

City of Concord

C.3 BMP Operation and Maintenance Verification Plan

Requirement for Maintenance and Inspections

Ongoing maintenance and inspection of stormwater management facilities is required by the City of Concord Stormwater Management and Discharge Control Ordinance, which is provided in Appendix A of the *Stormwater C.3 Guidebook*. In addition, the City of Concord will require that a Stormwater Management Facilities Operation and Maintenance Agreement and Right of Entry, or equivalent, be executed as a condition of project approval. (A sample agreement is provided in Appendix F of the *Stormwater C.3 Guidebook*.)

List of Stormwater Management Facilities

Current Development is responsible for maintaining the list of stormwater management (treatment) facilities installed in Concord.

Once Current Development approves a Stormwater Control Plan, the information on the plan will be entered into the City's Permits Plus database for ongoing tracking and reporting of stormwater management facility installation and inspections.

Submittal of Stormwater BMP Construction Plans and Operation and Maintenance Plans

The applicant will most often apply for a construction permit for stormwater management facilities under a Building Permit through the Building division. The construction permit submittal shall include: (1) detailed drawings and specifications for stormwater facilities, and (2) a detailed draft Stormwater BMP Operation and Maintenance Plan consistent with the general O&M plan included in the applicant's approved Stormwater Control Plan. These submittals will be reviewed by Current Development. Requirements for Stormwater Control Operation and Maintenance Plans are in Appendix F of the *Stormwater C.3 Guidebook*.

Prior to issuance of a Certificate of Occupancy, applicant shall submit a final Stormwater Control Operation and Maintenance Plan (O&M Plan), which must be approved by Current Development before the Certificate of Occupancy will be issued. The O&M Plan will be kept by the City for the life of the stormwater management facilities.

Inspection Plan for Stormwater Management Facilities

During construction, Current Development inspectors will verify the methods and materials used to build the stormwater facilities, and that the facilities are maintained by the permittee during the construction period.

After the construction permit is finalized, the operator of each site with a stormwater management facility is required to obtain an annual certificate of compliance certifying operation and maintenance of the site. The procedure for this is as follows:

- Current Development will issue notices to each site operator reminding them of the need to obtain an annual certificate. The notices will typically be mailed in June or July, with a due date at least 30 days after the mailing date of the notice.
- By the due date, site operators shall submit a City-approved inspection form completed by a company or person authorized by the City to perform inspections (in accordance with Section 86-40(b) of the City of Concord Municipal Code), and executed under penalty of perjury.
- After Current Development determines that all treatment measure and appropriate source control and site design measures have been properly maintained and are in good condition, a certificate of compliance will be issued, valid for one year from date of issuance.
- If Current Development notes maintenance deficiencies, a conditional certificate will be issued noting deficiencies that must be corrected within the time frame on the certificate. If deficiencies are not corrected within the time frame allowed, the certificate of compliance will be denied.

In cases of non-compliance with the requirements for operation, maintenance, and inspection of stormwater management facilities, the City will follow its established code enforcement process involving the City Attorney's office and code enforcement officers from the Neighborhood Services Division. This process is a progressive approach to enforcing the City's ordinances and may involve inspection warrants, inspection and re-inspection fees, citations, fines, and/or abatement warrants allowing the City to perform needed corrections, billing for abatement actions, and placing liens on properties in cases of non-payment.

Inspection Procedure (For Self-Inspections and Annual O&M Verification Inspections)

Inspection checklists for each BMP are to be incorporated into the required Stormwater Control Operation and Maintenance Plan for each site as described in Appendix F. Inspections will be recorded on a log similar to that in Attachment F-3 to Appendix F. The Inspector's report will include the information shown in Attachment F-4 to Appendix F, in addition to information on the presence of standing water, mosquitoes and vectors. Inspectors' reports will be filed along with the Stormwater Control Operation and Maintenance Plan.

In compliance with Regional Water Quality Control Board Order No. R2-2003-0022, Current Development will inspect a subset of prioritized treatment measures on an annual basis, for all treatment measures constructed since February 19, 2003. This will be done using random sampling techniques. In addition, staff may target BMPs for inspection when there have been problems or complaints.

This procedure may be modified at a later date to require less frequent verification inspections of certain BMPs.

Documentation, Effectiveness Evaluation, and Continuous Improvement

Current Development and the Stormwater Program Manager will be responsible for reviewing and assessing the BMP Operation and Maintenance Verification Program each

year when the City of Concord's annual report to the Water Board is prepared. The report to the Water Board will include:

- Any updates to the organization or structure of the verification program.
- Planned improvements to the verification program.
- Summary of inspections and inspection results.
- Sites added to the verification program, including treatment measures used, sizing criteria employed, and party responsible for O&M.
- Evaluation of the verification program's effectiveness.

References and Resources

Attached are operation, inspection, and maintenance fact sheets from the California Stormwater Quality Association Municipal BMP Handbook, which can also be obtained at www.cabmphandbooks.com.

Fact sheets for other BMPs were developed by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) and are available on their website at http://www.scvurppp-w2k.com/Treatment_Control_BMPs.htm.

Guidance for planning treatment BMP operation and maintenance is in Chapter 3 - Step 9, Chapter 6, and Appendix F of the *Stormwater C.3 Guidebook*.