

Stormwater Maintenance Permit & Program

Montana Department of Environmental Quality Requirements for the City of Kalispell

- 1. General Permit for Storm Water Discharges Associated with Small Municipal Separate Storm Sewer Systems (MS4s)**
 - a. Post-Construction Site Storm Water Management in New and Redevelopment**
 - i. Part II.A.5.c. – Ensure that all post-construction storm water management controls are installed, operated and maintained in order to function as designed.
 1. i. Develop and implement an inspection form or checklist to ensure consistent and thorough inspections of post-construction storm water management controls.
 2. vi. Develop an inspection frequency determination protocol based upon the priority of the post-construction storm water management control.
 3. vii. Develop a program to either:
 - a. conduct inspections of high-priority post-construction storm water management controls at least annually, OR
 - b. to require self-inspection and reporting by owners at least annually.

City of Kalispell Public Program Requirements

- 1. Post-Construction Stormwater Sources**
 - a. Applicability**
 - i. This program applies to the permitting of post-construction stormwater control structures within the MS4 area of the City of Kalispell. Both new and existing structures that meet the criteria will be permitted.
 - b. Agency Inspections**
 - i. The City of Kalispell's Public Works Department or an authorized inspection agent may inspect, at a reasonable time and in a reasonable manner, anything that affects or may affect the quality of the waters of the state, including but not limited to the premises of existing post-construction stormwater control structures; or the premises for which an application has been filed with the department for plan or permit approval; or the premises for which the department has issued a stormwater construction permit or stormwater maintenance permit.
 - c. Stormwater Maintenance Permit**
 - i. *Permit application*
 1. Projects required to obtain and maintain a stormwater maintenance permit are projects that require post-construction stormwater management practices under the City of Kalispell's Standards for Design and Construction. The application is initiated during the City of Kalispell's engineering plan review.
 2. The developer and owner of a site must certify that the application is being submitted on their behalf.
 3. To obtain a permit, an owner must file an application on the Public Works Department's website. The application must be accompanied by the following:
 - a. Permanently responsible party, including the name and contact information for the person or company designated to inspect and maintain the practices;
 - b. An operation and maintenance manual, in an electronic format acceptable to the department;

- c. As-built plan of the site's stormwater management practices, including inverts in and out of all structures, at a scale no less than 1" to 50' in an electronic format acceptable to the department signed and sealed by a qualified professional;
 - d. Notice of termination (NOT) submitted electronically for the related construction stormwater management permit.
 - ii. *Permits for post-construction stormwater management practices are not required for the following:*
 1. Development projects that do not trigger a post-construction stormwater management practice under the City of Kalispell Standards for Design and Construction; and
 2. Installation of underground, linear utilities, such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains where surface will be restored to the existing condition and no stormwater facility is constructed.
 - iii. *Permit conditions*
 1. Perform an inspection every year by October 1. The owner or owner's representative must electronically file inspections to the department that certify the stormwater management practices are operating as designed. Inspections forms are located on the Public Works Department's website.
 - a. Permits approved after April 1 will not be required to submit an inspection until the subsequent year.
 2. The owner of the site must renew the stormwater maintenance permit every five years. An electronic application for renewal found on the Public Works Department's website must be submitted by October 1 of the fifth year and must be accompanied by a report certified by a professional engineer that the stormwater management practices are operating as designed.
 - a. At a minimum, the report must include an inspection of the control comparing the as-built plan and operation and maintenance manual to determine if the control is operating as designed and if maintenance is required. If the control requires maintenance or other changes, the report shall contain mitigation measures required and a timeline to complete measures prior to the next required inspection.
 3. A licensed professional engineer must perform inspections and certifications of any post-construction stormwater management practices that include structural components.
 4. The owner of the site must notify the department of any sale or conveyance of the premises and must provide the name of and contact information for the new owner.
 - iv. *Modification of a post-construction stormwater management practice design covered by a stormwater maintenance permit*
 1. Should the owner wish to modify the design of a stormwater management practice covered by a stormwater maintenance permit, the owner must submit notification of the modification for engineering review and approval by Public Works.
 2. The modification of the stormwater maintenance permit must include calculations and supporting documentation to demonstrate that the practice is at least as protective of water quality as the existing practice and that it controls stormwater flows as required by the City of Kalispell's Standards for Design and Construction.
 3. The department will review the modification and supporting material following the criteria for new stormwater maintenance applications.
 - v. *Agency Inspections.* The City of Kalispell's Public Works Department or an authorized inspection agent may conduct periodic inspections to ensure that post-construction stormwater management practices are maintained in good working condition to meet the applicable design and water quality standards.
 - vi. *Recordkeeping.* The owner must keep and maintain records of all inspections and tests required after construction for five years after performance of such inspections or tests. The owner must keep and maintain all as-built drawings for the life of the post-construction stormwater management facility.
 - vii. *Failure to Maintain Stormwater Systems*

1. Enforcement will follow Kalispell's Enforcement Response Plan (ERP) for Stormwater Management for the following items:
 - a. Failure to obtain a stormwater maintenance permit
 - b. Failure to submit an annual inspection to the Public Works Department for a post-construction stormwater control
 - c. Failure to renew a stormwater maintenance permit
 - d. Failure to notify the Public Works Department of a change of ownership
 - e. Failure to get approval to modify a practice covered by a stormwater maintenance permit
 - f. Failure to maintain a post-construction stormwater control in good working condition to meet the applicable design and water quality standards
 - g. Failure to keep and maintain records
2. If the required maintenance and repairs are not being performed and inhibit the intended function of the stormwater system, the City may hire a contractor to perform the required maintenance and invoice the HOA, POA, or responsible property owner the cost to perform and administer the work.
3. In the event the HOA, POA, or responsible property owner fail to perform the required maintenance and repairs to the stormwater facility and inhibit the intended function of the stormwater system, a stormwater maintenance district program may be formed in accordance with 7-12-4102 MCA incorporating all the lots within a development. The taxes levied within the maintenance district shall be determined by the Public Works Department with approval of the Kalispell City Council.

Internal City Review and Program Management

1. Cityworks Permit Management – Stormwater Maintenance Permit

a. Permit Application

- i. Upon submission of engineering plan review for a site requiring post-construction stormwater controls in Kalispell's Standards for Design and Construction, a Stormwater Maintenance Permit would be required.
- ii. Permits will be reviewed for accuracy and accepted after receipt of:
 1. O&M manual
 2. As-built plans
 3. Construction stormwater management permit NOT approval

b. Inspection Frequency

- i. All stormwater maintenance permits require a yearly inspection and an electronic submittal of the inspection form.
- ii. Ranking will be used for prioritizing spot checks performed by the City.
 1. Spot checks are initiated through complaints, concerns regarding compliance, and general stormwater system maintenance.
- iii. Ranking will be done with a checklist within Cityworks with the following items:
 1. Drainage area treated
 2. Land use type
 3. Operation and maintenance needs of the practice
 4. Location within an impaired waterbody watershed
 5. Proximity to a waterbody

c. Inspections

- i. Inspections are to be done through a Survey123 form.

- ii. The form is accessible from the Public Works Department's website. A public map will inventory post-construction stormwater controls and the public will select the control they are performing an inspection for, which will open the Survey123 form and prepopulate some of the data.
- iii. Inspections will be stored in an operational dashboard for ArcGIS online. Cityworks will be used to manage inspection completion and send notifications when the required inspection has not been submitted.

d. City-Owned Post-Construction Stormwater Controls

- i. City-owned controls will be inspected yearly by City personnel.

e. 5-Year Renewal

- i. When a permit moves into its fifth year, an automated reminder email will be sent out through Cityworks to the party responsible for inspections and maintenance of the post-construction stormwater management control.
- ii. Post-construction stormwater control owners are then required to apply for a renewal permit through Cityworks and submit a report from a professional engineer. The renewal permit will be linked to the previous permit and another 5-year cycle will begin.

Application: Stormwater Maintenance Permit

Step 1 of 3

1 Main

Description

Address



Cancel Clear Next

2 People

3 DataGroup

Application: Stormwater Maintenance Permit

Step 2 of 3

1 Main

2 People

Responsible for Inspections/Maintenance more....

Application Filled Out By more....

Use My Info

Use My Info

Name

Name

Address Line1

Address Line1

City Name

State

Zip Code

City Name

State

Zip Code

Phone (Home)

Phone (Mobile)

Phone (Home)

Phone (Mobile)

Email

Email

Comment

Comment

Cancel Clear Previous Next

3 DataGroup

Responsible Party & Property Description

! List the party permanently responsible for the maintenance required by the Operation Manual (e.g. owner, governmental agency, or other legal established entity)

Text

! List legal description of property ?

Comment

Operation & Maintenance

! Biofiltration Swale - Type of post-construction stormwater control utilized ?

Yes No

! Bioretention - Type of post-construction stormwater control utilized ?

Yes No

! Dispersion - Type of post-construction stormwater control utilized ?

Yes No

! Extended Detention Basin - Type of post-construction stormwater control utilized ?

Yes No

! Infiltration Basin - Type of post-construction stormwater control utilized ?

Yes No

! Proprietary Treatment Device - Type of post-construction stormwater control utilized ?

Yes No

! Wet Detention Basin - Type of post-construction stormwater control utilized ?

Yes No

! Drainage area treated (in acres) ?

Text

! Has the Operation and Maintenance Manual been created? ?

Yes No

5 Year Permit Renewal

! Is this a permit renewal? ?

Yes No

If yes, has a report by an engineer been developed certifying that the stormwater management practice is operating as designed? ?

Yes No

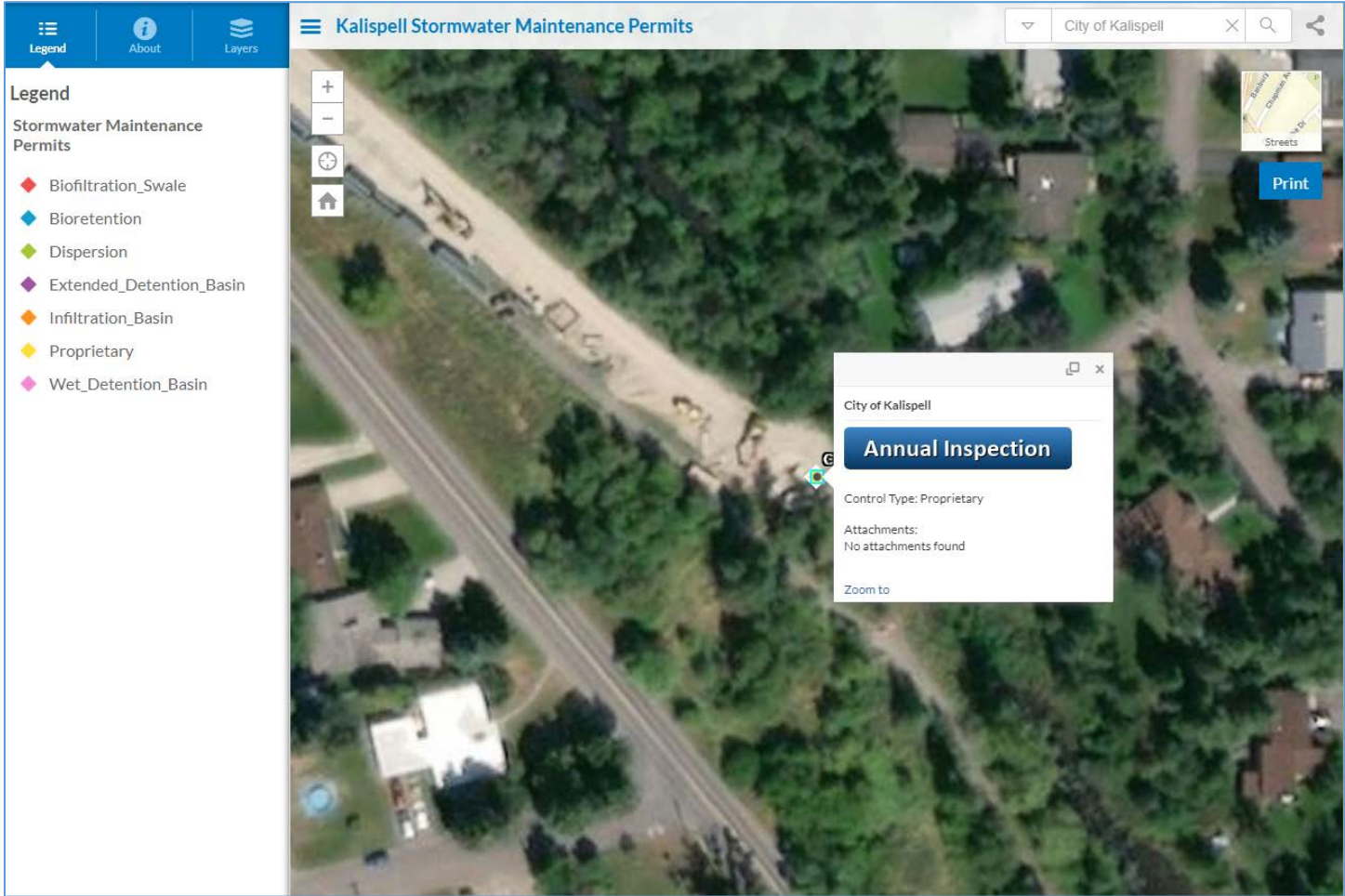
Responsible Party Signature

! By signing the Maintenance Agreement the Responsible Party shall assume full responsibility for yearly inspections and maintenance of the stormwater system - enter full name & date ?

Text

Inspections

A map on the City’s website will have all permitted stormwater controls. Each control can be clicked on and a pop up will appear (see below). When the “Yearly Inspection” button is clicked, another window will open with the appropriate inspection for the type of control.



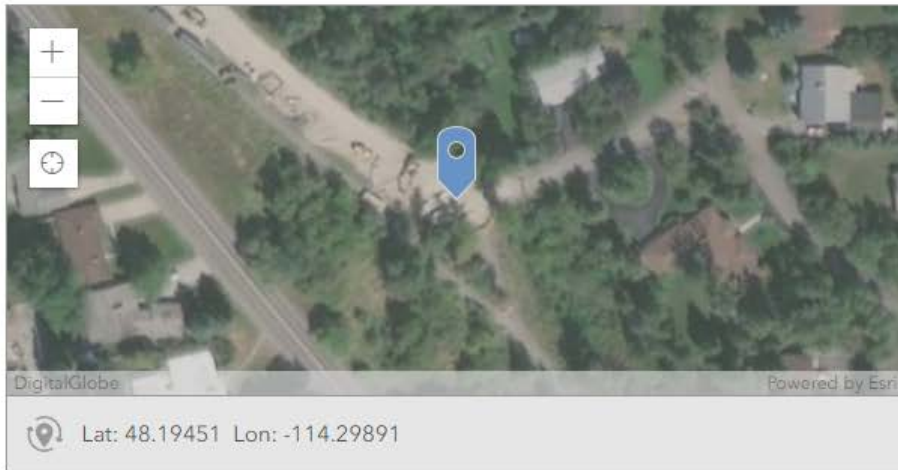
Kalispell Stormwater Maintenance Inspection

Annual inspections and maintenance of stormwater controls are required by the City of Kalispell.

Use this form to fill out and submit your inspection. If a site has multiple stormwater controls (i.e. a proprietary device and an infiltration basin), a separate inspection needs to be submitted for each control.

Location of Stormwater Control

The map should reflect the location of your stormwater control. If it is incorrect, please go back to the previous map and make sure the correct item is selected.



Stormwater Maintenance Permit Number

SM19-0011

Type of Control*

Select the type of stormwater control. If there are multiple controls, separate inspections need to be submitted.

Location Description

Date of Inspection*