

Agenda Item: 7.

Memorandum

To: Program Projects and Operations Subcommittee

From: Lori Laster, Stormwater Management Engineer

Date: April 1, 2013

Re: District Program 17.41 Stormwater Best Management Practices Amendments

During budget discussions for the Fiscal Year 2013 budget, the Board of Directors requested that an evaluation of rain gardens be presented prior to funding other projects under the District's Stormwater Best Management Practices (BMP) Program. At the March 12, 2013 Subcommittee meeting a report was presented showing results of testing performed on locally installed BMPs.

Based on the results of the testing and other data available through the University of Nebraska, Staff believes that the BMPs are performing as intended and wishes to encourage installation of more BMPs.

Staff is recommending expanding eligibility for the program to homeowners in urban areas (lots less than one-half acre in size). The proposed changes would allow for cost-share with private homeowners up to \$100 for a rain barrel and up to \$500 for a rain garden. Funds will be set in the budget and applications will be taken throughout the year on a first come, first served basis. For the first year of the program the budget would include funding for up to 10 rain barrels and 10 rain gardens for a total of \$6,000.

Other minor changes have been made to the existing municipal program in order to be more consistent with other District cost share programs. Applications would be accepted once per year along with other District urban cost share programs and approved by Management. Approved projects will be presented to the Board and subject to inclusion in the budget each year.

Management recommends that the Subcommittee recommends that the Board of Directors adopt the proposed changes to District Program 17.41 Stormwater Best Management Practices.

17.41 - STORMWATER BEST MANAGEMENT PRACTICE PROGRAM

The Stormwater Best Management Practice (BMP) Program is an authorized program of the District to provide technical and financial assistance to local subdivisions of government (Municipal Program) and homeowners (Homeowner Program) who install ~~innovative~~ best management practices to control stormwater runoff and improve water quality.

Municipal Program

The Municipal Program is intended for local subdivision of government to install stormwater BMPs on public property.

A. Criteria for Assistance

- (1) Eligible projects will be constructed on publicly owned property involving the use of ~~innovative~~ best management practices to reduce stormwater runoff and/or improve water quality.
- (2) Each project must be sponsored by a local unit of government (including S&IDs) with authority and capability to carry out and maintain the project.
- (3) Eligible measures include:
 - ~~(a) water quality measures (including but not limited to raingardens, green roofs, bioswales, infiltration trenches)~~
 - ~~(b) stormwater management measures (including but not limited to rain barrels, bioretention, pervious pavement)~~
 - ~~(c) new and innovative erosion and sediment control measures~~
- (4) The following are not considered eligible projects
 - (a) piped, underground detention systems
 - ~~(b) standard silt fence, construction entrances, sediment basin riser pipes and other routine construction site erosion and sediment control measures~~
 - ~~(5) Approved projects may be implemented over a period of consecutive years.~~
 - ~~(6) All measures must be technically feasible and environmentally acceptable.~~

B. District Responsibilities

- (1) Administer the Stormwater BMP Program.
- (2) ~~Review and prioritize all applications.~~Management will prioritize and approve eligible applications.
- (3) ~~Provide-Reimburse~~ 50% ~~cost-sharing-onof~~ all eligible costs of the project up to \$10,000 per project. Eligible costs shall include all costs associated with design, construction and construction observation. The following shall also apply:
 - (a) Sponsor's "in-house" design costs are not eligible for cost-sharing.
 - (b) Construction must be performed by a qualified contractor. Reimbursement for use of Sponsor's labor and equipment are not eligible costs.
- (4) The District may require construction of component parts in consecutive years.
- (5) The District must approve plans, specifications, and/or implementation schedules.

- ~~(6) The District shall budget funds for the component parts of all approved projects. Previously approved projects have priority for funding.~~

C. Sponsor Responsibilities

- (1) The sponsor shall submit an application on forms provided by the District (Stormwater Best Management Practice Program Application, Form 17.41, Manual of Standard Forms, Appendix E).
- (2) The sponsor shall submit preliminary plans with the application. The following items should be included:
 - (a) total estimated cost
 - (b) implementation schedule, including estimated costs for component parts.
 - (c) preliminary design including expected stormwater runoff and water quality benefits
 - (d) location maps.
- (3) The sponsor shall obtain all land rights for the project at no cost to the District.
- (4) The sponsor shall provide all future operation and maintenance on the project at no cost to the District for at least 10 years.
- (5) The sponsor must comply with all local, state, and federal laws.
- (6) The sponsor must obtain all local, state, and federal permits necessary for the project.
- (7) The sponsor shall administer all contracts for design, construction and construction inspection.
- (8) The sponsor shall hold and save the District free from damages or claims due to the design, construction, or operation and maintenance of the project.
- (9) The sponsor shall execute an agreement with the District which will outline these guidelines.
- (10) The sponsor shall complete with project within one year.

D. Requesting Reimbursement

- (1) Upon completion of construction ~~of each component~~, reimbursement may be requested by the sponsor by providing the following:
 - (a) Certificate of Completion, signed by a licensed, professional engineer.
 - (b) Copies of final pay estimates invoice or receipts for labor and materials which shows total units, unit costs, and total component costs.
- ~~(2) Progress payments on individual components will not be allowed.~~

Homeowners Program

The Homeowners Program is intended for individual homeowners to install lot-level BMPs (rain barrels and rain gardens) to reduce stormwater runoff and/or improve water quality. Applications will be accepted at any time during the year with approval subject to available funding.

A. Criteria for Assistance

- (1) Eligible projects will be constructed in urban areas on privately owned property of the applicant.
- (2) Eligible measure include rain barrels and rain gardens as outlined and specified in the following publications and other technical materials:
 - a. Omaha Bioretention Gardens
 - b. UNL Extension "Nebraska Bioretention and Rain Garden Plants Guide" EC1261
 - c. UNL Extension "Rain Garden Design for Homeowners" G1758
 - d. UNL Extension "Installing Rain Gardens in Your Yard" G1760
 - e. UNL Extension "Rainwater Harvesting in Residential-Scale Landscapes" G2148
- (3) Applicants are limited to a total of one rain barrel and one rain garden per year.

B. District Responsibilities

- (1) Administer Homeowners Program.
- (2) Provide technical assistance to homeowners to plan for and install the practices.
- (3) Management will prioritize and approve eligible projects on a first come, first served basis subject to available funding.
- (4) Reimburse the applicant up to 75% of the actual cost of installation:
 - a. Reimburse up to \$100 for a rain barrel;
 - b. Reimburse up to \$500 for a rain garden.
- (5) Inspect completed project prior to reimbursement of funds to the applicant.

C. Applicant Responsibilities

- (1) Submit application on form provided by the District.
- (2) Submit a concept drawing, cost estimate, and project schedule.
- (3) Provide all future operation and maintenance on the project at no cost to the District for at least five years.

D. Requesting Reimbursement

- (1) Upon completion of construction and final inspection by District Staff the applicant may request reimbursement by providing receipts for all materials and labor for the project.

(June 12, 2008 April 1, 2013)