Returned at Counter

2025-002566
Klamath County, Oregon

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04/09/2025 03:02:27 PM Fee: $277.00

AFTER RECORDING RETURN TO:
City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601

Declaration of Covenants for the Operation & Maintenance of Stormwater Facilities for WinCo Foods, Store No. 176 Parcels 1 & 2 of Land Partition 21-24

Declaration of covenants affecting the real property described as 2985 Shasta Way, tax lot R-3809-034CC-00200-000 (Parcel 1 of Land Partition 21-24), and tax lot R-3809-034CC-0201-000 (Parcel 2 of Land Partition 21-24) , within the City of Klamath Falls, Klamath County, Oregon (the "properties"), for the express purpose of causing the Owner of Parcel 1 and its successor-in-interest to acknowledge and be subject to performing the operation and maintenance ("O&M") of the stormwater facility located on the properties that serves both Parcel 1 and Parcel 2 of Land Partition 21-24.

NOW THEREFORE, the undersigned WinCo Foods, LLC, a Delaware limited liability company ("Owner"), who owns Parcel 1, does hereby declare that it and its designees, successors, and assigns, will manage, operate, and maintain said stormwater facility, for both parcels, as prescribed below:

1) The Owner agrees to submit a recorded copy of this Covenant, which includes the Stormwater Maintenance and Operation Manual for WinCo Foods Store No. 176 attached hereto (the "O&M Plan"), to the City of Klamath Falls ("City") prior to the installation of a City water meter.

2) This Covenant shall remain in full force and effect unless canceled or modified with the written consent of the City and the Owner or its successor-in-interest.

3) The Owner shall keep a copy of this Covenant and the as-constructed plans of the facility available in its electronic files in accordance with its standard document retention policies. These shall be made available to City staff upon request.

4) All areas within the stormwater facility and easements associated with the stormwater facility shall be maintained by the Owner or its successor-in-interest in accordance with the O&M Plan.

5) No material modifications of physical features shall be made within the stormwater facility without receiving prior written authorization from the City.

6) The Owner shall maintain, repair or replace part or all the facility, including within Parcel 2, as necessary to ensure it is functioning in accordance with the O&M Plan or as modified per written agreement with the City.

7) The Owner shall inspect the entire facility, including within Parcel 2, in accordance with the approved maintenance requirements submitted in the O&M plan to ensure it is functioning properly. Inspections must be performed annually at a minimum.

8) If the system is not functioning properly or any of the conditions requiring corrective actions as shown within the maintenance requirements and on the as-built construction plans, corrective actions will be taken by the Owner within 15 calendar days after the earlier of Owner's discovery of the defect or noncompliance or the City's written notice of any defect or noncompliance, unless other arrangements are made with the City.

9) The Owner shall keep records of system inspections and maintenance in its electronic files in accordance with its standard document retention policies. Records shall note inspection dates, any conditions requiring maintenance actions, and maintenance conducted. Records shall be made available to City staff upon request.

10) City staff shall have the right to enter upon the properties for the purpose of inspecting, and reasonably monitoring performance of the flow control facilities using the maintenance access routes specified in the O&M plan.

11) City staff shall make a reasonable effort to notify the Owner prior to any inspections deemed necessary. Unless otherwise agreed upon between City staff and Owner, inspections shall be scheduled Monday through Friday during normal business hours.

12) Upon inspection of the facility, City staff will notify the Owner of any noted conditions or practices that are not in compliance with the approved O&M Plan and will specify a timeframe for corrective actions to be taken.

13) Failure to correct a defective condition within the timeframe specified by City staff or continued non-compliance with practices and procedures specified in this O&M Plan may result in a nuisance and be subject to enforcement provisions per the City of Klamath Falls Code, Chapter 5. Stormwater facilities as well as the adjacent right-of-way, easements, and/or private property upon which they reside are subject to all nuisance provisions of the City of Klamath Falls Code, including control of noxious weeds, vegetation and removal of litter and debris, except as they relate to the approved vegetation within the water quality functioning portion of the stormwater treatment facility.

14) The Owner shall not apply or dump any pesticides, herbicides, petroleum-based products or other hazardous or foreign substances within the stormwater facility.

15) Dead vegetation and cuttings, including grass cuttings, shall be removed from the stormwater facility and disposed of in accordance with local and State requirements.

16) If a complaint is received or an inspection reveals that the stormwater facility is infested with mosquitoes or other vectors, the Owner shall contact the local Vector Control to eliminate the infestation. Owner may also employ one of the following to help mitigation mosquito infestations:

a) Installation of predacious bird or bat nesting boxes.
b) Alterations of pond water levels approximately every four days in order to disrupt mosquito larval development cycles.

If corrective action has not taken place within 15 days after written notice from the City requiring corrective action, the City will take corrective action and charge the actual costs to the subject property owner.

17) The Owner shall bear all responsibility and cost to remove and replace any portion or affected portion of the stormwater facility located within any Public Utility Easement ("P.U.E.") located on the subject property, if applicable, at such time when the benefitting agency deems it necessary for access, maintenance and/or other activities as permitted by the P.U.E.

The above covenants shall run with the land, be enforceable by the City of Klamath Falls, and shall be binding upon Owner, their heirs, successors, and assigns.

IN WITNESS WHEREOF, the property owner(s), signed April 1, 2025

WinCo Foods, LLC

Isaac Kimball, SVP & CFO

STATE OF IDAHO }
} ss.
County of Ada }

This record was acknowledged before me on April ____, 2025 by Isaac Kimball as the SVP and CFO of WinCo Foods, LLC.

Notary Public, State of Idaho
My Commission Expires: 06/29/2025

HOLLY HARPER
COMMISSION #61825
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 06/29/2025

THE FOREGOING IS HEREBY ACCEPTED BY THE CITY OF KLAMATH FALLS

By: _____
Mark Willrett, Public Works Director

STATE OF OREGON }
} ss.
County of KLAMATH }

On April 9th, 2025, personally appeared Mark Willrett, who, being first duly sworn, did acknowledge that he is the Public Works Director, that the foregoing instrument was signed on behalf of said The City of Klamath Falls, that he is authorized to execute this instrument and that this instrument is of voluntary act and deed of that entity.

OFFICIAL STAMP
BELEN GARCIA DE LA VEGA
NOTARY PUBLIC-OREGON
COMMISSION NO. 1037409
MY COMMISSION EXPIRES JUNE 15, 2027

WITNESS my hand and official seal.

Belen Garcia de la Vega
SIGNATURE OF NOTARY PUBLIC
Notary Public for Oregon
My Commission Expires: June 15, 2027

(Operations & Maintenance Plan (Exhibit to DOC for O&M) Attached)

STORMWATER MAINTENANCE AND OPERATION MANUAL FOR

WinCo Foods Store No. 176
NWC Shasta Way & Avalon Way

PREPARED FOR

WinCo Foods, LLC

PREPARED BY

JSA CIVIL
Engineering | Planning | Management
111 TUMWATER BLVD SE, SUITE C210
TUMWATER, WA 98501

Contents

SECTION 1: PURPOSE AND RESPONSIBILITY

The **WinCo Foods Store** includes private stormwater facilities intended to provide treatment and detention of stormwater. It is the site operator's responsibility to maintain these facilities and ensure they are functioning in proper working order. The purpose of this report is to describe the facilities and provide the site operator with procedures on how to maintain the stormwater facilities.

SECTION 2: LOCATION OF OPERATIONS AND MAINTENANCE MANUAL

This manual will be kept on-site at the WinCo Foods Store or with a designated property manager. This manual shall be made available to the City of Klamath Falls personnel upon request.

SECTION 3: WRITTEN DESCRIPTION OF FACILITIES

The existing stormwater sheet flows across an empty lot. The proposed stormwater design is to sheet flow to low points in the drive aisles and parking areas, where the stormwater is captured in catch basins and conveyed to water pollution control manhole and then detained in a stormwater pond, where it is released into the existing storm system. Additionally, roof runoff is collected via roof drains and conveyed to the to the detention basin.

- **Pipes and Surface Conveyance:**
    - Maintenance: Clean out sediment and trash from pipe. Use a high-pressure hose, vacuum suction, or other appropriate cleaning method.
    - Replacement: Only necessary if structural damage occurs.
- **Pollution Control Manhole:**
    - Maintenance: Sedimentation manholes require an enforceable plan and adequate access for long term inspection, cleaning, and maintenance. Annual inspections (at a minimum) are required. For sedimentation manholes installed in areas with ADT of 1,000 or more trips per day, increased inspection and maintenance is necessary.
    - Replacement: Replace per manufacture recommendations. Replace structure if structural damage occurs.
- **Detention Pond:**
    - Maintenance: See V-A.2 Maintenance Standards – Detention Pond
- **Control Structure:**
    - Maintenance: See V-A.6 Maintenance Standards – Control Structures
- **Catch Basins:**
    - Maintenance: See V-A.7 Maintenance Standards – Catch Basins
    - Replacement: Only necessary if structural damage occurs.

SECTION 4: MAINTENANCE SCHEDULE

Appendix B contains maintenance needs for the facilities that are a part of this project's drainage system. The checklist should be completed for all system components in accordance with the following schedule:

M. Monthly from October through April

A. Annually, once in late summer (preferably September)

S. Storm-based, after any major storm event (use 1.6-inch in 24-hours as a guideline)

Using copies of these pages, check off the problems investigated each time an inspection was performed. Add comments on problems found and actions taken. Some items do not need to be looked at every time an inspection is done. Use the suggested frequency as a guideline for the inspection.

SECTION 5: REQUIRED RECORDKEEPING AND REPORTS

Record keeping for each inspection should, at a minimum, include the following:

- Name, address, and telephone number of the person(s) responsible for plan implementation and the person(s) completing the report.
- Time period covered by the report.
- A chronological summary of activities conducted to implement the program(s) required by the Operations & Maintenance Plan. This information shall be logged in the logbook with any additional comments/narrative. For any activities that are completed by paid parties, include a copy of the invoice for services.
- An outline of planned activities for the next year.
- Maintenance records shall be kept on-site for a minimum of five years and available to City of Boise staff if requested.

SECTION 6: SAFETY

The individual inspecting or maintaining the stormwater system should always consider safety as the first priority. The inspector should have the proper safety equipment (heavy duty gloves, steel-toed boots, first aid kits, for example) and training before conducting any inspections, and all work should be done in accordance with OSHA regulations.

SECTION 7: SOURCE CONTROL

Preventing non-stormwater discharge and pollution from entering the stormwater system is critical to the long-term functionality of the system. Potential non-stormwater discharges and pollution on the site include, but are not limited to the following:

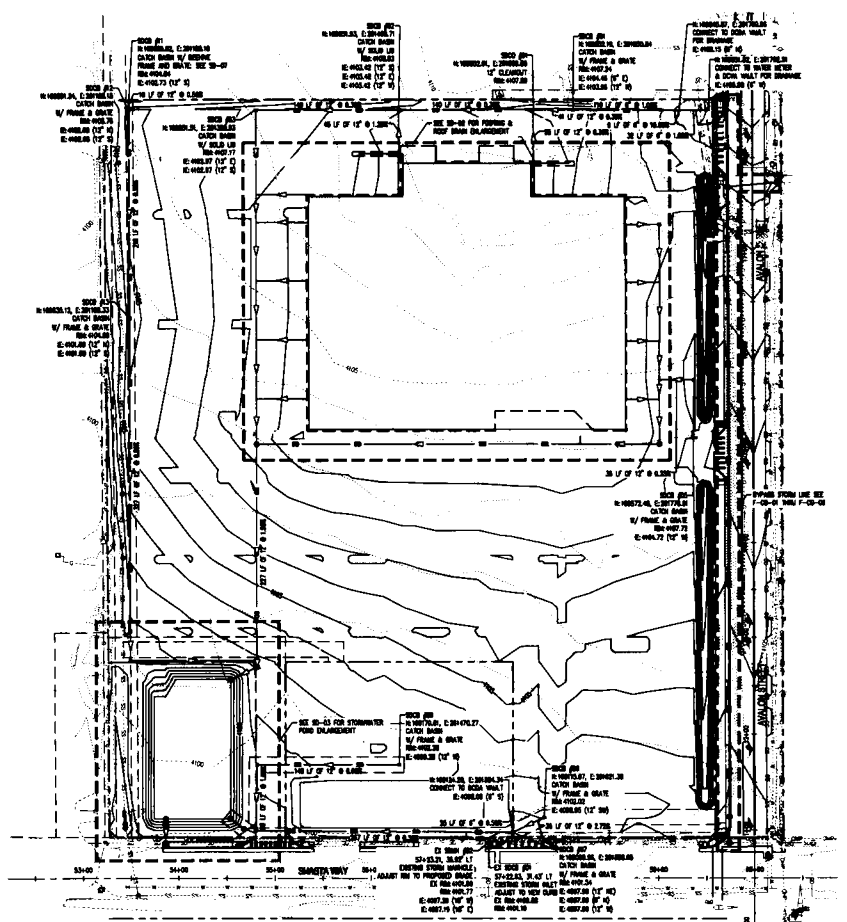
- 10.3.1 Basic Requirements
- 10.3.4 Solid Waste Storage Areas, Containers, and Trash Compactors
- 10.3.6 Material Transfer Areas/Loading Docks
- 10.4.1 Paved Sidewalks and Parking Lots

Appendix D provides guidance and best management practices from the City of Klamath Falls to protect the stormwater system from illicit discharges. Employees and maintenance contractors shall be trained and familiar with the BMP's listed in this document.

SECTION 8: APPENDICES

Appendix A – Site Drawings and Details
Appendix B – Maintenance Standards
Appendix C – Recordkeeping Documents
Appendix D – Source Control Documents

APPENDIX A
SITE DRAWINGS & DETAILS



N

0 50 100

SCALE IN FEET

LEGEND

- PROPERTY LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING STORM LINE
- EXISTING STORM MANHOLE
- EXISTING CATCH BASIN
- PROPOSED BUILDING
- CEMENT CONCRETE CURB & GUTTER
- WATER LINE
- WATER SERVICE LINE
- SEWER LINE
- ADS N-12 STORM LINE UNLESS OTHERWISE NOTED TRENCH SECTION PER KLAMATH FALLS STD. DWG 2-100: SEE WT-08
- 6" SCHEDULE 40 PVC PERFORATED FOOTING DRAIN: SEE SD-08
- STANDARD CATCH BASIN PER KLAMATH FALLS STD DWG 4-100: SEE SD-08
- STANDARD MANHOLE PER KLAMATH FALLS STD DWG 2-100: SEE SD-08 WITH INLET PER ODOT STD. DWG. RD366: SEE SD-07
- STANDARD MANHOLE PER KLAMATH FALLS STD DWG 2-100: SEE SD-08 W/ STD MANHOLE GRATE PER ODOT STD RD356: SEE SD-07
- • STANDARD MANHOLE PER KLAMATH FALLS STD DWG 2-110 UNLESS OTHERWISE NOTED: SEE SD-08
  • POLLUTION CONTROL MANHOLE PER KLAMATH FALLS STD DWG 4-140 AS NOTED: SEE SD-08
- STORM CLEANOUT: SEE SD-08
- CHAMFERED PE END: SEE SD-08

CALL BEFORE YOU DIG

THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

VERTICAL DATUM
NAVD 88

XXXX_WWC_178_SD-01_STORMWATER PLAN

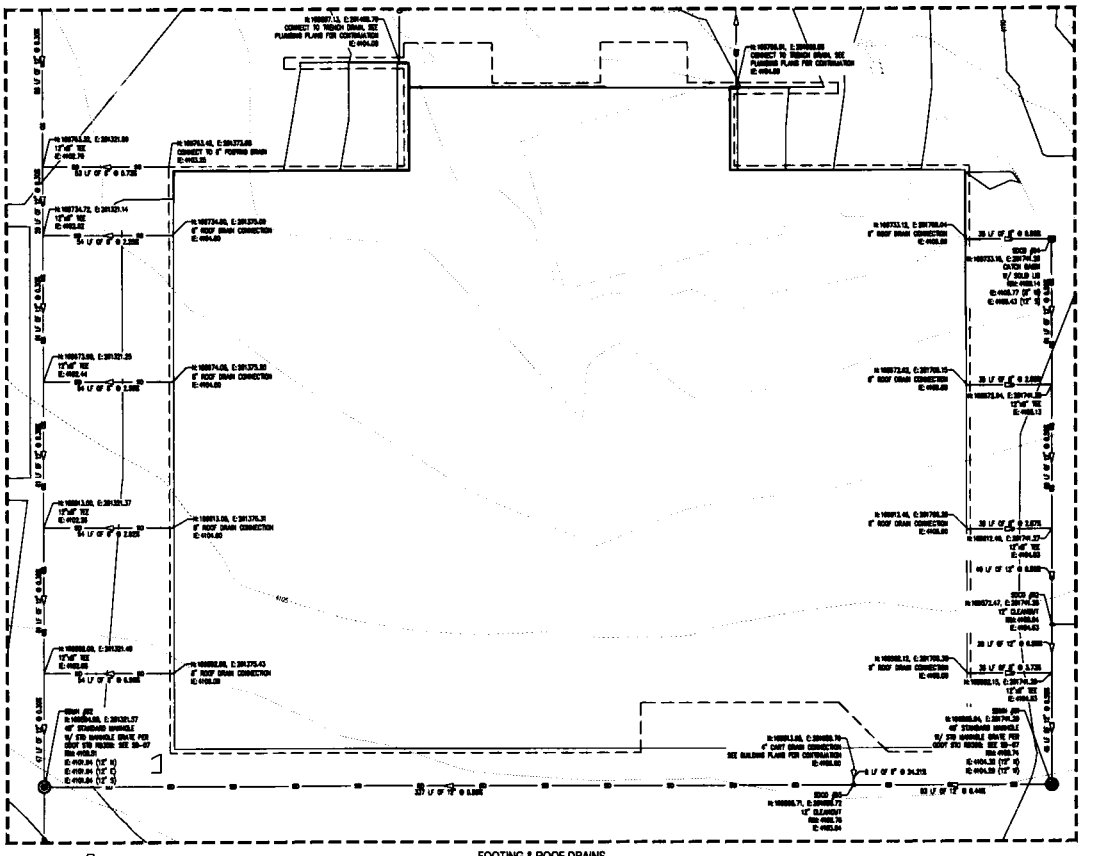
JSA CIVIL
111 TUMWATER BLVD SE, SUITE C210
TUMWATER, WA 98501

WINCO FOODS STORE NO. 178
COMMERCIAL DEVELOPMENT PROJECT
NWC SHASTA WAY & AVALON ST
KLAMATH FALLS, OR 97603
SEC. 34 T38S R9E, W.M.

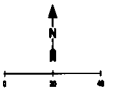
WinCo FOODS

STORMWATER PLAN

SD-01



FOOTING & ROOF DRAINS
1"=30'



CALL BEFORE YOU DIG
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VERTICAL DATUM
NAVD 88

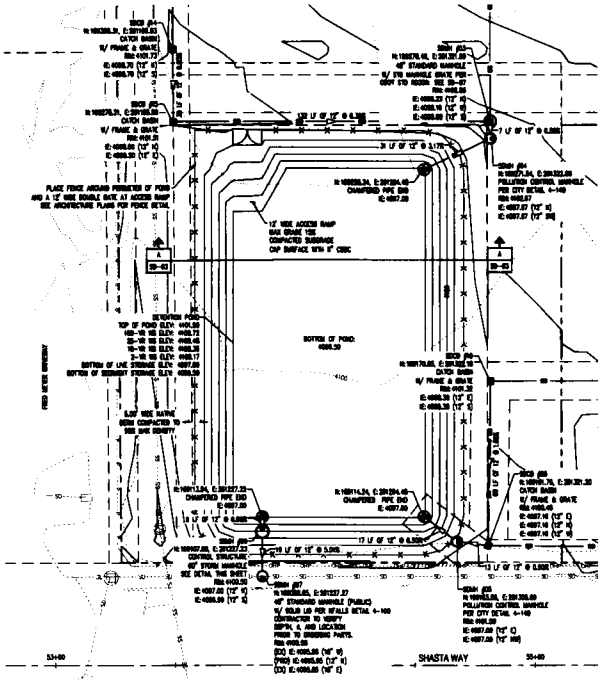
JSA CIVIL
engineering | planning | development
111 TOMMASTER BLVD SE, SUITE C250
TOMMASTER, WA 98661

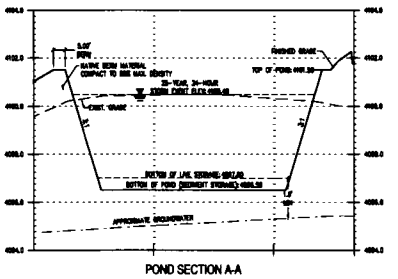
WINCO FOODS STORE NO. 178
COMMERCIAL DEVELOPMENT PROJECT
NWC SHASTA WAY & AVALON ST
KLAMATH FALLS, OR 97603
SEC. 34 T39S R9E, W.M.

WinCo Foods

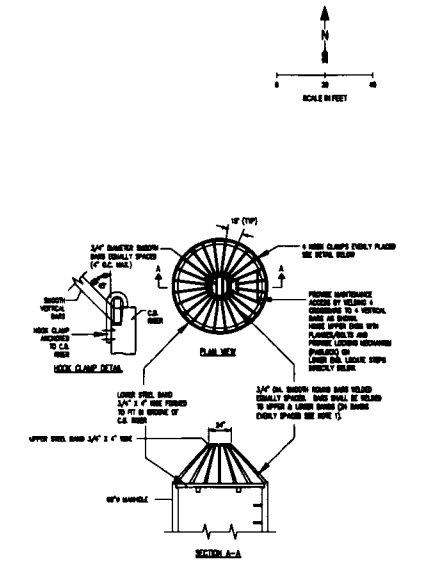
STORMWATER ENLARGEMENTS PRIVATE

SD-02





POND SECTION A-A



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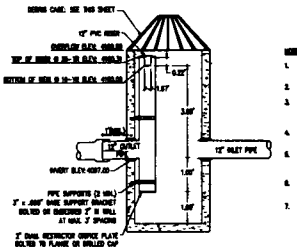

CONTROL STRUCTURE

CALL BEFORE YOU DIG

THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 811 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

VERTICAL DATUM NAVD 88

JSA CIVIL
111 TOMMASTEN BLVD SE, SUITE C210
TOMMASTEN, WA 98501

WINCO FOODS STORE NO. 178
COMMERCIAL DEVELOPMENT PROJECT
NWC SHASTA WAY & AVALON ST
KLAMATH FALLS, OR 97603
SEC. 34 T39S R9E, W.M.

WinCo FOODS

STORMWATER POND PRIVATE

SD-03

APPENDIX B
MAINTENANCE STANDARDS

JSA CIVIL
Engineering | Planning | Management

V-A.7 Maintenance Standards - Catch Basins

Table V-A.6: Maintenance Standards - Catch Basins

Maintenance Component	Defect	Conditions When Maintenance is Needed	Results Expected When Maintenance is performed
General	Trash & Debris	Trash or debris which is located immediately in front of the catch basin opening or is blocking inletting capacity of the basin by more than 10%. Trash or debris (in the basin) that exceeds 60% of the sump depth as measured from the bottom of basin to invert of the lowest pipe into or out of the basin, but in no case less than a minimum of 6 inches clearance from the debris surface to the invert of the lowest pipe. Trash or debris in any inlet or outlet pipe blocking more than 1/3 of its height. Dead animals or vegetation that could generate odors that could cause complaints or dangerous gases (e.g. methane).	No Trash or debris located immediately in front of catch basin or on grate opening. No trash or debris in the catch basin. Inlet and outlet pipes free of trash or debris. No dead animals or vegetation present within the catch basin.
	Sediment	Sediment (in the basin) that exceeds 60% of the sump depth as measured from the bottom of basin to invert of the lowest pipe into or out of the basin, but in no case less than a minimum of 6 inches clearance from the sediment surface to the invert of the lowest pipe.	No sediment in the catch basin
	Structure Damage to Frame and/or Top Slab	Top slab has holes larger than 2 square inches or cracks wider than 1/4 inch. (Intent is to make sure no material is running into basin). Frame not sitting flush on top slab, i.e. separation of more than 3/4 inch of the frame from the top slab. Frame not securely attached.	Top slab is free of holes and cracks. Frame is sitting flush on the riser rings or top slab and firmly attached.
	Fractures or Cracks in Basin Walls/ Bottom	Maintenance person judges that structure is unsound. Grout fillet has separated or cracked wider than 1/2 inch and longer than 1 foot at the joint of any inlet/outlet pipe or any evidence of soil particles entering catch basin through cracks.	Basin replaced or repaired to design standards. Pipe is regrouted and secure at basin wall.
	Settlement/ Misalignment	If failure of basin has created a safety, function, or design problem.	Basin replaced or repaired to design standards.
	Vegetation	Vegetation growing across and blocking more than 10% of the basin opening.	No vegetation blocking opening to basin.

Maintenance Component	Defect	Conditions When Maintenance is Needed	Results Expected When Maintenance is performed
		Vegetation growing in inlet/outlet pipe joints that is more than 6 inches tall and less than 6 inches apart.	No vegetation or root growth present.
	Contamination and Pollution	See V-A.2 Maintenance Standards - Detention Ponds	No pollution present.
Catch Basin Cover	Cover Not in Place	Cover is missing or only partially in place. Any open catch basin requires maintenance.	Cover/grate is in place, meets design standards, and is secured.
	Locking Mechanism Not Working	Mechanism cannot be opened by one maintenance person with proper tools. Bolts into frame have less than 1/2 inch of thread.	Mechanism opens with proper tools.
	Cover Difficult to Remove	One maintenance person cannot remove lid after applying normal lifting pressure. (Intent is keep cover from sealing off access to maintenance.)	Cover can be removed by one maintenance person.
Ladder	Ladder Rungs Unsafe	Ladder is unsafe due to missing rungs, not securely attached to basin wall, misalignment, rust, cracks, or sharp edges.	Ladder meets design standards and allows maintenance person safe access.
Metal Grates (if applicable)	Grate opening Unsafe	Grate with opening wider than 7/8 inch.	Grate opening meets design standards.
	Trash and Debris	Trash and debris that is blocking more than 20% of grate surface inletting capacity.	Grate free of trash and debris.
	Damaged or Missing.	Grate missing or broken member(s) of the grate.	Grate is in place, meets the design standards, and is installed and aligned with the flow path.

V-A.6 Maintenance Standards - Control Structures

Table V-A.5: Maintenance Standards - Control Structures

Maintenance Component	Defect	Condition When Maintenance is Needed	Results Expected When Maintenance is Performed
General	Trash and Debris (includes sediment)	Material exceeds 25% of sump depth or 1 foot below orifice plate.	Control structure orifice is not blocked. All trash and debris removed.
	Structural Damage	Structure is not securely attached to manhole wall. Structure is not in upright position (allow up to 10% from plumb). Connections to outlet pipe are not watertight and show signs of rust. Any holes - other than designed holes - in the structure.	Structure securely attached to wall and outlet pipe. Structure in correct position. Connections to outlet pipe are water tight; structure repaired or replaced and works as designed. Structure has no holes other than designed holes.
Clean-out Gate	Damaged or Missing	Clean-out gate is not watertight or is missing. Gate cannot be moved up and down by one maintenance person. Chain/rod leading to gate is missing or damaged. Gate is rusted over 50% of its surface area.	Gate is watertight and works as designed. Gate moves up and down easily and is watertight. Chain is in place and works as designed. Gate is repaired or replaced to meet design standards.
Orifice Plate	Damaged or Missing	Control device is not working properly due to missing, out of place, or bent orifice plate.	Plate is in place and works as designed.
	Obstructions	Any trash, debris, sediment, or vegetation blocking the plate.	Plate is free of all obstructions and works as designed.
Overflow Pipe	Obstructions	Any trash or debris blocking (or having the potential of blocking) the overflow pipe.	Pipe is free of all obstructions and works as designed.
Access Opening	See V-A.5 Maintenance Standards - Tanks and Vaults		
Catch Basin	See V-A.7 Maintenance Standards - Catch Basins		

V-A.2 Maintenance Standards - Detention Ponds

Table V-A.1: Maintenance Standards - Detention Ponds

Maintenance Component	Defect	Conditions When Maintenance Is Needed	Results Expected When Maintenance Is Performed
General	Trash and Debris	Any trash and debris which exceed 5 cubic feet (cf) per 1,000 square feet (sf), which is about equal to the amount of trash it would take to fill up one standard size garbage can. In general, there should be no visual evidence of dumping. If less than the threshold above, all trash and debris will be removed as part of next scheduled maintenance.	Trash and debris cleared from site
	Poisonous Vegetation and Noxious Weeds	Any poisonous or nuisance vegetation which may constitute a hazard to maintenance personnel or the public. Any evidence of noxious weeds as defined by State or local regulations. (Apply requirements of adopted integrated pest management (IPM) policies for the use of herbicides).	No danger of poisonous vegetation where maintenance personnel or the public might normally be. (Coordinate with local health department). Complete eradication of noxious weeds may not be possible. Compliance with State or local eradication policies required
	Contaminants and Pollution	Any evidence of oil, gasoline, contaminants or other pollutants. (Coordinate removal/cleanup with local water quality response agency).	No contaminants or pollutants present.
	Rodent Holes	Any evidence of rodent holes if the pond is acting as a dam or berm, or any evidence of water piping through dam or berm via rodent holes.	Rodents destroyed and dam or berm repaired. (Coordinate with local health department and Ecology Dam Safety Office if pond exceeds 10 acre-feet).
	Beaver Dams	Dam results in change or function of the BMP.	BMP is returned to design function. (Coordinate trapping of beavers and removal of dams with appropriate permitting agencies).

Maintenance Component	Defect	Conditions When Maintenance Is Needed	Results Expected When Maintenance Is Performed
	Insects	When insects such as wasps and hornets interfere with maintenance activities.	Insects destroyed or removed from site. Apply insecticides in compliance with adopted IPM policies
	Tree Growth and Hazard Trees	Tree growth does not allow maintenance and inspection access, or interferes with maintenance activity (i.e. slope mowing, silt removal, vactoring, or equipment movements). If trees are not interfering with access or maintenance, do not remove. If dead, diseased, or dying trees are identified. (Use a certified arborist to determine health of tree or removal requirements)	Trees do not hinder maintenance activities. Harvested trees should be recycled into mulch or other beneficial uses (e.g. alders for firewood). Remove hazard trees.
Side Slopes of Pond	Erosion	Eroded damage over 2 inches deep where cause of damage is still present or where there is potential for continued erosion. Any erosion observed on a compacted berm embankment.	Slopes should be stabilized using appropriate erosion control measure(s); e.g. rock reinforcement, planting of grass, compaction. If erosion is occurring on compacted berms a licensed engineer in the state of Washington should be consulted to resolve source of erosion.
Storage Area	Sediment	Accumulated sediment that exceeds 10% of the designed pond depth unless otherwise specified or affects inletting or outletting condition of the BMP.	Sediment cleaned out to designed pond shape and depth; pond reseeded if necessary to control erosion.
	Liner (if applicable)	Liner is visible and has more than three 0.25-inch holes in it.	Liner repaired or replaced. Liner is fully covered.
Pond Berms (Dikes)	Settlements	Any part of berm which has settled 4 inches lower than the design elevation. If settlement is apparent, measure berm to determine amount of settlement. Settling can be an indication of more severe problems with the berm or outlet works. A licensed engineer in the state of Washington should be consulted to determine the source of the settlement.	Dike is built back to the design elevation.

Maintenance Component	Defect	Conditions When Maintenance Is Needed	Results Expected When Maintenance Is Performed
	Piping	Discernible water flow through pond berm. Ongoing erosion with potential for erosion to continue. (Recommend a geotechnical engineer be called in to inspect and evaluate condition and recommend repair of condition.	Piping eliminated. Erosion potential resolved.
Emergency Overflow/Spillway	Tree Growth	Tree growth on emergency spillways creates blockage problems and may cause failure of the berm due to uncontrolled overtopping. Tree growth on berms over 4 feet in height may lead to piping through the berm which could lead to failure of the berm.	Trees should be removed. If root system is small (base less than 4 inches) the root system may be left in place. Otherwise the roots should be removed and the berm restored. A licensed engineer in the state of Washington should be consulted for proper berm/spillway restoration.
	Piping	Discernible water flow through pond berm. Ongoing erosion with potential for erosion to continue. (Recommend a geotechnical engineer be called in to inspect and evaluate condition and recommend repair of condition.	Piping eliminated. Erosion potential resolved.
	Emergency Overflow/Spillway	Only one layer of rock exists above native soil in area five square feet or larger, or any exposure of native soil at the top of outflow path of spillway. (Riprap on inside slopes need not be replaced.)	Rocks and pad depth are restored to design standards.
	Erosion	See Side Slopes of Pond	

APPENDIX C
RECORDKEEPING DOCUMENTS

Inspection and Maintenance Checklist
Catch Basin Inserts

Property Address: _____ Property Owner: _____

Facility Name/Designator _____ Date of Inspection: _____ Type of Inspection: ❑ Pre-rainy season ❑ Monthly ❑ Quarterly ❑ Annual ❑ Re-inspection[1]

Inspector(s): _____

Defect	**Conditions When Maintenance Is Needed**	**Maintenance Needed? (Y/N)**	**Comments** (Describe maintenance completed; and if any needed maintenance was not conducted, note what is needed and when it will be done)	**Results Expected When Maintenance Is Performed**
Sediment Accumulation	When sediment forms a cap over the insert media of the insert and/or unit.			Sediment cap is removed on the insert media and its unit.
Trash & Debris Accumulation	Trash and debris accumulates on insert unit creating a blockage/restriction.			Trash and debris removed from insert unit. Runoff freely flows into catch basin.
Media Insert Not Removing Oil	Effluent water from media insert has a visible sheen.			Effluent water from media insert is free of oils and has no visible sheen.
Media Insert Water Saturated	Catch basin insert is saturated with water and no longer has the capacity to absorb.			Media insert replaced.
Media Insert Oil Saturated	Media oil saturated due to petroleum spill that drains into catch basin.			Media insert replaced.
Media Insert Use Beyond Normal Product Life	Media has been used beyond the typical average life of media insert product.			Media insert replaced. Remove and replace media at regular intervals, depending on insert product.

[1] Re-inspection of a previously-noted maintenance issue

Catch Basin Inserts Inspection Checklist

Property Address: _____

Inspection Date:_____

Facility Name/Designator:_____

Inspection and Maintenance Checklist
Conveyance Systems (Pipes & Ditches)

Property Address: _____ Property Owner: _____

Treatment Measure No: _____ Date of Inspection: _____ Type of Inspection: ❑ Pre-rainy season ❑ Monthly ❑ Quarterly ❑ Annual ❑ Re-inspection[1]

Inspector(s): _____

Defect	**Conditions When Maintenance Is Needed**	**Maintenance Needed? (Y/N)**	**Comments** (Describe maintenance completed; and if any needed maintenance was not conducted, note what is needed and when it will be done)	**Results Expected When Maintenance Is Performed**
Pipes				
Sediment and Debris	Accumulated sediment exceeds 20% of the diameter of the pipe or 20% of the openings in a debris barrier.			All sediment and debris removed from the pipe and/or debris barrier.
Vegetation	Vegetation that reduces free movement of water through pipes.			All vegetation removed so water flows freely through pipes.
Damaged Pipe	• Protective coating is damaged or rust is causing more than 50% deterioration to any part of pipe. • Any dent that decreases the flow area by more than 20% or puncture that impacts performance.			Pipe is repaired or replaced.

[1] Re-inspection of a previously-noted maintenance issue.

Conveyance Systems Inspection Checklist
Property Address: _____

Inspection Date:_____
Facility Name/Designator:_____

Defect	**Conditions When Maintenance Is Needed**	**Maintenance Needed? (Y/N)**	**Comments** (Describe maintenance completed; and if any needed maintenance was not conducted, note what is needed and when it will be done)	**Results Expected When Maintenance Is Performed**
Debris Barrier	• Debris barrier is missing or not attached to pipe. • Bars are bent by more than 3 inches. • Bars are loose or rust is causing 50% deterioration to any part of the barrier.			Barrier is replaced or repaired to design standards. Barrier is firmly attached to pipe. Bars are in place with no bends more than ¾ inch.
Open Ditches				
Trash and Debris	• Trash and debris accumulated in basin. • Visual evidence of dumping.			Trash and debris is cleared from ditches.
Sediment	Accumulated sediment that exceeds 20% of the design depth.			Sediment removed and discarded of properly. Ditch cleansed of all excessive standards sediment and debris so that it matches design.
Vegetation	Excessive vegetation that reduces free movement of water through ditches.			Water flows freely through ditches.
Erosion Damage to Slopes and Channel Bottom	Eroded damage over 2 inches deep where cause of damage is still present or where there is potential for continued erosion.			Slopes should be stabilized using appropriate erosion control measure(s); e.g., rock reinforcement, planting of grass, compaction.
Rock Lining Out of Place or Missing (If Applicable)	Native soil is visible beneath the rock lining.			Rock lining replaced to design standards.

Inspection and Maintenance Report and Checklist
Ponds (Detention Pond, Infiltration Pond, Evaporation Pond, etc)

Property Address: _____ Property Owner: _____

Facility Name/Designator _____ Date of Inspection: _____ Type of Inspection: ❑ Pre-rainy season ❑ Monthly ❑ Quarterly ❑ Annual ❑ Re-inspection[1]

Inspector(s): _____

Defect	Conditions When Maintenance Is Needed	Maintenance Needed? (Y/N)	Comments (Describe maintenance completed; and if any needed maintenance was not conducted, note what is needed and when it will be done)	Results Expected When Maintenance Is Performed
General				
Trash & Debris	• Trash or debris accumulated in basin. • Visual evidence of dumping.			Trash and debris cleared from site and removed from pond.
Contaminants and Pollution	Any evidence of oil, gasoline, contaminants or other pollutants.			Oil removed using oil absorbent pads and properly disposed. No contaminants or pollutants present.
Vegetation	• Planted vegetation becomes excessively tall. • Presence of poisonous or nuisance vegetation or noxious weeds.			• Vegetation mowed per specifications or maintenance plan, so that flow is not impeded. Remove clippings from the area and dispose appropriately. • Management of poisonous or noxious vegetation.
Tree/Brush Growth and Hazard Trees	• Growth does not allow maintenance access or interferes with maintenance activity. • Dead, diseased, or dying trees.			• Trees do not hinder maintenance activities. • Remove hazard trees as approved by the City. (Use a certified Arborist to determine health of tree or removal requirements)
Fencing and Gates	Any defect in or damage to the fence or gate that permits easy entry to a facility.			Fencing and gate are restored to design specifications.

[1] Re-inspection of a previously-noted maintenance issue

Pond Checklist

Inspection Date:_____

Property Address: _____

Facility Name/Designator:_____

Defect	**Conditions When Maintenance Is Needed**	**Maintenance Needed? (Y/N)**	**Comments** (Describe maintenance completed; and if any needed maintenance was not conducted, note what is needed and when it will be done)	**Results Expected When Maintenance Is Performed**
Mosquito Vector Breeding	Suitable habitats exist for mosquito production (e.g., standing water for more than 72 hours in areas accessible to mosquitoes; overgrowth of cattails).			Water drainage rates are restored to design standards. Standing water no longer exists or is inaccessible to mosquitoes. Cattails removed or shaded out by nearby trees.
Storage Area				
Erosion	Erosion of the pond's side slopes and/or scouring of the pond's bottom that exceeds 6-inches, or where continued erosion is prevalent.			Slopes stabilized using proper erosion control measures and repair methods.
Sediment	Accumulated sediment exceeds depth of sediment zone or affects inletting or outletting condition of the facility.			Sediment cleaned out to designed basin shape and depth; basin reseeded if necessary to control erosion.
Liner (If Applicable)	Liner is visible and has more than three 1/4-inch holes in it.			Liner repaired or replaced. Liner is fully covered.
Debris Barrier	• Bars are missing or loose. • Bars are bent out of shape more than 3 inches. • Trash or debris plugging more than 20% of the openings in the barrier.			Bars are repaired or replaced to allow proper functioning of barrier. Trash and debris removed from barrier.
Emergency Overflow/ Spillway and Berms				
Settlement	Berm settlement 4 inches lower than the design elevation.			Dike is built back to the design elevation.
Overflow/ Spillway	Rock is missing and soil is exposed at top of spillway or outside slope.			Rocks and pad depth are restored to design standards.

Inspection and Maintenance Checklist
Sedimentation Manholes/Catch Basins

Property Address: _____ Property Owner: _____

Facility Name/Designator _____ Date of Inspection: _____ Type of Inspection: ❑ Pre-rainy season ❑ Monthly ❑ Quarterly ❑ Annual ❑ Re-inspection[1]

Inspector(s): _____

Defect	**Conditions When Maintenance Is Needed**	**Maintenance Needed? (Y/N)**	**Comments** (Describe maintenance completed; and if any needed maintenance was not conducted, note what is needed and when it will be done)	**Results Expected When Maintenance Is Performed**
Debris and Sediment	Accumulated debris or sediment depth exceeds 12 inches or impedes flow from inlet or outlet pipes.			All sediment and debris removed from storage area. Runoff freely flows into and out of basin.
Damaged Pipes	Inlet or outlet piping damaged or broken and in need of repair.			Pipe repaired and/or replaced.
Joints Between Basin/Pipe Section	Any openings or voids allowing material to be transported into facility.			All joints between basin/pipe sections are sealed.
Structure	Cracks wider than 1/2-inch and any evidence of soil particles entering the structure through the cracks, or maintenance/inspection personnel determines that the vault is not structurally sound.			Vault replaced or repaired to design specifications and is structurally sound. No cracks more than 1/2-inch wide at the joint of the inlet/outlet pipe.
Contaminants and Pollution	Any evidence of oil, gasoline, contaminants, or pollutants.			Oil and contaminants removed and properly disposed. No contaminants or pollutants present.
Cover	Cover is missing or only partially in place. Cover is difficult to remove with normal lifting pressure.			Repair or replace cover. Manhole is closed and can be removed and reinstalled by one person to facilitate maintenance access.

[1] Re-inspection of a previously-noted maintenance issue

Sedimentation Manholes/Catch Basin Inspection Checklist

Inspection Date:____

Property Address: _____

Facility Name/Designator:_____

Defect	**Conditions When Maintenance Is Needed**	**Maintenance Needed? (Y/N)**	**Comments** (Describe maintenance completed; and if any needed maintenance was not conducted, note what is needed and when it will be done)	**Results Expected When Maintenance Is Performed**
Ladder	Ladder is unsafe due to missing rungs, misalignment, not securely attached to structure wall, rust, or cracks.			Ladder meets design standards. Allows safe maintenance access.
Mosquito Vector Breeding	Suitable habitats exist for mosquito production (e.g., standing water in areas accessible to mosquitoes)			Standing water no longer exists or is inaccessible to mosquitoes.

Inspection and Maintenance Checklist
Vaults, Tanks, and Pipes

Property Address: _____ Property Owner: _____

Facility Name/Designator: _____ Date of Inspection: _____ Type of Inspection: ❑ Pre-rainy season ❑ Monthly ❑ Quarterly ❑ Annual ❑ Re-inspection[1]

Inspector(s): _____

Defect	Conditions When Maintenance Is Needed	Maintenance Needed? (Y/N)	Comments (Describe maintenance completed; and if any needed maintenance was not conducted, note what is needed and when it will be done)	Results Expected When Maintenance Is Performed
Storage Area				
Plugged Air Vents	One-half of the cross section of a vent is blocked at any point or the vent is damaged.			Vents open and functioning.
Debris and Sediment	Accumulated sediment depth exceeds 10% if the of the storage depth for ½ length of storage vault or any point depth exceeds 15% of storage depth.[2]			All sediment and debris removed from storage area.
Joints Between Tank/Pipe Section	Any openings or voids allowing material to be transported into facility.			All joints between tank/pipe sections are sealed.
Tank Pipe	Any part of tank/pipe is bent out of shape more than 10% of its design shape.			Tank/pipe repaired or replaced to design. Review by engineer to determine structural stability.

[1] Re-inspection of a previously-noted maintenance issue

[2] Example: 72-inch storage tank would require cleaning when sediment reaches depth of 7 inches for more than ½ of tank length.

APPENDIX D
SOURCE CONTROL DOCUMENTS

10.3.1 BASIC REQUIREMENTS

The following basic requirements apply to all site uses covered in this section.

Spill Response Supplies

Spill response supplies such as absorbent material and protective clothing must be available at all potential spill areas. Spill response supplies must be clearly marked and located near the activity areas. Supplies must be readily accessible to employees, but safe from vandalism. More than one spill response kit may be necessary to accommodate larger activity areas. Employees should be familiar with the site's operations and maintenance plan and/or proper spill cleanup procedures.

Signage

Informational signage is required for some site uses and activities that have the potential to contaminate stormwater. Signage requirements for specific activities are noted in Sections 10.3.2 through 10.3.8. Signage addresses good housekeeping rules and provides emergency response measures in case of an accidental spill.

When signage is required, it shall conform to the following guidelines:

- Signs shall be plainly visible from all activity areas. More than one sign may be needed to accommodate larger activity areas;
- Signs shall be water resistant;
- Signs shall include the following information:
  - Safety precautions,
  - Spill response procedures (i.e. "Turn the valve located at..."), and
  - Emergency contact telephone numbers
- Signs may need to be in more than one language to effectively communicate with employees and delivery personnel; and
- All onsite storm drain inlets shall be clearly marked, "No Dumping, Drains to [Groundwater/River/Stream]" or equivalent using marking methods approved by the local jurisdiction.

Cover

Some site uses require that the area be covered with a permanent canopy, roof, or awning, so precipitation cannot come in contact with the activity area. This creates a hydraulic isolation of the activity area. Cover requirements for specific activities are noted in Sections 10.3.2 through 10.3.8. When cover is required, it shall meet the following requirements:

- Rainfall shall be directed from the cover to an appropriate stormwater disposal point, avoiding contact with the activity area, wherever possible.
- Covers 10 feet high or less shall have a minimum overhang of 3 feet on each side. The overhang shall be measured relative to the perimeter of the hydraulically isolated activity area.

- Covers higher than 10 feet shall have a minimum overhang of 5 feet on each side. The overhang shall be measured relative to the perimeter of the hydraulically isolated activity area.

Building Plumbing

Proper drainage of water used within or as part of a building is important for preventing pollutants from contaminating stormwater. The following drainage areas may not discharge to the storm drain system:

- Interior floor drains;
- Fire sprinkler test water;
- Boiler drain lines; and
- Air compressor or air conditioner condensate drain lines.

The applicant shall contact the local permitting authority and/or sanitary district with jurisdiction for specific connection and discharge requirements.

Stormwater and Wastewater Discharge Permits

Some facilities may be required to obtain a State of Oregon NPDES industrial stormwater permit before discharging to a storm sewer system or to waters of the state. Applicants may also be required to obtain an industrial wastewater permit or other approval before being allowed to discharge to the sanitary sewer system. Facilities subject to these requirements are generally commercial or industrial. Typical discharges include process wastewater, cooling water, or other discharges generated by some of the sources in this chapter that drain to a sewer system (storm, sanitary, or combined). For more information, contact the sanitary sewer authority and reference the industrial pretreatment program.

If a permit is required, the industrial permit application process will be independent of the building permit application or development review process. While industrial permitting may not be applicable at the time of building permit submittal, changes in regulations could trigger industrial permitting requirements in the future.

Oregon DEQ Underground Injection Control (UIC) Regulations

The Oregon DEQ identifies drywells, drill holes, sumps, and infiltration trenches as "Class V Injection Wells" under the federal UIC Program. Because the UIC Program states that these types of wells may have a direct impact on groundwater, registration and rule-authorization or permitting with DEQ is required. Site uses that are classified as high risk under this chapter are generally not allowed to use UICs for stormwater disposal. Consult DEQ guidelines (https://www.deq.state.or.us) for additional information.

Other Local, State and Federal Regulations

The requirements presented in this chapter do not exclude or replace the requirements of other applicable codes or regulations, such as the hazardous substances storage requirements of articles 79 and 80 of the Oregon State Fire Code; the spill prevention control and containment (SPCC) regulations of 40 CFR 112 (EPA); the Resource

Conservation and Recovery Act (RCRA); or any other applicable local, state, or federal regulations or permit requirements.

10.3.4 SOLID WASTE STORAGE AREAS, CONTAINERS, AND TRASH COMPACTORS

The requirements in this section apply to all commercial and industrial development with facilities that store solid wastes (both food and non-food wastes). This section also applies to multifamily residential sites of three or more units if a shared trash collection area is proposed. Solid waste containers include but are not limited to compactors, dumpsters, and garbage cans. Requirements of this section also apply to activity areas used to collect and store refuse or recyclable materials, such as can or bottle return stations and debris collection areas.

The requirements of this section do not apply to single-family homes or debris collection areas used for the temporary storage of wood pallets or cardboard.

Cover

A permanent canopy, roof, or awning shall be provided to cover the solid waste storage activity area meeting the requirements of Section 10.3.1. Cover measures are not required for compactor areas if they are part of a closed-loop system approved by the local jurisdiction.

The local jurisdiction may waive this cover requirement if the proposed storage area has a low potential to pollute stormwater and will be covered by an alternate method, such as a sealing lid.

Pavement

A paved waste storage area is required when a structural cover or trash compactor is used. The area shall be paved with asphalt, concrete, or equivalent smooth impervious surface and meet all applicable building code requirements. Sizing of the paved area shall adequately cover the activity area intended for refuse storage, or the trash compactor(s) and associated equipment.

Isolation

Hydraulic isolation shall be provided for the solid waste storage activity area to prevent uncontaminated stormwater runoff from entering the area and carrying pollutants away. Isolation can be achieved by reverse grading at the perimeter of an activity area, perimeter curbing or berming, or the use of area drains to collect and divert runoff. Runoff occurring outside the hydraulically isolated area shall be directed to a stormwater disposal point that meets all applicable code requirements.

Solid waste storage areas shall be located away from occupied buildings to discourage pests from entering the buildings. This helps eliminate the need and use of pesticides.

Drainage

Drainage shall be provided for the hydraulically isolated solid waste storage area and directed to an approved sanitary sewer, authorized pretreatment facility, or a dead-end vault. A dead-end vault is required for those areas that may be subject to refuse or suspected pollutants that pose a public risk if the structural integrity of the trash receptacle is damaged or if its contents are exposed to rainfall.

Additional Requirements

Multifamily developments with shared trash areas may be allowed to drain to the site's privately owned and operated water quality treatment facility if gravity service to the sanitary sewer system is not approved.

10.3.6 MATERIAL TRANSFER AREAS/LOADING DOCKS

The requirements in this section apply to all developments proposing the installation of new material transfer areas, or structural alterations to existing material transfer areas (e.g., access ramp regrading, leveler installations). Facilities must be designed for the full range of materials that will be handled.

The requirements apply to all material transfer areas, including loading/unloading docks, large bay doors without docks, and any other building access point(s) with the following characteristics:

- The area is designed (size, width, etc.) to accommodate a truck or trailer being backed up to or into it, and
- The area is expected to be used specifically to receive or distribute materials to and from trucks or trailers.

The requirements do not apply to areas that are used only for mid-sized to small-sized passenger vehicles that are restricted (by lease agreements or other regulatory requirements) to storing, transporting, or using materials that are classified as domestic use. Examples of domestic uses include primary educational facilities (elementary, middle, or high school), buildings used for temporary storage (a lease agreement will need to be provided), and churches.

Pavement

The material transfer area and the area around the loading and unloading activity area shall be paved with asphalt, concrete, or equivalent smooth impervious surface to reduce the potential for soil contamination and potential impacts on groundwater.

Isolation

Loading Docks: The first three feet of the paved area, measured from the building or dock face, shall be covered (per the requirements of Section 10.3.1) and hydraulically isolated by grading, berms, or drains to prevent uncontaminated stormwater from running onto the area and carrying pollutants away.

Bay Doors and Other Interior Transfer Areas: Shall be designed so that stormwater runoff does not enter the building. This can be accomplished by grading, berms, or drains.

Drainage

Loading Docks: Drainage from the hydraulically isolated area shall be directed to an approved sanitary sewer, authorized pretreatment facility, or to an appropriately sized, underground temporary storage structure (such as a catch basin with no outlet or dead-end sump). The applicant must submit appropriate supporting information for approval by the local jurisdiction. Contact the local permitting agency or sanitary sewer agency for more information on necessary approvals and requirements.

Surrounding runoff and drainage from the access ramp shall be directed away from the hydraulically isolated area to a stormwater disposal point that meets all applicable requirements of this manual.

Bay Doors and Other Interior Transfer Areas: Installation of floor drains is not required or recommended for interior material transfer areas. It is preferable to handle these areas with a dry mop or absorbent material. If interior floor drains are installed, they shall be plumbed to an approved sanitary sewer or authorized pretreatment facility.

Signage

Signage shall be provided at the material transfer area and shall meet the requirements of Section 10.3.1.

Shut-off Valves

A shut-off valve may be required for the sanitary drainage facilities of the material transfer area. The local jurisdiction will make this determination, based on the type of material being transferred and the proposed system receiving the discharge.

Shut off valves are required to protect sewer systems or onsite infiltration facilities from spill risks from chemicals and other constituents that provide a danger for widespread contamination, system damages, or risk to the public health. All valves shall be installed and maintained per the manufacturer's recommendations.

Valves located in material transfer areas are typically left open to facilitate drainage during normal conditions, and immediately closed in the event of a spill.

Additional Requirements

Bay doors and other interior transfer areas shall provide a 10-foot "no obstruction zone" beyond the entrance within the building. This will allow the transfer of materials to occur with the truck or trailer end placed at least 5 feet inside the building, with an additional staging area of 5 feet beyond that. The "no obstruction" zone shall be clearly identified on the building plan and shall be painted with a bright or fluorescent floor paint.

Transport and handling of hazardous materials that are toxic, carcinogenic, or halogenated solvents may be subject to additional requirements. Consult the local jurisdiction for additional guidelines.

10.4.1 PAVED SIDEWALKS AND PARKING LOTS

Parking lots and sidewalks shall be swept regularly to control litter and debris accumulation. If pressure washing is used, the resulting debris shall be trapped and collected prior to entering the storm drain system. Wash water containing any cleaning agent or degreaser shall be collected and discharged to the sanitary sewer, upon approval, and shall not be discharged to a storm drain. The applicant shall contact the local permitting authority and/or sanitary district with jurisdiction for specific discharge and connection requirements.

10.4.2 PRIVATE STREETS

The owner(s) of private streets and storm drains shall prepare and implement a plan for street sweeping of paved private roads and routine cleaning of all storm drain inlets.