

## **Appendix E**

### Post-Construction Stormwater Management for New Development and Redevelopment

# Post-Construction Stormwater Management for New Development & Redevelopment

Post-construction best management practices (BMPs) provide long-term water quality and water quantity control for stormwater discharges from development and redevelopment projects. To insure efficient and effective operation, these BMPs must be correctly installed and maintained. The Post-Construction Stormwater Management Program, as set forth by the Eastern Washington Phase II Permit S5 ~~B.5 (B)(5)~~, requires the development, implementation and ~~enforcement of a program to address post-~~enforcement of a program to address post-construction stormwater runoff from public and private projects that disturb one acre or more, and from projects of less than one acre that are part of a common plan of development or sale.

## Objective

The goal of the Post-Construction portion of the Stormwater Management Program is to maintain and enforce the program to address post-construction stormwater runoff to the MS4 from new development and redevelopment projects. For this specific program, the goal is to ensure that controls to prevent or minimize water quality impacts are in place and maintained.

This plan documents the process for ensuring proper project review, inspection, and compliance with these requirements.

## Program Elements

### 1. Local Regulation

Each local jurisdiction has an ordinance or resolution that requires post-construction stormwater controls at new development and redevelopment projects. The ordinance or resolutions apply at a minimum to new development and redevelopment sites that disturb one acre or more or are less than one acre that are part of a common plan of development or sale (regulated projects). These regulations were effective February 16, 2011 and were adopted at the same time as the construction stormwater requirements. In addition, the local jurisdictions adopted the ~~most~~ current version of the Stormwater Management Manual for Eastern Washington as the minimum standards for compliance. The adoption of this manual is the presumptive approach to meeting the NPDES Phase II Permit documentation requirements.

While all of the jurisdictions use the same stormwater management manual and implement the same permit requirements, each jurisdiction has its own development standards and local requirements. For more information on the jurisdiction, specific requirements please refer to the following local codes:

- Chelan County Code Chapter 13.18 (Resolution No. 2010-19)
- Douglas County Code Chapter 20.36 (Ordinance No. TLS 10-02-03B)
- East Wenatchee City Code Chapter 13.30 (Ordinance No. 2010-05)
- Wenatchee City Code Chapter 9.20 ([Ordinance 2019-12](#); [Ordinance 2017-22](#); [Ordinance 2010-01 formerly 12.10](#))~~Ordinance 2010-01~~

The local regulations must be updated to meet the conditions of the Permit and adopted no later than June 30, 2027.

### 2. Site Plan Review

All Stormwater Site plans for new development and redevelopment sites greater than or equal to one acre and to projects of less than one acre that are part of a common plan of development or sale must be reviewed prior to construction. The stormwater site plan shall be completed in accordance with the SWMMEW and jurisdiction-specific local requirements.



### 3. Site Inspection and Enforcement

The jurisdiction will assume maintenance and operation of stormwater facilities in the improved public right-of-way that receive stormwater from public facilities. The jurisdiction does allow such facilities to be maintained by homeowners associations or a similar entity acceptable to the jurisdiction with an approved maintenance agreement in place.

After project completion and inspection, the jurisdiction may assume maintenance and operation of the facilities as specified in each jurisdiction's ordinance. Before assuming maintenance responsibilities, an inspection of all stormwater facilities is conducted by the jurisdiction to ensure the facilities have been properly maintained and are operating as designed.

Stormwater facilities to be maintained and operated by the jurisdiction must be located in a tract, or right-of-way dedicated to the jurisdiction. Access roads serving these facilities must also be located in the tract or right-of-way and must be connected to an improved public road right-of-way.

#### 3.1. Facilities Maintained by Private Parties

All privately maintained drainage facilities must be maintained in accordance with a recorded Operations and Maintenance Agreement. A copy of the Operation and Maintenance Manual shall be retained by the entity responsible for maintenance and transferred with the property as ownership changes.

#### 3.2. Inspection Frequency

All structural BMP's shall be inspected at least once during installation. Facilities maintained by the jurisdiction are inspected prior to taking over maintenance duties.

All privately maintained facilities that discharge or overflow to the municipal separate storm sewer system shall be inspected at least once every five years after final installation by qualified personnel. Access shall be granted to the jurisdiction's staff or qualified personnel to perform required inspections. In lieu of providing this access, private property owners can provide an annual certification prepared by a qualified third party indicating that adequate maintenance has been performed and the facilities are operating as designed to protect water quality.

#### 3.3. Enforcement

If a site is inspected and problems are identified, the jurisdiction will take action in accordance with the local jurisdiction's code and implementation plan.

### 4. Training

#### 4.1. Municipal Staff

Training is provided to municipal staff involved in permitting, planning, review, inspection and enforcement to carry out the provisions of the Post-Construction Stormwater Management Program elements, including office and field staff. Training may include classroom or field instruction, videos, or web based seminars from the Department of Ecology or Environmental Protection Agency website or other source.

Municipal staff training records shall include:

- Dates
- Activities or course descriptions
- Names and positions of staff in attendance

Jurisdictions coordinate post-construction stormwater management training with training for erosion and sediment control to ensure efficient use of resources. The jurisdictions also determine type of training, length of training and whether certification is required

#### 4.2. Design Professionals

Information on training is provided to design professionals in order to comply with the requirements of Appendix 1 of the Municipal Stormwater Permit and apply the standards adopted by the jurisdiction.

Local jurisdictions do not need to conduct this training, but should direct design professionals to available training resources if requested. Information may be provided as a handout during the pre-application meeting.

Design Professional training records shall include:

- Copies of information provided to Design Professionals
- Copies of information distributed to large numbers of design professionals, including the date of the mailing and the recipient list

### 5. Project Record Keeping

#### 5.1. Facilities maintained by the jurisdiction

Agencies keep records of all regulated projects for five years or until construction is completed, whichever is longer, with the exception that approved site plans and O&M agreements shall be kept as needed to comply with on-going inspection requirements.

Records that shall be kept at a minimum include:

- Approved site plans
- O&M Agreements
- Inspection reports
- Enforcement actions
- Warning letters
- Notice of Violations

Inspection records will be on the jurisdiction-approved form and shall include at a minimum:

- Location of Facility
- Date of inspection
- Inspection personnel
- Condition of the facility
- Action Required

### **Appendix:**

Appendix E-1 Post-Construction Stormwater Program Implementation Procedure