



CITY OF EL PASO DE ROBLES
"The Pass of the Oaks"

MEMORANDUM OF UNDERSTANDING

TO: Warren Frace, Dick McKinley, John Falkenstien, Clyde Ganes, Brian Cowan, Michael Hendry

FROM: David LaCaro

DATE: March 22, 2016

SUBJECT: Post-Construction Stormwater Control Measure Validation and Long-Term O&M Tracking (Curb Marker Program)

Process:

The Purpose of his memo is to inform the affected city departments of the requirement to comply with the statewide stormwater regulations pertaining to the post-construction requirements (PCRs), engage the affected city departments on the individual process requirements in order to comply with the PCRs, and formally outline the proposed process to validate the installation of the stormwater control measures (SCMs)¹ in accordance with the approved plans as well as track long-term operations and maintenance of the SCMs.

Project Applicability:

This program is applicable to projects that are subject to the stormwater PCRs. More specifically new development or redevelopment projects that create and/or replace $\geq 5,000$ square feet of Net Impervious Area² and detached SFRs $\geq 15,000$ square feet of Net Impervious Area (i.e., exceptions are identified in the Section B.1.b of the PCR). The curb marker program would likely be implemented for the private projects and public buildings (not roads)

Proposed Process:

The following steps outline the process that will guide the implementation of the PCR Curb Marker program.

1. New projects or redevelopment projects that meet the PCRs will be notified (during entitlement/grading application process) of the requirement to install a curb marker and sign a long-term O&M agreement for SCMs (Muni Code Section 14.20.250 (c)).

¹ Examples of SCMs include retention basins, bioswales, infiltration chambers, etc.

² Net Impervious Area = (New and Replaced Impervious Area) – (Reduced Impervious Area Credit)

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2. When the owner/developer applies for a grading permit, the permit application will include the following documents:
 - a. O&M Agreement – requiring the owner to long-term operations and maintenance to the SCMs associated with the project³.
 - b. SCM Validation Form – requiring the Engineer of Record to validate the installation of the SCMs in accordance with the approved plans.
3. The owner/developer will submit both forms to City in order to receive the curb marker. The owner will be required to install a curb marker in a visible location (right-of-way) for the project site. The curb marker will act as a reminder for the owner and subsequent owners to maintain the SCM for the life of the project
4. The owner will then call the City for a final signature from the wastewater/stormwater department (Michal Hendry). Staff will verify that the curb marker is installed (in a visible, public right-of-way location) and provide final sign-off.

Proposed Tracking:

5. Each curb marker location will be uniquely identified through GPS coordinates and tracked through the City's newly implemented Land Management System (LMS). The LMS will track a project once an application is submitted. Information specific to the project site (i.e., owner name, SCM description, APN, installation dates, permit information, etc.) will be included.
6. The LMS will have the capability to spatially identify a specific location and have the ability to tag specific information to that geographic location. When fully operational, field staff will be able to go out to the site and pull up information specific to the site at that location.

Annual Self-Reporting

7. Each year the stormwater manager will send the owner an "Annual Maintenance of Stormwater Control Measures" letter. It is the responsibility of the owner to verify that the SCM(s) is being properly maintained and is functioning according to the approved design.

³ Projects subject to the PCRs are required to submit a Stormwater Control Plan as well as an Operations and Maintenance Plan. Both Plans specifically identify the project SCMs. The SCMs are reviewed and approved by the City Engineer prior to installation.

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According to Muni Code Section 14.20.250 (b), it's the responsibility of the owner (new, redeveloped, or transfer of ownership) to adhere to the PCRs.

The owner will have 30 days from the date of the "Annual Maintenance Stormwater Control Measure" letter to submit a completed inspection and maintenance Log (attached to the letter) and photo documentation to the City

8. Costs for the curb marker (\$5 each) will be considered a "pass-through" cost and can be obtained through the encroachment or grading permit process.
9. Stormwater staff will validate annual maintenance of the specific SCMs on a case-by-case basis.
10. City staff will assess the program's effectiveness and modify as needed to improve the marker program.

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