

31 Pages

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Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: MILLCREEK CITY
1330 E CHAMBERS AVENUE MILLCREEK, UT 84106



When recorded, mail to:

Millcreek City Recorder
1330 East Chambers Avenue
Millcreek, UT 84106

Affects Parcel No(s): 16-32-328-015, 16-32-328-004, 16-32-328-005 & 16-32-328-019

LONG-TERM STORMWATER MANAGEMENT AGREEMENT

This Long-Term Stormwater Management Agreement ("Agreement") is made and entered into this 3rd day of March, 2025, by and between Millcreek City, a Utah municipal corporation ("City"), and CW The Ivy, LLC, a Utah Limited Liability Company ("Owner").

RECITALS

WHEREAS, the City is authorized and required to regulate and control the disposition of storm and surface waters within the MS4, as set forth in the Millcreek City Stormwater Ordinance, as amended ("Ordinance"), adopted pursuant to the Utah Water Quality Act, as set forth in *Utah Code Ann.* §§ 19-5-101, *et seq.*, as amended ("Act"); and

WHEREAS, the Owner hereby represents and acknowledges that it is the owner in fee simple of certain real property more particularly described in Exhibit "A," attached hereto and incorporated herein by this reference ("Property"); and

WHEREAS, the Owner desires to build or develop the Property and/or to conduct certain regulated construction activities on the Property which will alter existing storm and surface water conditions on the Property and/or adjacent lands; and

WHEREAS, in order to accommodate and regulate these anticipated changes in existing storm and surface water flow conditions, the Owner is required to build and maintain at Owner's expense a storm and surface water management facility or improvements ("Stormwater Facilities"); and

WHEREAS, the Stormwater Facilities are more particularly described and shown in the final site plan or subdivision approved for the Property and related engineering drawings, and any amendments thereto, which plans and drawings are on file with the City and are hereby incorporated herein by this reference ("Development Plan"); and

WHEREAS, summary description of all Stormwater Facilities, details and all appurtenance draining to and affecting the Stormwater Facilities and establishing the standard operation and routine maintenance procedures for the Stormwater Facilities, and control measures installed on the Property, ("Long Term Stormwater Management Plan") more particularly shown in Exhibit "B" on file with the City Recorder and,

WHEREAS, a condition of Development Plan approval, and as required as part of the City's Small MS4 UPDES General Permit from the State of Utah, Owner is required to enter into this Agreement establishing a means of documenting the execution of the Long Term Stormwater Management Plan and,

NOW, THEREFORE, in consideration of the benefits received and to be received by the Owner, its successors and assigns, as a result of the City's approval of the Long Term Stormwater Management Plan, and the mutual covenants contained herein, the parties agree as follows:

Section 1

Construction of Stormwater Facilities. The Owner shall, at its sole cost and expense, construct the Stormwater Facilities in accordance with the Development Plans and specifications, and any amendments thereto which have been approved by the City.

Section 2

Maintenance of Stormwater Facilities. The Owner shall, at its sole cost and expense, adequately maintain the Stormwater Facilities. Owner's maintenance obligations shall include all system and appurtenance built to convey stormwater, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance, for purposes of this Agreement, is defined as good working condition so that the Stormwater Facilities are performing their design functions. The Owner shall, at its sole cost and expense, perform all work necessary to keep the Stormwater Facilities in good working condition.

Section 3

Annual Maintenance Report of Stormwater Facilities. The Owner shall, at its sole cost and expense, inspect the Stormwater Facilities and submit an inspection report and certification to the MS4 annually. The purpose of the inspection and certification is to assure safe and proper functioning of the Stormwater Facilities. The annual inspection shall cover all aspects of the Stormwater Facilities, including, but not limited to, the parking lots, structural improvements, berms, channels, outlet structure, pond areas, access roads, vegetation, landscaping, etc. Deficiencies shall be noted in the inspection report. The report shall also contain a certification as to whether adequate maintenance has been performed and whether the structural controls are operating as designed to protect water quality. The annual inspection report and certification shall be due by June 30th of each year and shall be on forms acceptable to the City.

Section 4

City Oversight Inspection Authority. The Owner hereby grants permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the Stormwater Facilities upon reasonable notice not less than three business days to the Owner. Such inspections shall be conducted in a reasonable manner and at reasonable times, as determined appropriate by the City. The purpose of the inspection shall be to determine and ensure that the Stormwater Facilities are being adequately maintained, are continuing to perform in an adequate manner, and are in compliance with the Act, the Ordinance, and the Stormwater Facilities Maintenance Plan.

Section 5

Notice of Deficiencies. If the City finds that the Stormwater Facilities contain any defects or are not being maintained adequately, the City shall send Owner written notice of the defects or deficiencies and provide Owner with a reasonable time, but not less than sixty (60) days, to cure such defects or deficiencies. Such notice shall be confirmed delivery to the Owner or sent certified mail to the Owner at the address listed on the County Tax Assessor.

Section 6

Owner to Make Repairs. The Owner shall, at its sole cost and expense, make such repairs, changes or modifications to the Stormwater Facilities as may be determined as reasonably necessary by the City within the required cure period to ensure that the Stormwater Facilities are adequately maintained and continue to operate as designed and approved.

Section 7

City's Corrective Action Authority. In the event the Owner fails to adequately maintain the Stormwater Facilities in good working condition acceptable to the City, after due notice of deficiencies as provided in Section 5 and failure to cure, then, upon Owner's failure to cure or correct within thirty days following a second notice delivered to Owner, the City may issue a Citation punishable as a Misdemeanor in addition to any State or EPA fine. The City may also give written notice that the facility storm drain connection will be disconnected. Any damage resulting from the disconnection is subject to the foregoing cure periods. It is expressly understood and agreed that the City is under no obligation to maintain or repair the Stormwater Facilities, and in no event shall this Agreement be construed to impose any such obligation on the City. The actions described in this Section are in addition to and not in lieu of any and all equitable remedies available to the City as provided by law for Owner's failure to remedy deficiencies or any other failure to perform under the terms and conditions of this Agreement.

Section 8

Reimbursement of Costs. In the event the City, pursuant to this Agreement, incurs any costs, or expends any funds resulting from enforcement or cost for labor, use of equipment, supplies, materials, and the like related to storm drain disconnection from the City system, the Owner shall reimburse the City upon demand, within thirty (30)

days of receipt thereof for all actual costs incurred by the City. After said thirty (30) days, such amount shall be deemed delinquent and shall be subject to interest at the rate of ten percent (10%) per annum. Owner shall also be liable for any collection costs, including attorneys' fees and court costs, incurred by the City in collection of delinquent payments.

Section 9

Successor and Assigns. This Agreement shall be recorded in the County Recorder's Office and the covenants and agreements contained herein shall run with the land and whenever the Property shall be held, sold, conveyed or otherwise transferred, it shall be subject to the covenants, stipulations, agreements and provisions of this Agreement which shall apply to, bind and be obligatory upon the Owner hereto, its successors and assigns, and shall bind all present and subsequent owners of the Property described herein.

Section 10

Severability Clause. The provisions of this Agreement shall be severable and if any phrase, clause, sentence or provision is declared unconstitutional, or the applicability thereof to the Owner, its successors and assigns, is held invalid, the remainder of this Covenant shall not be affected thereby.

Section 11

Utah Law and Venue. This Agreement shall be interpreted under the laws of the State of Utah. Any and all suits for any claims or for any and every breach or dispute arising out of this Agreement shall be maintained in the appropriate court of competent jurisdiction in Salt Lake County, Utah.

Section 12

Indemnification. This Agreement imposes no liability of any kind whatsoever on the City, and the Owner agrees to hold the City harmless from any liability in the event the Stormwater Facilities fail to operate properly. The Owner shall indemnify and hold the City harmless for any and all damages, accidents, casualties, occurrences, or claims which might arise or be asserted against the City from failure of Owner to comply with its obligations under this agreement relating to the Stormwater Facilities unless such damages, accidents, casualties, occurrences, or claims are the result of the City's negligence or willful misconduct.

Section 13

Amendments. This Agreement shall not be modified except by written instrument executed by the City and the Owner of the Property at the time of modification, and no modification shall be effective until recorded in the Salt Lake County Recorder's Office.

Section 14

Exhibit B. The Long-Term Stormwater Management Plan (LTSWMP) must adapt to change in good judgment when site conditions and operations change and when existing programs are ineffective. Exhibit B will not be filed with the agreement at

County Recorder but is included by reference and kept on file with the City Recorder. Revision applications must be filed with the City Recorder and amended into the LTSWMP on file with the Millcreek City recorder.

LONG-TERM STORMWATER MANAGEMENT PLAN AGREEMENT

SO AGREED this 26th day of February 2025.

PROPERTY OWNER

By: [Signature] Title: 2-26-2025 Manager

By: _____ Title: _____

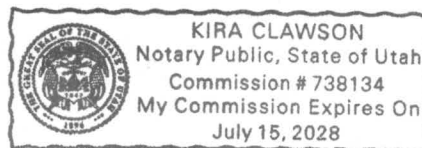
STATE OF UTAH)

:SS.

COUNTY OF DAVIS)

The above instrument was acknowledged before me by Colin Wright, this 26th day of February, 2025.

[Signature]
Notary Public
Residing in: Kaysville, UT
My commission expires: July 15, 2028



MILLCREEK CITY

By: [Signature] Date: March 3, 2025
Mayor Jeff Silvestrini

Attest: [Signature]
City Recorder



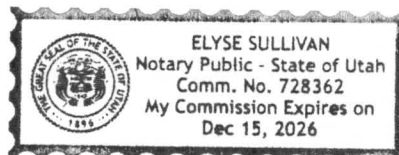
STATE OF UTAH)

:SS.

COUNTY OF SALT LAKE)

The above instrument was acknowledged before me by Jeff Silvestrini, this 3 day of March, 2025.

[Signature]
Notary Public
Residing in: Salt Lake
My commission expires: 12/15/26



Attachments:

Exhibit A: Legal Description

Exhibit B: Long-Term Stormwater Management Plan; Filed with MILLCREK City Recorder

Exhibit A

ALTA/NSPS LAND TITLE SURVEY

PARCEL NUMBERS 16-32-328-015, 16-32-328-004, 16-32-328-005 & 16-32-328-019 LOCATED IN THE SOUTHWEST (SW) 1/4 OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, CITY OF MILLCREEK, SALT LAKE COUNTY, UTAH

BASIS OF BEARING:

NORTH 00°11'03" EAST BETWEEN A FOUND CENTERLINE STREET MONUMENT AT 900 EAST & 3900 SOUTH AND A FOUND CENTERLINE STREET MONUMENT AT 900 EAST & 3465 SOUTH

Exhibit B

Long Term Stormwater Management Plan

for:

The Ivy

960 East Grape Ivy Way

Millcreek, UT 84106

~~Cole West North~~, LLC

610 North 800 West

Centerville, UT 84014

Abraham Lopez

435-513-9696

abraham@colewest.com

Introduction

This Long Term Stormwater Management Plan (LTSMP) is being implemented in order to protect water quality. Post construction Stormwater controls are required to be installed and maintained under the Utah Pollution Discharge Elimination System and the Clean Water Act to keep water clean. Installing post construction controls will prevent the discharge of pollutants into the local streams, rivers, and lakes. In recent years, contaminated Stormwater from various construction sites and commercial facilities has been polluting water bodies throughout the state of Utah. By properly installing and maintaining post construction Stormwater controls pollutants will be contained and water quality will be improved.

This management plan is designed to prevent pollutants from entering the storm drain system and polluting our waters. This facility is responsible for ensuring that any water discharged from the facility is free of harmful pollutants, thereby assisting in the health and protection of waters in our community. This plan will address Stormwater controls at this facility. These controls will be monitored, maintained, and improved if needed to prevent pollutants from being discharged from this facility into the storm drain system or local waters. Additionally, the patrons or employees of this facility will be trained or made aware of the aforementioned issues and controls.

The Jordan River is impaired. The aim of the LTSMP is to address these impairments as well as other potential pollutants that may be generated at this property.

General Site Use and Description

The Ivy Subdivision is a townhome housing development consisting of 20 lots., exterior parking, landscaped common areas.

This facility is used for multi-family housing, including tenant leisure and parking.

TRAINING

Ensure that all employees and maintenance contractors know and understand the SOPs specifically written to manage the property. Report any variances to the LTSMP contact listed on the Facility Map. File all training records in Exhibit C.

RECORDKEEPING

Maintain records of operation activities in accordance with SOPs. File all recordkeeping documents in Appendix A.

Mail a copy of the record to the city stormwater division annually.

Facility Maps

Include the overview of the facility with the location of all Long Term Stormwater BMPs

Time of Concentration Post Development

Sheet Flow	L = 40	N = 10	R = 10	Flow length (feet) (see Note 30)
Subsidiary Concentrated Flow	S = 0.000	R = 10	Surface slope	
	N = 0.040	R = 10	Subsidiary flow length (feet)	
	T _c = 13.0	min	Sheet flow travel time	
Shallow Concentrated Flow	L = 240	N = 10	Flow length	
	S = 0.000	R = 10	Subsidiary flow length (feet)	
	T _c = 2.0	min	Shallow concentrated flow travel time	
Peak Discharge	Q = 1.0	cfs	Peak discharge	
	S = 0.000	R = 10	Subsidiary flow length (feet)	
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Peak Discharge Post Development

Site Information	Drainage area = 1.44	Total area
Peak Discharge	Q = 1.0	cfs
Subsidiary Concentrated Flow	S = 0.000	R = 10
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Detention Basin Sizing (10 - YR)

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GRADING NOTES:
1. PRIOR TO ANY WORK BEING DONE A LAND DISTURBANCE GRADING PERMIT MUST BE OBTAINED FROM THE CITY OF SALT LAKE COUNTY.
2. CONTACT ADRIAN ARNETT AT ADRIAN@EDMPARTNERS.COM WITH QUESTIONS.
3. HAZARDOUS WASTE: THE PROJECT AREA IS LOCATED WITHIN ZONE 1, AREAS WITHIN ZONE 1 ARE NOT ELIGIBLE FOR THE HAZARDOUS WASTE EXEMPTION.
4. THE PROJECT BENCHMARK IS A BRASS CAP MONUMENT IN THE INTERSECTION OF 3780 SOUTH STREET AND 900 EAST STREET. THE ELEVATION OF THE BRASS CAP IS 4,238.44'.

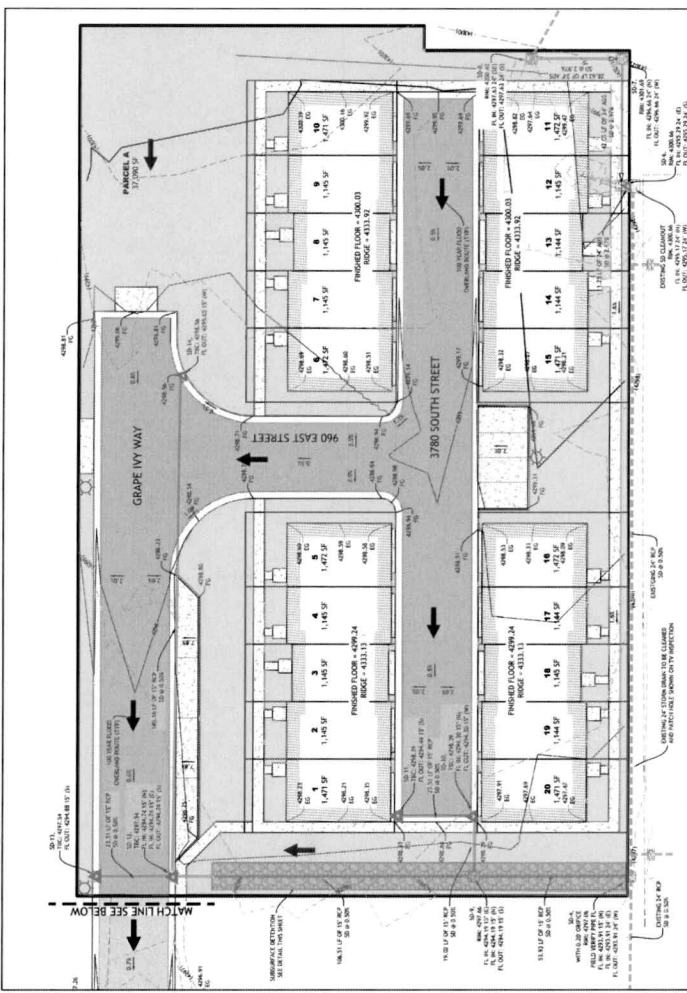
EDM Partners
2813 East 3300 South, Salt Lake City, UT 84109
(801) 306-4870
www.edmpartners.com

SCALE: 1" = 20'
TOWN: West
Code: West
430 North 400 West
Salt Lake City, UT 84104
606-744-2300

COLE WEST

- NOTES:
1. All utility sewer improvements shall conform with the standards and specifications of the City of Salt Lake County.
 2. Grading improvements shall conform with the standards and specifications of the City of Salt Lake County.
 3. All improvements in the public right of way shall conform with the standards and specifications of the City of Salt Lake County.
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FOR REVIEW
NOT FOR CONSTRUCTION



3780 SOUTH STREET
960 EAST STREET
GRAPE IVY WAY

GRAPE IVY WAY
900 EAST STREET

900 EAST STREET

900 EAST STREET

900 EAST STREET

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
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LEGEND



- Property Boundary (1)
-  Landscaping (45)
-  Underground UIC (1)
-  Asphalt Paving (1)
-  Storm Drain Inlet (6)

Long Term Stormwater BMP Details

Include all details of the Long Term Stormwater BMPs

SOPs: Facility Long Term Stormwater BMPs Information

SOPs are necessary to operate and maintain the property in order to control and prevent pollutants from contaminating water resources.

Include descriptions of the Long Term Stormwater SOPs

Pavement Maintenance Operations

General:

These SOPs are not expected to cover all necessary procedure actions. Operators are allowed to adapt SOPs to unique site conditions in good judgment when it is necessary for safety, and the proper, and effective containment of pollutants. However, any changes of routine operations must be amended in these SOPs.

1. Purpose and Selection:

- a) Reduce stormwater pollution by sweeping and removing pollutants that will be carried to City stormwater systems during stormwater runoff or by non-stormwater runoff.
- b) The sweeper is intended for removing material that collect on pavements by use and the natural degradation of pavements, ie. material that collect, drop from vehicles and the natural erosion and breaking up of pavements.

2. Regular Procedure:

- a) Remain aware of debris and sweep minor debris is needed by hand.
- b) Generally sweeping machinery should be used during autumn when leaf fall is heavy and early spring after winter thaw. Sometimes sweeping machinery will be necessary when accumulations are spread over a large area of the pavement.
- c) Manage outside activities that leave waste or drain pollutants to our pavements. This involves outside functions including but not limited to: Yard sales, yard storage, fund raisers, etc. Do not allow car wash fund raiser or other activities that allow detergents or other pollutants to be wash into storm drain systems.

4. Disposal Procedure:

- a) Service contractor dispose at licensed facilities
- b) Dispose of hand collected material in dumpster

5. Training:

- a) Annually and at hire

Landscape Maintenance Operations

General:

This SOP is not expected to cover all necessary procedure actions. Operators are allowed to adapt SOPs to unique site conditions in good judgment when it is necessary for safety, and the proper, and effective containment of pollutants. However, any changes of routine operations must be amended in this SOP.

Rule: Prevent any solids, liquids or any light weight material from being carried away from the construction or maintenance envelop by wind or water.

1. Application:

- a) This SOP should provide sufficient direction for many of the general landscaping operations, e.g., fertilizer and pesticide applications, mowing, weeding, tree trimming, digging, sprinkler repairs, varying landscape cover management, etc.

2. Maintenance Procedure:

- a) Grooming
 - Lawn Mowing – Immediately following operation sweep or blow clippings onto vegetated ground.
 - Fertilizer Operation – Prevent overspray. Sweep or blow fertilizer onto vegetated ground immediately following operation.
 - Pesticide Operations – Prevent overspray, use spot treatment, sweep or blow dry pesticide onto vegetated ground immediately following operation.
- b) Remove or contain all erodible or loose material prior forecast wind and precipitation events, before any non-stormwater will pass through and over the project site and at end of work period. Light weight debris and landscape materials can require immediate attention when wind expected.
- c) Landscape project materials and waste can usually be contained or controlled by operational best management practices.
 - Operational; including but not limited to:
 - Strategic staging of materials eliminating exposure, such as not staging on pavement
 - Avoiding multiple day staging of landscaping backfill and spoil on pavements
 - Haul off spoil as generated or daily
 - Scheduling work when weather forecasts are clear.
- d) Cleanup:
 - Use dry cleanup methods, e.g. square nose shovel and broom and it is usually sufficient when no more material can be swept onto the square nosed shovel.
 - Power blowing tools

3. Waste Disposal:

- a) Dispose of waste according to General Waste Management SOP, unless superseded by specific SOPs for the operation.

4. Equipment:

- a) Tools sufficient for proper containment of pollutants and cleanup.
- b) Push broom and square blade shovel should be a minimum.

5. Training:

- a) Annually and at hire
- b) Landscape Service Contractors must have equal or better SOPs.

Waste Management Operations

General:

This SOP is not expected to cover all necessary procedure actions. Operators are allowed to adapt SOPs to unique site conditions in good judgment when it is necessary for safety, and the proper, and effective containment of pollutants. However, any changes of routine operations must be amended in this SOP.

1. Application:

- a) This SOP is intended for all Staff, intended for the proper disposal of common everyday waste.

2. Waste Collection Devices (Exposed units):

- a) The site contains 2 types of waste management containers.
 - 6yd dumpster with lid
 - Receptacles with lids

3. Waste Disposal Restrictions for all waste Scheduled for the Trans-Jordan Landfill:

- a) Generally most waste generated at this property, and waste from spill and clean up operations can be disposed in our dumpsters under the conditions listed in this SOP. Unless other disposal requirements are specifically identified by the product SDS or otherwise specified in other SOPs.
- b) Know the facility disposal requirements and restrictions. It should not be assumed that all waste disposed in collection devices will be disposed at the Central Valley Landfill.
- c) Review Central Valley Landfill regulations for additional restrictions and understand what waste is prohibited in the Central Valley Landfill. Ensure the SDS and Central Valley Landfill regulations are not contradictory.

Generally the waste prohibited by the Central Valley Landfill is:

➤ Liquid:

- paint
- pesticides/fertilizers
- oil (all types)
- antifreeze
- batteries
- liquid chemicals
- etc.

(Generally, all the above hazardous waste when involved in minor spill cleanup operations can be disposed in covered dumpsters, if the liquid is contained in absorbent material, e.g. sand, dirt, loose absorbent, pads, booms etc., and transformed or dried such that it will not drip. This is not intended for whole sale disposal of out dated or spent liquid hazardous waste. When disposal of out dated or spent liquid is needed or for questions of how to dispose of other waste, contact the Salt Lake County Health Department for instructions and locations, 385-468-4330).

4. Waste Disposal Required for Central Valley Landfill or other:

- a) Generally for waste not accepted by the Central Valley Landfill.
- b) Follow SDS for disposal requirements. Review Central Valley Landfill regulations for additional restrictions and understand what waste is prohibited in the Central Valley Landfill. Ensure the SDS and Central Valley Landfill regulations are not contradictory. General rules are:
 - Get approval prior to delivery.
 - Transport waste in secure leak proof containers that are clearly labeled.
- c) Lookup and follow disposal procedures for disposal of waste at other EPA approved sites, the Central Valley Landfill # is a good resource, 801-250-1778.

5. General Staff Maintenance Practices:

- a) Prevent dumpsters and receptacles from becoming a pollution source by:
 - 1. Closing lids
 - 2. Reposition tipped receptacles upright.
 - 3. Report full or leaking and unsecured dumpsters and receptacles to the company provider or repair it in house. Determine source liquids and prevent it.
 - 4. Report any eminent pollutant hazard related to dumpsters and receptacles to the owner.

6. Training:

- a) Annually and at hire

Storm Drain Maintenance Operations

General:

These SOPs are not expected to cover all necessary procedure actions. Operators are allowed to adapt SOPs to unique site conditions in good judgment when it is necessary for safety, and the proper, and effective containment of pollutants. However, any changes of routine operations must be amended in these SOPs.

1. Procedure:

- a) Inspect for need:
 - 1. Schedule cleaning for boxes and pipe that contain 2" or more of sediment and debris.
 - 2. Remove debris by vacuum Central Valley Landfill operated machinery.
 - 3. When accumulations are mostly floating debris this material can be removed with a net.
 - 4. Inspect standing water for mosquito larvae and contact the Salt Lake County Mosquito District when necessary.

2. Disposal Procedure:

- a) Dispose of waste collected by machinery at regulated facilities.
- b) Floating materials and floating absorbent materials may be disposed in dumpster when dried out. Dry dirt and slurry may also be disposed in the dumpster.
- c) Disposal of hazardous waste
 - 1. Dispose of hazardous waste at regulated disposal facilities, see Waste Management and Spill Control SOP
- d) Disposal of waste collected from sanitary sewer device at regulated facilities.

3. Training:

- a) Annually and at hire

Pavement Washing Operations

General:

These SOPs are not expected to cover all necessary procedure actions. Operators are allowed to adapt SOPs to unique site conditions in good judgment when it is necessary for safety, and the proper, and effective containment of pollutants. However, any changes of routine operations must be amended in these SOPs.

1. Procedure:

- a) Prevent waste fluids and any detergents if used from entering storm drain system. The following methods are acceptable for this operation.
 - Dam the inlet using a boom material that seals itself to the pavement and pick up the wastewater with shop-vacuum or absorbent materials.
 - Collect wastewater with shop-vacuum simultaneous with the washing operation.
 - Collect wastewater with vacuum truck or trailer simultaneous with the washing operation.
- b) This procedure must not be used to clean the initial spills. First apply the Spill Containment and cleanup SOP.

2. Disposal Procedure:

- a) Small volumes can usually be drained to the local sanitary sewer. Contact the South Valley Sewer District..
- b) Large volumes must be disposed at regulated facilities.

2. Pavement Cleaning Frequency:

- a) There is no regular pavement washing regimen. Pavement washing is determined by conditions that warrant it, including but not limited to: prevention of slick or other hazardous conditions or restore acceptable appearance of pavements.

3. Training:

- a) Annually and at hire

Snow and Ice Removal Management

General:

This SOP is not expected to cover all necessary procedure actions. Operators are allowed to adapt SOPs to unique site conditions in good judgment when it is necessary for safety, and the proper, and effective containment of pollutants. However, any changes of routine operations must be amended in this SOP.

1. Application:

- a) Parking and sidewalk winter management operations.

2. De-Icing Procedure:

- a) Do not store or allow salt or equivalent to be stored on outside paved surfaces.
- b) Minimize salt use by varying salt amounts relative to hazard potential.
- c) Sweep excessive piles left by the spreader.
- d) Watch forecast and adjust salt amounts when warm ups are expected the same day.

3. Training:

- a) Annually and at hire.
- b) Require snow and ice service contractors to follow the stronger this SOP and their company SOPs.

Spill Control

General:

This SOP is not expected to cover all necessary procedure actions. Operators are allowed to adapt SOPs to unique site conditions in good judgment when it is necessary for safety, and the proper, and effective containment of pollutants. However, any changes of routine operations must be amended in this SOP.

1. Rational:

- a) All properties are susceptible to spills whether it is a result of operations or by customers. Insufficient response, inadequate containment materials and improper spill cleanup methods will result in pollutants in our waterways. Once the pollutants reach our storm drain system, or even the detention pond, they are difficult and expensive to remove.

2. Containment Procedure:

- a) Priority is to dam and contain flowing spills.
- b) Use spill kits booms if available or use any material available; including but not limited to, nearby sand, dirt, landscaping materials, etc.
- c) Hazardous or unknown waste material spills
 1. Critical Emergency constitutes large quantities of flowing uncontained liquid that will affect areas with people or reach storm drain systems. Generally, burst or tipped tanks. Call HAZMAT, DWQ, Salt Lake County Health Department, Millcreek City.
 2. Minor Emergency constitutes a spill that has reached a storm drain but is no longer flowing. Call Salt Lake County Health Department, Millcreek City
 3. Spills that are contained on the surface and do not meet the criteria for Critical and minor emergencies may be managed by the responsible implementation of this SOP.
 4. Contact Numbers:
HAZMAT - 911
DWQ – 801-231-1769, 801-536-4123
Salt Lake County Health Department – 385-468-4100
Millcreek City – 801-214-2714

3. Cleanup Procedure:

- a) NEVER WASH SPILLS TO THE STORM DRAIN SYSTEMS.
- b) Clean per SDS requirements but generally most spills can be cleaned up according to the following:
 - Absorb liquid spills with spill kit absorbent material, sand or dirt until liquid is sufficiently converted to solid material.

- Remove immediately using dry cleanup methods, e.g. broom and shovel, or vacuum operations.
- Cleanup with water and detergents may also be necessary depending on the spilled material. However, the waste from this operation must be vacuumed or effectively picked up by dry methods. See Pavement Washing SOP.
- Repeat process when residue material remains.

4. DISPOSAL:

- a) Follow SDS requirements but usually most spills can be disposed per the following b. & c.
- b) Generally, most spills absorbed into solid forms can be disposed to the dumpster and receptacles. Follow Waste Management SOP.
- c) Generally Liquid waste from surface cleansing processes may be disposed to the sanitary sewer system after the following conditions have been met:
 - Dry cleanup methods have been used to remove the bulk of the spill and disposed per the Waste Management SOP.
 - The liquid waste amounts are small and diluted with water. This is intended for spill cleanup waste only and never for the disposal of unused or spent liquids.

5. Documentation:

- a) Document all spills in Appendix C.

6. SDS sheets:

- a) SDS Manual is filed in break room.

7. Materials:

- a) Generally, sand or dirt will work for most clean-up operations and for containment. However, it is the responsibility of the owner to select the absorbent materials and cleanup methods that are required by the SDS Manuals for chemicals used by the company.

8. Training:

- a) Annually and at hire.

Exhibit C: Inspections/Maintenance

Inspection documentation will be located in Appendix A

The Owner listed below will be responsible for the inspections and maintenance.

Owner Company: ~~Cole West North LLC~~

Owner Address: 610 North 800 West

Centerville, UT 84014

Owner Contact Person: Abraham Lopez

Title: Owner Representative

Telephone Number: 435-513-9696

Email: abraham@colewest.com

1. Long Term Stormwater BMPs need to be inspected by a qualified person during installation to ensure the control is properly installed. This will be performed by a qualified person from the City or the design engineer.
2. List below the schedule for inspections of each of the BMPs listed in Exhibit B:
- 3.

List of BMPs	Describe the inspection and maintenance schedule
Parking Lots Cleaning and Maintenance	Weekly walk-through and twice annual comprehensive
Winter Snow and Ice Controls and Salt Storage	Weekly during winter months, and once annually in the spring during cleanup (after termination of snow conditions)
Trash and Debris	Twice Annually
Mulches and Soils	Twice Annually
Mowing and Trimming	Walkthrough and cleanup following regular maintenance
Leaves – Autumn Cleanup	Once annually, in the fall (prior to cold weather conditions)
Fertilizer	Walkthrough and cleanup following each application
Storm Inlets	Twice Annually
UIC	Twice Annually

Long Term Stormwater Management Plan (LTSMP)

Inspection Report

Site Name:		Date of Evaluation			
Site Address:					
FACILITY CONTACT INFORMATION					
	NAMES		PHONE		E- MAIL ADDRESS
SITE CONTACT:					
INSPECTOR CONTACT:					
Controls Inspected:					
Business Type (Circle One): Commercial, HOA, Public Institution, Industrial					
Are SOP's for Stormwater Post Construction Inspections implemented and available for review? YES NO Circle Answer					
Orifice Required for site YES Circle Answers		NO	Orifice Size:		Hooded outlet cover (snout) Required for site YES NO
Items Inspected	Checked		Maintenance Required?		Is there excessive accumulation?
	Yes	No	Yes	No	Yes No
1. Site Drawings					
2. Operator Awareness for LTSMP					(Current site drawings, i.e. LTSMP updated with any changes)
3. Documentation					(Is there an active LTSMP available and does the operator have access to this Plan?)
4. Dumping Evidence					(Is there documentation which demonstrates maintenance and compliance with LTSMP, etc.?)
5. Spill Evidence					(Is there evidence of stains, piles, or smells near waterways or inlets, etc.?)
6. General Site Exposure					(Is there existing stockpiles, uncovered unmaintained equipment, etc.?)
7. Other Pollution Sources					
8. Stormwater Storage condition and capacity (detention/retention ponds)					
9. Inlets and catch basins					
10. Conveyance System					
11. Manholes					
12. Parking/Pavement					
13. Waste Collection					
14. Landscaping					
15. Pre-Treatment devices					
16. Sumps					
17. Flow Control devices					
18. Flood Control Storage					
19. Surface LID Systems					
20. Site Specific SOP Items					
21. Other					
Notes:					
Print Name:			Date:		
Signature:			Title or Position		

BMP Measurement Log

These logs are for BMPs that depend on measurement for cleanout and for Stormwater capacity.

<u>Control Name and Number</u>	<u>Date</u>	<u>Inspection Method</u>	<u>Result</u>

Common Pollutants from Stormwater Discharges

Pollutants	Sources	Consequences of Pollutant
Sediment	Erosion or soils that are not stabilized.	Destruction of aquatic habitat for fish and plants, transportation of attached oils, nutrients and other chemical contamination, increased flooding. Sediment can transport other pollutants that are attached to it including nutrients, trace metals, and hydrocarbons. Sediment is the primary component of total suspended solids (TSS), a common water quality analytical parameter.
Nutrients (Phosphorus, Nitrogen Potassium, Ammonia)	Fertilizers; Plant Debris (grass clippings, leaves); Animal Waste; Sediment	Harmful algal blooms, reduced oxygen in the water, changes in water chemistry and pH. Nutrients can result in excessive or accelerated growth of vegetation, resulting in impaired use of water in lakes and other receiving waters.
Hydrocarbons (Petroleum Products, Benzene, Toluene, Ethyl benzene, Xylene)	Oils; Gasoline; Diesel Fuel; Antifreeze; Plant and Animal Oils;	These pollutants are toxic to humans and wildlife at very low levels. Carcinogenic. Teratogenic.
Heavy Metals	Manufacturing; Industrial Wastes; Vehicles and Equipment; Storage; Batteries; Paints	Metals including lead, zinc, cadmium, copper, chromium and nickel are commonly found in storm water. Metals are of concern because they are toxic to all life at very low levels. Carcinogenic. Teratogenic
Toxic Chemicals (Chlorides) – including Pesticides & Herbicides, Detergents, Soaps	Industrial Chemicals; Pesticides; Herbicides; Detergents; Soaps;	Chemicals are of concern because they are toxic to all life at very low levels. Carcinogenic. Teratogenic.
Trash, Debris, Solids	Wastes	Aesthetically unpleasant. Risk of decay product toxicity. Risk of aquatic animal entrapment or ingestion and death.
Pathogens – Bacteria and Viruses	Animal Waste; Human Waste	Human health risks due to disease and toxic contamination of aquatic life.
Salt	Salt Piles; Car Washing; Snow Removal	Salt can infiltrate into groundwater and contaminate it. Vegetation is damage or killed by salt causing oxygen to be taken out of the water. Aquatic life can be killed or have stunted growth due to salt. Salt also traps food and nutrients preventing fish and animal life from accessing those nutrients
Temperature (Thermal Pollution)	Industrial Waste Water; Removal of Vegetation near streams; lack of vegetation surrounding roads and parking lots	High water temperatures can kill or harm cold water fish. This occurs by slowing of metabolism in fish which causes malnutrition; oxygen depletion in the water; forced migration of the aquatic life

Amendment Log

Date	Description of the Amendment	LTSMP Section	Amendment Prepared by

Training Log

Date	Description of the Training	Attendees Name

Exhibit D: Annual report

Site Name:		Annual Report for Dates:		
Site Address:				
Facility Contact information				
	NAME and MAILING ADDRESS	Phone	E- MAIL ADDRESS	
SITE CONTACT:				
INSPECTOR CONTACT:				
Inspection Dates:				
1 st Inspection	2 nd Inspection	3 rd Inspection	4 th Inspection	5 th Inspection
Pollutants Found:	Found During Inspection #:	How were Pollutants controlled/disposed?		
Are Controls Functioning Properly?		Yes	No	
Notes:				
Print Name:		Date:		
Signature:		Title or Position		
*Include Training Logs and Inspection Reports with Annual Report when submitting.				

Appendix A: Recordkeeping Documents

Include documents/records in this section