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MEMORANDUM

TO: BLOUNT COUNTY BOARD OF COMMISSIONERS

CC: ED MITCHELL, BLOUNT COUNTY MAYOR
JEFF HEADRICK, BLOUNT COUNTY HIGHWAY SUPERINTENDENT

FROM: CRAIG L. GARRETT, BLOUNT COUNTY ATTORNEY

DATE: JUNE 3, 2026

RE: REVISIONS TO CURRENT STORMWATER RESOLUTIONS

As you may recall, the Blount County Commission considered at its October 2024 meeting several resolutions to amend and implement a new set of regulations concerning the County's obligations pursuant to the State of Tennessee's 2022 NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems. Those resolutions had been prepared by a consultant working with the County's Stormwater Director in an effort to bring the County into compliance with new requirements by the Tennessee Department of Environment and Conservation ("TDEC") regarding the County's MS4 Stormwater program. During the October 2024 meeting, the County Commission voted against the enactment of the proposed amendments.

On February 11, 2026 a letter was sent to Mayor Mitchell from TDEC regarding identified inadequacies in Blount County's 2024 annual report. I have attached a copy of this letter to this memorandum for your reference. As you'll see, TDEC required the County to submit a written corrective action plan and identified required actions to be taken by the County.

To address this issue, and avoid the potential for penalties for continued non-compliance, the Stormwater Director has submitted amendments to the stormwater related resolutions which are currently in effect. The purpose of these amendments is to bring Blount County into compliance with the requirements of the MS4 Stormwater program. Blount County is required by the State of Tennessee, as part of its implementation of federal requirements under the Clean Water Act, to comply with the obligations of the MS4 permit. From time to time, these permit requirements are amended by the State of Tennessee and require related amendments by the County to our ordinances and resolutions to remain in compliance.

It is our understanding that the Stormwater Director has sought to make minimal amendments to our current resolutions that will satisfy the requirements from TDEC. These amendments primarily relate to reference to a different stormwater manual and changes to water buffer requirements.

Additionally, we are aware that the Commission has, in the past, taken the position that these regulations should be the least restrictive measures that will be compliant with state regulations and we think these proposed documents accomplish this goal. It is anticipated that the next iteration of the NPDES General Permit will be released sometime at the end of this year or the beginning of next year. When this happens, we will have to comply with the requirements of the new NPDES permit. At present, we have no information about what changes may be required by the new permit. When the requirements of the new permit are provided, this will require a comprehensive review of Blount County's MS4 program in an effort to ensure that we have implemented the least restrictive program permitted by law.

With these considerations in mind, it would be in the best interest of the County for the Commission to approve the amendments to these Resolutions and come into compliance with TDEC's requirements under the state permit.