screening results.  Attached  Not Applicable

**Year 2023 only, unless updates were made:**

A copy or link to the adopted ordinance, policy, procedure, and/ or regulatory mechanism prohibiting illicit discharges.

Attached or  Link \_\_\_\_\_

**Minimum Control Measure 4** (attach the following in the order listed)

List of construction sites/projects inspected over the last year and any resulting actions.  Attached  Not Attached

**Year 2023 only, unless updates were made:**

A copy of the construction storm water management plan review checklist.  Attached  Not Attached

A copy of the construction site inspection form or checklist.  Attached  Not Attached

A copy or link to the adopted ordinance, policy, procedure, and/or regulatory mechanism requiring construction storm water controls.  Attached or  Link \_\_\_\_\_

**Minimum Control Measure 5** (attach the following in the order listed)

Inventory of regulated projects using offsite treatment for post-construction runoff.  Attached  Not Applicable

Number of high priority post-construction storm water management controls inspected: \_\_\_\_\_

Attach a summary of any resulting actions taken from inspections.  Attached  Not Applicable

**Year 2023 only, unless updates were made:**

A copy of the post-construction storm water management plan review checklist.  Attached  Not Attached

A copy of the post-construction site inspection form or checklist.  Attached  Not Attached

A copy or link to the adopted ordinance, policy, procedure, and/or regulatory mechanism requiring post-construction storm water controls.  Attached or  Link \_\_\_\_\_

**Year 2025 only:** Submit a plan to modify relevant codes, ordinances, policies, and/or programs to implement LID/green infrastructure concepts.  Attached  Not Attached

**Minimum Control Measure 6** (attach the following in the order listed)

Number of SOPs evaluated: <sup>5</sup> \_\_\_\_\_ of <sup>7</sup> \_\_\_\_\_ (total number of SOPs for permittee facilities/activities)

Summary of SOP updates made in the last year.  Attached  Not Applicable

Records of completed trainings in conformance with section II.B. of the General Permit.  Attached  Not Attached

**Year 2023 only, unless updates were made:**

Inventory of permittee facilities/activities with potential to contribute contaminants.  Attached  Not Attached

Summary of inspection procedures for facilities and their structural storm water controls.  Attached  Not Attached

**Storm Water Management Plan (SWMP)**

In the last year, were any public comments received on the SWMP?  Yes  No

If yes, attach a summary of comments received.  Attached  Not Applicable

In the last year, have additional SWMP updates been made other than those listed above?  Yes  No

If yes, attach a summary including the date and description of updates and rationale for decision making.  
 Attached  Not Applicable

**Monitoring and Reporting** (attach the following in the order listed)

I verify all outfall monitoring has been performed and recorded in conformance with section II.C. and II.D. of the General Permit. (If not able to dependably obtain two samples a year at each monitoring location, attach a summary of rationale. Contact DEQ regarding requests for a change in monitoring locations.)

Attach a summary of implemented BMPs used to target and reduce discharges to impaired waterbodies and a schedule for the following year's BMP implementation.  Attached  Not Applicable

**Year 2023 only, unless updates were made:** Attach an inventory of outfalls discharging to impaired waterbodies including associated pollutants.  Attached  Not Applicable

**MS4s with an approved TMDL:**

**Year 2023 only:** Submit a TMDL-related sampling plan for DEQ review.  Attached  Not Applicable

**Years 2024, 2025, and 2026:** In the last year, were any public comments received on the sampling plan?  Yes  No

If yes, attach a summary of comments received and any resulting actions/modifications.  Attached  Not Applicable

**Certification\***

**All Permittees Must Complete the Following Certification:**

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. [75-5-633, MCA].

Name (Type or Print)

Mark Morse

Title (Type or Print)

Yellowstone County Board of County Commissioners, Chair

Phone Number

(406) 256-2701

Signature



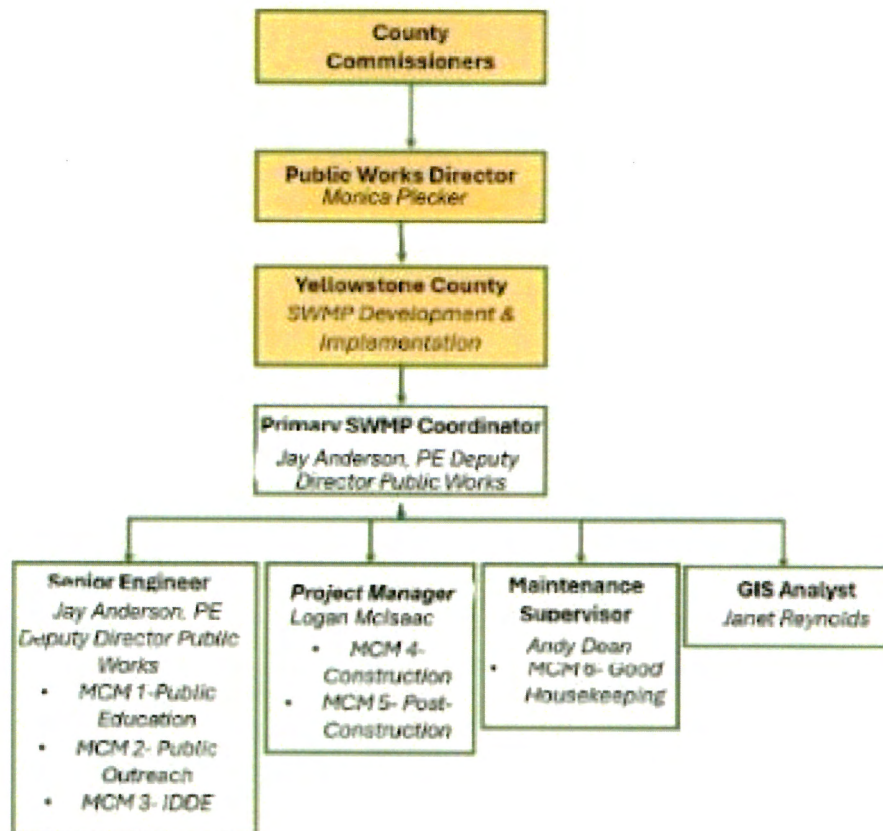
Date Signed

March 24, 2026

\* This Annual Report Form must be completed, signed, and certified as follows:

- For a corporation, by a principal officer of at least the level of vice president;
- For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- For a municipality, state, federal, or other public facility, by either a principal executive officer or ranking elected official.

## Yellowstone County SWMP Organization Chart



Yellowstone County Public Works also set up a booth at the County Fair in 2025 spanning a week's time in August. A photo is attached below. Public Works received no comments during Fair week.



## Yellowstone County's MS4 participation of key target audiences

Yellowstone County provides the SWMP via website including helpful fliers for the four target audiences. The websites usage statistics are provided below.

