HIGHLAND PLANNING COMMISSION AGENDA

TUESDAY, OCTOBER 27, 2026

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

VIRTUAL PARTICIPATION

YouTube Live: http://bit.ly/HC-youtube

Email comments prior to meeting: planningcommission@highlandut.gov

7:00 PM REGULAR SESSION

Call to Order: Chair Christopher Howden
Invocation: Commissioner Debra Maughan
Pledge of Allegiance: Commissioner Trent Thayn

1. UNSCHEDULED PUBLIC APPEARANCES

Anyone may share information with the Planning Commission. If your comments require a response, staff or an official will contact you. Please limit your comments to three minutes per person. Please state your name.

2. CONSENT ITEMS

Items on the consent agenda are of a routine nature. They are intended to be acted upon in one motion. Items on the consent agenda may be pulled for separate consideration.

a. Approval of Meeting Minutes - September 22, 2026 *General City Management*
Heather White, Deputy City Recorder

3. ACTION ITEMS

Items in this section are to be acted upon individually. A report will be given on these items.

a. PUBLIC HEARING/ORDINANCE: Stormwater Management Plan (SWMP) Update *Land Use (Legislative)*
Ryan Selee, Staff Engineer
The Planning Commission will hold a public hearing to consider proposed updates to the Stormwater Management Plan (SWMP) as required by the Utah Pollutant Discharge Elimination System (UPDES) General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4).

b. PUBLIC HEARING/ORDINANCE: Ridgeview PD Amendment - Street-Side Fencing *Land Use (Legislative)*
Rob Patterson, City Attorney/Planning & Zoning Administrator
The Planning Commission will hold a public hearing to consider whether to amend the Ridgeview Planned Development to allow street-side privacy fencing for corner property in the Townhome, Carriage, and Cottage pods to be on property line, rather than 14 feet from curb.

4. COMMUNICATION ITEMS

Items in this section are for notification and update. No final action will be taken.

ADJOURNMENT

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

ELECTRONIC PARTICIPATION

Members of the Planning Commission may participate electronically during this meeting.

CERTIFICATE OF POSTING

I, Rob Patterson, City Attorney/Planning & Zoning Administrator, certify that the foregoing agenda was posted at the principal office of the public body, on the Utah State website (http://pmn.utah.gov), and on Highland City's website (www.highlandut.gov).

Please note the order of agenda items are subject to change in order to accommodate the needs of the Planning Commission, staff and the public.

Posted and dated this agenda on the 21st day of October, 2026 Rob Patterson, City Attorney/Planning & Zoning Administrator

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PLANNING COMMISSION MEETINGS.

HIGHLAND PLANNING COMMISSION MINUTES

TUESDAY, September 22, 2026

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

Awaiting Formal Approval

7:00 PM REGULAR SESSION

Call to Order: Chair Christopher Howden
Invocation: Commissioner Sherry Kramer
Pledge of Allegiance: Commissioner Audrey Moore

The meeting was called to order by Commission Chair Christopher Howden as a regular session at 7:00 PM. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Commissioner Kramer and those in attendance were led in the Pledge of Allegiance by Commissioner Moore.

PRESIDING: Chair Christopher Howden

COMMISSIONERS PRESENT: Sherry Kramer, Audrey Moore, Trent Thayn, Wesley Warren, Alternate Commissioner Steve Scharmann

CITY STAFF PRESENT: City Attorney/Planning & Zoning Coordinator Rob Patterson, Planning Technician Max Gula, Deputy City Recorder Heather White

OTHERS PRESENT: Jon Hart, Mayor Brittney Bills, Heather Arnett, Diane Marshall, Scott Marshall, Dexter Francis, Terri Francis, Jim Ferrin, Margo Ferrin, Roger L. Bottomfield, Clint Wilson, Billie Wilson, Scott Welker, Michael Criddle, Henry Call, JeNeal Call, Susan Call, Jeff LaMay, Doug Holladay, Dave Larson, Jeannie Larson, Barry Tripp, Margie Tripp, Cindy and Scott Walker, Jeff and Katie Doug, Janet Miller, Marsha Anderson, Lawrence Williams, Leland Wright, Susan Wright, Trent Read, Brent Callister, Matt Gneiting, Scott Nelson, Dave Hymas, Colleen Shurtz, Grazia Query, Semiramis Kendall, Liz Blodgett, Rob Clauson, Berry Decocq, Chase Larsen, Melissa Jones, Brady Jones, Bruce Anderson, Sandra Anderson, Liz Rice, Kylie Lyman, Frank Metcalf, Deanna Metcalf, Al Metcalf, Dialene McFall, David Roberts, Chloe Roberts, Candace Robertson, Melanie Stucki, Chloe Banner, Aubrey Stucki, Sean Slattery, Nick Leydsman, Royce Riddle, Elyse Garlock, Doug Hatch, Chase Turner, Jan and Dave Hymas, DeNise Zylstra, Al Zylstra, Al Jr., Jenn Bergon, Jeremy Burgon, Kirsten Hodges, Nicole Miller, Parker Debenham, Melanie Hightower, Wendell Jung, Jordan Hightower, Billy Nerenberg, William Keil, Dustin Kendall

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

None were offered.

2. CONSENT ITEMS

Items on the consent agenda are of a routine nature. They are intended to be acted upon in one motion. Items on the consent agenda may be pulled for separate consideration.

a. Approval of Meeting Minutes – July 28, 2026 *General City Management*
Heather White, Deputy City Recorder

Commissioner Moore MOVED to approve the July 28, 2026 meeting minutes. Commissioner Kramer SECONDED the motion. All present were in favor. The motion carried unanimously.

3. ACTION ITEMS

Items in this section are to be acted upon by the city council. A report will be given on these items.

a. PUBLIC HEARING/ORDINANCE: Skye Estates Assisted Living Project Development Agreement *Land Use (Legislative)*
Rob Patterson, City Attorney/Planning & Zoning Administrator
The Planning Commission will consider a proposed legislative development agreement with LIHAI, LLC, to facilitate a proposed assisted living project within the commercial subdistrict of the Skye Estates PD, located on the lot south of the clubhouse.

Mr. Patterson explained that the PD (planned development) was approved over ten years ago and had three general areas: single family residential, active living age-restricted senior living district, and professional office/retail district that included a clubhouse. The only undeveloped area was a portion within the professional office/retail district located on corner of Highland Blvd and Grant Blvd, south of the clubhouse. The applicant asked for approval of an assisted living facility project within the commercial lot that would be a change from the current PD regulations for the property. The proposal was for a two-story, 75-unit facility with memory care and assisted living units. The proposed building size was larger than what was currently permitted within the PD. Parking requirements would also need to be changed. Mr. Patterson reviewed proposed parking details and explained that 63 stalls would be used between the clubhouse site and the assisted living facility site. He talked about how parking stalls were calculated. He reviewed the concept site plan and said waterwise landscaping would be used. Trails and amenities would be finished.

Cole Cooper with Rob Clauson addressed the planning commission. Mr. Cooper discussed the history of the property. He thought the facility would be a perfect fit for the area as well as the community. Mr. Clauson said they had been approached by various commercial enterprises but did not think the area was compatible for a gas station or fast food. They spoke more about development approvals in 2013 and said they knew there would be shared parking with the clubhouse. Shared easements were recorded at the time of PD approval. They said they had been in communication with the HOA and had been working with them on a few requested changes.

Commission Chair Howden opened the public hearing at 7:26 PM and asked for public comment.

Terry Francis voiced concern with parking and how the spaces would be used daily. Of the 63 stalls, she thought five would be handicapped parking, leaving 58 spaces for the general public. According to the city's SCALO parking requirements, 45-50 stalls were needed for 75 units, employees, and visitors. She mentioned that the staff report estimated 10-12 employees. After visiting a similar assisted living facility, Ms. Francis said the facility was

on three acres with 63 parking stalls and 16 employees plus housekeepers, custodians, and food preparation employees. She said a family friend who had been over assisted living told her they usually had 20-30 employees for a facility the same size as the proposed facility. She mentioned that shift changes should not be overlooked as well as deliveries and emergency vehicles. Her calculations left about eight parking spaces to be used for the clubhouse during the day. Ms. Fancis said all parking spaces were frequently used when activities were held at the clubhouse (e.g. parties, luncheons, weddings), many of which occur during the day. Over 220 homes used the clubhouse. She said the current proposal would add 19 stalls to Lot B then claim access rights to the stalls on Lot A (clubhouse). It was a basic question of equity because the facility would use clubhouse parking every day while Skye Estates residents had little opportunity to use the facility parking. Ms. Francis was concerned that clubhouse parking would already be in use on days that it was needed for the clubhouse. She said the city should consider the possibility that inadequate parking could cause vehicles to spill onto surrounding streets most days. She asked the commissioners to look beyond the total number of spaces shown on the plan and consider how the shared parking arrangement would function.

Brian read from the Highland City website and wondered how the lot could have been zoned commercial. He said putting an assisted memory care facility in the middle of a neighborhood with a lot of children was asking for problems. He said six in 10 people with memory disorders wandered. He talked about someone who wandered into the comfort station in Riverside Country Club and lit it on fire. He mentioned people wandering into pools and said it made zero sense to have that around kids and families. He was “vehemently” against the proposed assisted living facility and could not imagine how the city could allow the facility in good conscious.

Jim Ferrin thought an assisted living facility was a fine use for the location. He was shocked and wondered why the PD had no specified minimum setback requirement. He pointed out that there was a 42,000-sf limit on the building size and believed that the previous planning commission was as careful, intelligent, and responsible as the current planning commission. He thought the planning commission 13 years ago considered the area and intentionally restricted the building size to 42,000 sf. Mr. Ferrin asked the commissioners to add reasonable setback requirements to the PD or to adhere to the 42,000-sf limit. He asked the commissioners to not recommend the facility because developers asked to increase the building size by 61%. He pointed out that the building size seemed to be the only restriction on the lot.

David Roberts said he had 30 years of experience in fire service. He visited all the assisted living facilities in the area. The proposed facility had no covered pull-through and was a problem. Stalls would need to be eliminated in order to add a pull-through. Fire engines would be parked on the street as a 24-hour service, idling with lights on. He talked about roads and residents that would be frequently impacted by emergency vehicles with lights and sirens. He voiced concern with supply trucks having to back in/out while kids rode on scooters. Mr. Roberts pointed out the many residents in attendance and said they loved the clubhouse and the view from it would be gone if the facility was approved.

Scott Welker was the attorney representing the HOA (homeowner’s association). He said this facility could not be compared to other assisted living facilities because of some unique things, mainly because it was within and part of the HOA. The impact that it had on the community was much more personal and more impactful. The shared parking was unique. The 55+ communities used the clubhouses a lot, especially during the day. Peak usage would be during the day at the same time that the assisted living facility also needed parking. Referring to the traffic studies, Mr. Welker said 13-18 parking stalls would be left for the clubhouse, but it would need 24 at peak usage. He said the numbers didn’t work because peak usage was at the same time for both buildings. He said parking would spill out onto residential streets. He said the developer had to get consent from the HOA to move forward because of the recorded easement agreement and the CCRs. He thought it made more sense for the developer to get approval from the HOA before getting approvals from the city.

Douglas Holladay said he had two family members in assisted living facilities with underground parking, otherwise it would be difficult to find parking. Parking was a major concern for him and thought underground

parking might be a solution. He thought the clubhouse might be used by residents of the new facility. Setbacks should be re-examined.

Dexter Francis spoke of his service on Skye Estate's board. He talked about working for Walt Disney Imagineering and his experience with designed spaces. He said the PD was a designed space and the development agreement contained specific instructions for the preservation and nature of the community. He understood that the planning commission had the job to ensure that the requirements approved in 2013 were protected, preserved and carried forward. Living in Skye Estates was a unique experience and he would hate to see that damaged. He said PDs were different and talked about maintaining and preserving the history and essence/presence in the community. He wondered why the city would want to change something that was working as well as it was and what justified making the change? He hoped the commissioners did not look at it as only an economic decision. He said hours were spent reviewing drawings, talking about options and alternatives, and all in the context of what was best for the residents. He encouraged the commissioners to look at the bigger picture.

Cindy Walker voiced concern about safety. Traffic was directed through Skye Estates when the roundabout was constructed. She was terrified for her grandchildren and other children in the community. Everyone would feel scared, threatened, and want to move out if the project was approved. Ms. Walker pled with the commissioners not to approve the assisted living project.

Kylie Lyman talked about the closeness of the community and how well the HOA operated with neighbors in mind. She believed that people should be able to do what they wanted with the land they owned, but this would affect the neighborhood. More communication from the developer would be appreciated. She was against the project and said it would not work for the community. She thought the one-acre lot was not sufficient for the city's needs. The facility in Saratoga Springs was bigger, but visitation was very different. She thought this facility would be visited more, which would lead to higher impact to the area.

Sean Slatterly was led to believe that the commercial element would eventually be a dentist's office, bike shop, dry cleaner, or something that helped the residents in Skye Estates on a daily basis. The assisted living project was a surprise, and he voiced concerns with emergency vehicle sirens at all hours of the day and night. He said it would affect all of Highland Blvd. Mr. Slatterly mentioned that the CCRs designated Grant Blvd as a non-parking area. He wondered what would happen with overflow parking and thought cars should be towed if parked on Grant Blvd. He had a family member that worked in assisted living and looked into statistics for staffing. Based on his research, Mr. Slatterly thought 12 employees was not accurate.

Michael Criddle spoke about a friend who lived in a facility in Arizona. Mr. Criddle said he might want to live in this facility if the developers did something on a smaller scale and fit within the square foot restriction with reasonable setbacks and aesthetics. Instead, he thought the current proposal was a grab for biggest profits on least amount of land.

Heather Arnett seconded a lot of things that had been said. She voiced concern with safety on Grant Blvd. The neighborhood was segmented into an upper and lower portion, and the children went back and forth. Safety on the road was always a concern for parents. The constant threat on Grant Blvd was concerning the parents of 120 children in Skye Estates. She asked the commissioners to consider the children. The neighborhood looked out for each other, and they wanted safety to be the monumental concern.

Melanie Stucki moved in a few years ago and mentioned that she was confused about zoning in Utah. It made zero sense to her to have commercial zoning on the lot. Her concerns were access and safety. She talked about the hundreds of new homes that would be built and one lane roads. She talked about accidents and people leaving the facility and concerns for their safety being so close to Highland Blvd.

Jeff Doug helped develop and build two assisted living facilities. There was no way they would have been able to

build in a community like this. There had to be more setbacks and space due to safety. He said kids road bikes to the clubhouse in summer and he could not imagine what it would be like if the project was approved at the current size. There were rules for the maximum size building on the lot, and he thought the developer needed to get back to that. He thought there could be a better solution if they worked with the developer.

Al Zylstrup worked in the school system for over 30 years. He was concerned that the plan made the area so crowded that it did not give kids the ability to stretch. A closed community was not healthy for children. Highland allowed kids to ride bikes everywhere. He said the mental health of the children needed to be considered.

Wendell Jung said Sterling Point did not make up the majority of the community so the project would not be a benefit to Sterling Point. He mentioned that his mother had been in a facility for several years that was spacious and well planned. He said additional parking would be needed for physical therapists and doctors visiting patients. Parking would also be needed for occasional activities that family members were invited to. Parking at his mother's facility was maxed out during these occasions. He asked that the impact of extended activities be considered.

A resident mentioned that he had a beautiful view from his window and if approved the view would go away. He was grateful for other comments. He thought a good decision would be a negative one for the developer. He thought the developer asked the city to break the law by permitting a bigger building. He talked about the backed-up traffic along Grant Blvd.

Janet Miller mentioned that her brother was an administrator for assisted living facilities for 40+ years in various locations in the nation. She said people did not realize that crime rates increased and drug deals went down in facility parking lots. She said location did not matter.

Trent Read thought the developer was trying to make a good faith effort while also trying to make a profit. He suggested that the developer work through the HOA or that the HOA buy the property. He was sympathetic to the developer's position in wanting to do something with the lot. He suggested underground parking.

Matt Gneiting had experience in real estate within the senior living industry. He thought commercial zoning should not have ever been in the middle of a residential neighborhood and never should have been included in a PD because of the way parking was and the nature of the property. He speculated that 13 years ago no one knew what to do with the property but knew there would be long term value with commercial zoning. He thought the city and developers slapped something together without guardrails and designs of a well thought out process. Now the city, developers and residents were left to inherit the problem. Mr. Gneiting said the clubhouse was completely residential and the parking lot was completely full at times because it was used for parties, family socials, missionary events, and wedding receptions. He said it felt like the proposed development needed to stick within the constraints of the existing zone. Mr. Gneiting said Skye Estates residents experienced the feel of commercial this past summer when the roundabout was constructed. He spoke about traffic on Grant Blvd, Saltaire Dr, 11800 N, and Highland Blvd and said it was intense and poorly communicated to the residents. Some drivers on Highland Blvd still drove through the neighborhood if they were stuck behind someone slow in order to beat traffic to 11800 N. He said bringing a commercial element to the neighborhood would impose a traffic burden, specifically on Saltaire Blvd and Grant Blvd. Regarding senior care, Mr. Gneiting said fire trucks and ambulances were a challenge. He said Highland Glen had 300+ emergency visits per year. He suggested that the city arrange a land swap with developers to find a better location for the facility. Mr. Gneiting said shared parking would not work; it should not have been a combined element and showed lack of forethought. He knew the city wanted to have more senior housing, but Skye Estates' residents did not want to subsidize the developer's project or the city's needs.

Nick Leydsman said he was told the commercial property was for a low-rise medical building that was only open during business hours. The proposed plan turned it into a 24-hour facility opened during holidays when the

clubhouse was most used along with 75 family members trying to visit residents in the facility. He remembered when the PD was considered 13 years ago and thought there was a commercial element because of a compromise for smaller lots that the developer wanted. He mentioned that Ridgeline Elementary school was 82,000 sf on 12 acres with 200 ft setback from the main road. He thought something as large as the proposed project would be an eyesore as the gateway into the neighborhood. He talked about traffic safety issues with facility residents wandering out. He asked the commissioners to reject the proposal as presented and suggested a land swap.

Jeff Zwick talked about love and support for the Skye Estates community. He voiced concern about the construction process for a large facility. He said Grant Blvd would need to be closed in order to move necessary utilities and traffic would be directed through Skye Estates. He voiced concerns about safety and said the construction would have a massive negative impact. He was against the current proposal.

Parker Debenham thought that this would be one step toward becoming Lehi. He said everyone lived in Highland and Alpine in order to avoid Lehi zoning. He believed this could have been avoided by having a limit of individual units per acre within a residential area. He suggested amending HOAs and adding a limit to future development.

Chuck Lee pointed out that there was no representation from people who would be living in the assisted living facility. He had seen the clubhouse parking completely full at times. He voiced concern for visitors hoping to see loved ones who might not be able to find parking.

Chase Turner opposed the project as proposed. He mentioned his experience as a builder of master planned communities and was very familiar with the process of designing and developing them. He thought the clubhouse was to be at the entrance of the community. He thought it was likely that there was a tradeoff for the commercial component in the development. He said there were numerous reasons to oppose the project as proposed, many which had already been mentioned and as outlined in the attorney's letter in the packet. Mr. Turner added that the project as proposed was not compatible with what was intended in the PD documents and on record for the property. The project would negatively impact the entrance and integrity of the community. It would block the intentional view of the existing clubhouse. He said parking was not allowed under the current PD. Parking was generally capped to prevent overbuilding. The proposal increased the building size beyond what the PD allowed. The project as proposed did not meet the requirements and intent of the PD and was not fit for the community.

Commission Chair Howden asked for additional public comment. Hearing none, he closed the public hearing at 8:33 PM and asked for additional comments.

Commissioner Warren arrived at 8:33 PM. He apologized for arriving late and mentioned that he was listening to the meeting before he arrived.

Commissioner Moore thought Highland needed assisted living facility. She said there were many different levels of memory care. She said the memory care side of the facility would be locked down. She spoke of her experience with an assisted living facility and having a family member stay in one. She was surprised by some of the comments because the facility would serve Skye Estates residents. She thought the proposed building size was too big for an acre. She thought the direction that the building faced was limiting. She voiced concern about setbacks. She thought the facility was too big for a one-acre lot and felt it was important to have outdoor space for assisted living facility residents to be outside safely.

Commissioner Thayn said he was partial to the developers as well as residents. He thought the project was too big for the lot but also wondered who would take care of aging Highland residents. He talked about ways to keep Highland residents in the city. He said he saw both sides and encouraged working together to make something work.

Commissioner Kramer talked about the city's recently revised master plan. She said discussions frequently turned to the need for some kind of assisted living or memory care facility within Highland. She talked about researching and touring other facilities and discovered that residents might drive and frequently walked around the facility. She thought it was important for the facility to be beautifully landscaped with wide sidewalks big enough to accommodate walking was well as wheelchairs. She thought the proposed building was too large for the lot.

Commissioner Scharmann drove around Skye Estates recently and was amazed at how congested it was. He thought the roundabout was very tight. He thought the proposed building was too big for the lot. He spoke of a family member who was living in an assisted living facility. He thought that having the ability to walk the grounds was very important. He was more in favor of a 42,000-sf building or having the HOA buying the property.

Commissioner Warren asked about the history of the lot. Mr. Patterson explained that up until recently, Highland required a commercial aspect to every PD. He said there was a previously approved site plan for an athletic complex, but plans changed and the clubhouse was built. Since then, there were no other plans submitted for the property. Commissioner Warren thought it was important to keep in mind that something would be developed on the lot. He said it was necessary to weigh the current proposal with what could be. For him, a development like this was an ideal situation because it served the community and was a relatively quiet business and facility. He thought it agreed with the updated general plan and character of the city. Commissioner Warren wondered if there were other staff concerns about parking. Mr. Patterson said parking was always tricky. Parking for worse case meant there was enough parking for annual events, but increased wasted space, maintenance impacts, heat, and runoff issues. He explained that parking could be planned with circulation in mind. Another strategy was to provide parking for what was needed most of the time. Commissioner Warren thought the project was perfect for Highland, the area and lot. He had concerns about the size of the facility and would like to see it a little smaller. He thought the current proposal was better than anything else for the property and said he leaned on the expertise of city staff and Hales Engineering.

Commission Chair Howden preferred that an assisted living facility was located closer to city center. He acknowledged that the landowner had previous approval for a medical office space. He also thought the building should be smaller. He asked about setbacks. Mr. Patterson said general setbacks did not apply to the lot because it was within the PD. Practical limitations applied to the site like landscaping and parking requirements. Commission Chair Howden asked for clarification regarding parking restrictions on Grant Blvd. Mr. Patterson said it was a city right of way that would probably be restricted closer to Highland Blvd, but he was not sure if it was red-striped or had no parking signs posted. Commission Chair Howden asked that staff look into whether or not parking was permitted on Grant Blvd.

Commissioner Thayn asked the applicant to address some of the questions regarding the facility. Adam Lambert with Rim Rock construction said they built 30 facilities in Utah, including Ashford Assisted Living & Memory Care, Covington Senior Living, and Saratoga Living. They were state regulated facilities that required a license to operate. Covered turnarounds were required and included in the plans. He said all state requirements would be met, including the memory care lockdown.

Commissioner Warren wondered what would happen if the project wasn't approved as presented. Mr. Cooper mentioned that they had an additional parking study by Hales Engineering on a 25,000-sf medical facility. The study showed that it increased the flow of traffic by five times. Four two-story buildings, as was permitted by the PD, would block the clubhouse with increased flow of traffic and increased safety issues. Mr. Lambert said any development had an economy of scale and 75 units worked for an assisted living facility. Mr. Cooper mentioned that they had met with the HOA presidency. Mr. Clauson said they were not part of the HOA and were separate from Skye Estates. He said the bigger building allowed them to do what they needed to do and it was a safer alternative.

Mr. Patterson explained that the arrangement between ownerships and HOAs was a private dispute that the city did not weigh in on. He mentioned that without further approval the developer could construct 5,000 sf - 42,000 sf buildings split between one to four buildings. He said any retail, restaurant, medical and office uses were allowed, including drive-throughs and gas stations.

Commissioner Warren MOVED that the Planning Commission recommend approval of the proposed Skye Estates Assisted Living Development Agreement.

Commissioner Thayn SECONDED the motion.

The vote was recorded as follows:

Commissioner Jerry Abbott	*Absent*
Commissioner Christopher Howden	*No*
Commissioner Sherry Kramer	*No*
Commissioner Debra Maughan	*Absent*
Commissioner Audrey Moore	*No*
Commissioner Trent Thayn	*Yes*
Commissioner Wesley Warren	*Yes*
Alternate Commissioner Steve Scharmann	*No*

The motion failed 2:4

Commission Chair Howden called for an additional motion or discussion. Commissioner Warren though it was important to consider what could be built on the lot in the future. He thought the proposed project was the best option.

Commissioner Thayn MOVED to continue with the suggestion that the developer and HOA talk and work together.

Commissioner Steve Scharmann SECONDED the motion.

The vote was recorded as follows:

Commissioner Jerry Abbott	*Absent*
Commissioner Christopher Howden	*No*
Commissioner Sherry Kramer	*No*
Commissioner Debra Maughan	*Absent*
Commissioner Audrey Moore	*Yes*
Commissioner Trent Thayn	*Yes*
Commissioner Wesley Warren	*Yes*
Alternate Commissioner Steve Scharmann	*Yes*

The motion carried 4:2

b. PUBLIC HEARING/ORDINANCE: Text Amendment – Building Height Regulations
Development Code Update (Legislative)
Rob Patterson, City Attorney/Planning & Zoning Administrator
The Planning Commission will hold a public hearing to consider proposed amendments to the Development Code regarding building height regulations.

Mr. Patterson reviewed how building heights were currently measured. The proposed amendment changed and simplified building height regulations and aligned them with state law. The amendments proposed two ways of measuring building height: average elevation of top back of curb (or sidewalk or road if no curb) or average elevation of existing grade at all corners of the proposed building.

The planning commission discussed whether or not to include basements in measurements. They talked about different ways to measure building heights and current trends in roof heights. They considered how the proposed measurements would impact houses on different lots. They considered using measurements from existing or natural grade, back of curb, and foundations.

Commissioner Thayn thought it was important that the changes did not restrict residents from doing what was previously permitted. The commissioners agreed that the intent was to keep builders from significantly increasing the grading of a lot before building a house.

The commissioners agreed that top of house foundation should not exceed two feet above grade.

Commission Chair Howden opened the public hearing at 9:51 PM and called for public comment.

Wendell Jung wondered if the amendment applied only to residential lots. Mr. Patterson explained that the changes would apply to residential and commercial because the "grade of building" definition would be changed. He said it would apply to chapels as well as multi-family housing.

Commission Chair Howden asked for additional comment. Hearing none, he closed the public hearing at 9:53 PM and called for a motion.

Commissioner Howden MOVED that the Planning Commission recommend approval of the proposed amendments related to building height with the following specifications:

- *Top of curb, or*
- *Existing grade at the lowest point*

Commissioner Warren SECONDED the motion.

The vote was recorded as follows:

Commissioner Jerry Abbott	*Absent*
Commissioner Christopher Howden	*Yes*
Commissioner Sherry Kramer	*Yes*
Commissioner Debra Maughan	*Absent*
Commissioner Audrey Moore	*Yes*
Commissioner Trent Thayn	*Yes*
Commissioner Wesley Warren	*Yes*
Alternate Commissioner Steve Scharmann	*Yes*

The motion carried 6:0

4. COMMUNICATION ITEMS

Items in the section are for notification and update. No final action will be taken.

Commission Chair Howden reminded the commissioners of a training opportunity on October 27.

ADJOURNMENT

Commissioner Thayn MOVED to adjourn the meeting. Commissioner Howden SECONDED the motion. All were in favor. The motion carried.

The meeting ended at 9:56 pm.

I, Heather White, Deputy Recorder, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 22, 2026. The document constitutes the official minutes for the Highland City Planning Commission Meeting.

DRAFT

PLANNING COMMISSION AGENDA REPORT ITEM #3a

DATE:	October 27, 2026
TO:	Planning Commission
PREPARED BY:	Ryan Selee, Staff Engineer
SPONSORED BY:	City Staff
SUBJECT:	Stormwater Management Plan (SWMP) Update
TYPE:	Land Use (Legislative)

PURPOSE:
The Planning Commission will hold a public hearing to consider proposed updates to the Stormwater Management Plan (SWMP) as required by the Utah Pollutant Discharge Elimination System (UPDES) General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4).

STAFF RECOMMENDATION:
Staff recommends that the Planning Commission hold a public hearing, consider the proposed updates to the SWMP to align with the UPDES General Permit for MS4s, and recommend the adoption of proposed updates with any changes desired by the Planning Commission.

PRIOR REVIEW:
The previous time the SWMP came before the Planning Commission would have been 2021, the last time the SWMP was required to be updated.

BACKGROUND & SUMMARY OF REQUEST:
Highland City is classified as a Small Municipal Separate Storm Sewer System (MS4) and as such is required to participate in the associated General Permit for Discharges. The General Permit for Discharges is renewed every five years by the state Department of Environmental Quality. Each time the permit is renewed, it has portions rewritten, added, or removed as needed to improve the regulations regarding stormwater discharges. The list of significant changes is as follows:

- Add a mandatory biannual review of impaired waterbodies within the jurisdiction.
- Clarify the target audiences for public outreach education: engineers, construction contractors, developers, development review staff, and land use planners.
- Recategorize of construction site inspections lowering the number of minimum site inspections but maintaining the volume of inspection requirements for priority sites.
- Standardize the use of electronic oversight inspections for construction sites and requiring justification for on site inspections.
- Specify a specific runoff calculation method.
- Require that alternative stormwater controls must provide the same level of water quality protection as standard stormwater controls.
- Reduce the frequency of required City inspections of existing private stormwater controls.
- Require that the City minimize stormwater discharges that contain snow melt/salt products.

- Update Public Works standard operating procedures applicable to stormwater quality protection.

These changes bring our SWMP into alignment with the renewed UPDES General Permit for Discharges.

STAFF REVIEW & PROPOSED FINDINGS:
Staff has prepared the updates based on coordination with the Public Works Superintendents and our Construction Stormwater Inspector, consultation with the Utah County Stormwater Coalition and Utah Stormwater Advisory Committee, and advice from the Utah MS4 Program Coordinator. Staff believes all updates to be necessary and expedient.

Public notice for the hearing on this item was published on October 15. No written comments have been recieved.

MOTION:
I move that the Planning Commission recommend approval of the proposed updates to the Stormwater Management Plan.

ATTACHMENTS:
1. Highland_SWMP 2026

HIGHLAND CITY

2026

Storm Water Management Plan

PREPARED BY:
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SUBMITTED TO:
STATE OF UTAH
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER QUALITY
195 NORTH 1950 WEST, 3RD FLOOR
SALT LAKE CITY, UT 84116

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ACRONYMS	DEFINED
BMP	Best Management Practices
CWA	Clean Water Act
DWQ	Utah Division of Water Quality
DWSP	Dry Weather Screening Program
EMC	Event Mean Concentration
EPA	Environmental Protection Agency
ESU	Equivalent Service Unit
GIS	Graphical Information Systems
IDDE	Illicit Discharge Detection and Elimination
MCM	Minimum Control Measure
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
TMDL	Total Maximum Daily Load
UPDES	Utah Pollutant Discharge Elimination System

Certification of Storm Water Management Plan & Signature

2026 Highland City SWMP

Permit Number: State of Utah National Pollutant Discharge Elimination System Phase II Permit - UTR 090000, May 12 2026

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Name of Certifying Official, Title	Date (mm/dd/yyyy)

Chapter One: Introduction

This document is the City of Highland's Stormwater Management Plan (SWMP), in response to the State of Utah's National Pollutant Discharge Elimination Systems Phase II permit (UTR 090000, May 12, 2026). This SWMP has been developed to meet the requirements of the Phase II regulations relating to the National Pollutant Discharge Elimination System (NPDES) part of the Clean Water Act (CWA) which is being administered by the Utah Division of Water Quality.

The NPDES Permit requires that the City of Highland produce a Stormwater Management Plan (SWMP) and update it regularly to reflect Highland's actions and planned actions in meeting the UPDES permit requirements.

The City's SWMP aims to reduce the discharge of pollutants into receiving waters, surface waters, and ground waters within Highland to the maximum extent practicable (MEP), to apply reasonable technologies to address stormwater pollutants, and protect these waters from degradation. These goals will be accomplished by the implementation of all aspects of this SWMP. The City may intentionally exceed some NPDES Permit requirements to better protect water resources and to keep those resources safe for human contact and able to sustain aquatic ecosystems/species.

This document is organized according to the six NPDES Permit SWMP elements. The six elements are as follows:

I. Education and Outreach: *Efforts to educate the public through flyers, pamphlets, web pages, presentations, etc. This effort will be in conjunction with the Utah County Storm Water Coalition.*
II. Public Involvement and Participation: *Ensure that the public can help in the education of storm water issues and to ensure that the public has a say in the implementation and content of the SWMP.*
III. Illicit Discharge Detection and Elimination: *Used to detect, map, and eliminate the discharge of non-storm water in to the City's storm water system.*

IV. Controlling Runoff from Development/Redevelopment and Construction Sites: *Minimize the discharge of sediments and other pollutants from construction sites in the storm water system.*
V. Long Term Storm Water Management in New Development and Redevelopment/Post Construction Storm Water Management: *Used to ensure that the BMPs will and are functioning properly after the completion of construction.*
VI. Municipal Operations and Maintenance: *Minimize the pollutant discharge from municipal owned facilities.*

Within each section, requirements of the permit and the minimum control measures are individually detailed.

This SWMP document will be updated as program components change. This will occur on an annual basis at a minimum. The SWMP provides a comprehensive strategy that will outline and direct the Highland City Stormwater Utility's priorities and activities.

Since the last SWMP update ordinances have not been revised.

Chapter Two: Background

Highland City is named after the highland grazing fields found in Scotland. Highland is located in the north end of Utah County and covers an area of approximately seven (7 mi^2) square miles. The City was established in 1977 and has a current population of approximately 20,000 residents.

Highland City is divided by two state roads: SR-92 which connects I-15 to American Fork Canyon and SR-74 which runs from American Fork, Utah to Alpine, Utah. The City has two major drainage features at the edge of the community; American Fork River to the southeast and Dry Creek to the northwest. A location map is provided on the following page.

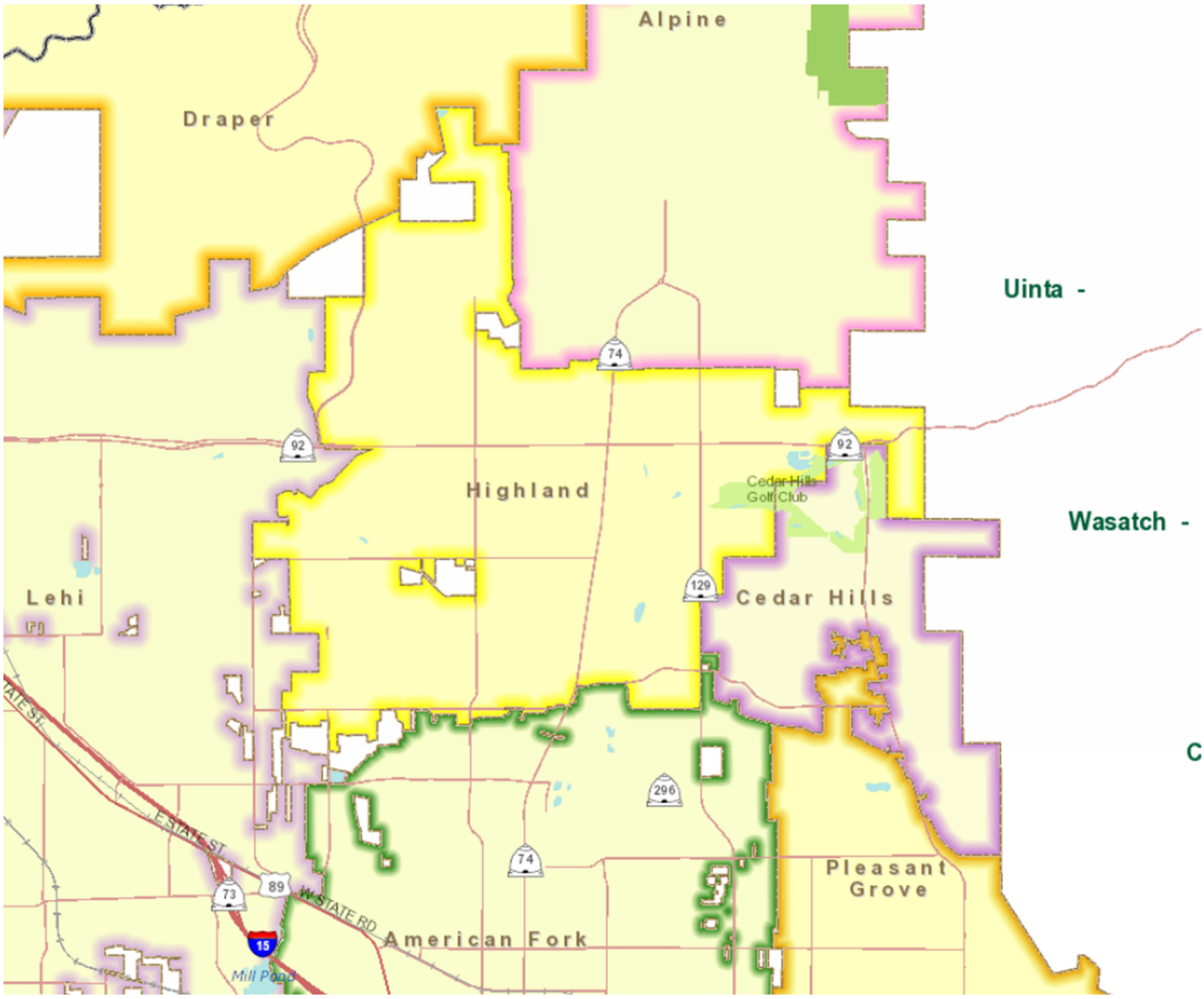
Being at the foothills of both the Traverse and Wasatch Mountains, Highland is on an alluvium. Most of the underlying soil materials are sand and gravel. Because of these materials, Highland City has chosen to use sumps for a majority of the drainage system.

In the northwest area of Highland, the City has implemented a traditional storm water system consisting of conveyance piping, inlets, and detention basins.

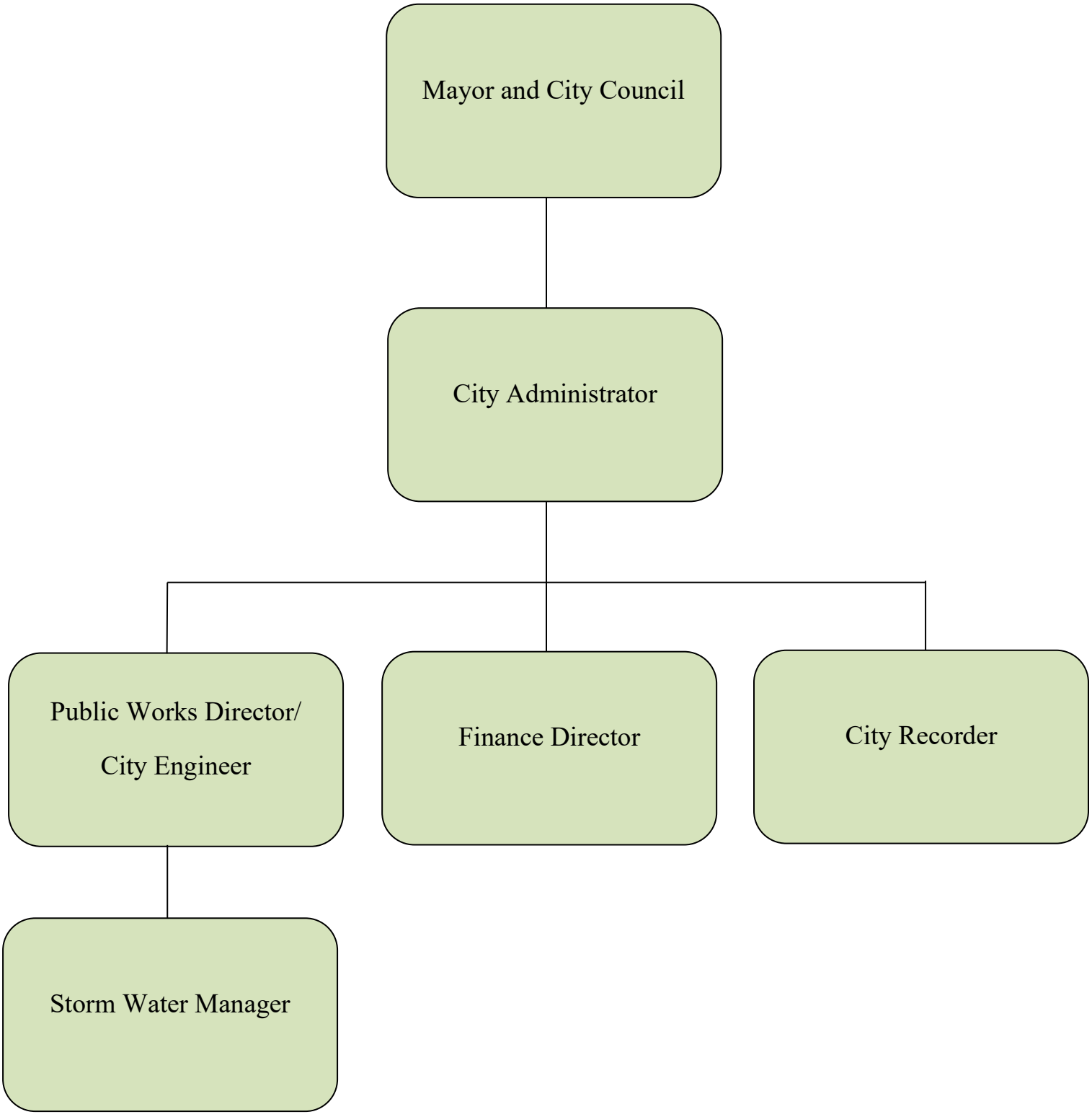
In September 2000, Highland City instituted a Storm Drain Utility Fee for the purpose of managing and constructing a storm water drainage system. Budgets required for the development and implementation of specific drainage related BMPs will be appropriated from this source in the Highland City Operating Budget.

The City is organized as a council-administrator form of government. The City Council is the responsible budgeting and policy making decision body in the City of Highland. The City Administrator is responsible for the day-to-day operations of the City. The City Administrator has designated the Public Works Director to oversee the implementation of the SWMP. The following is an abbreviated organizational chart showing the lines of responsibility for the implementation of the SWMP.

HIGHLAND CITY VICINITY MAP



Highland City Abbreviated Organizational Chart



Clean Water Act History

Growing public awareness and concern for controlling water pollution led to the enactment of the Federal Water Pollution Control Act Amendments of 1972. As amended in 1977, this law became commonly known as the Clean Water Act (CWA).

The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States. It gives the Environmental Protection Agency (EPA) the authority to implement pollution control programs. The CWA also sets water quality standards for all contaminants in surface waters. The CWA makes it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a National Pollutant Discharge Elimination System (NPDES) permit is obtained.

The NPDES program is designed to track point sources of pollution. Point sources are defined as single, identifiable sources that discharge pollutants into the environment. They require the implementation of controls necessary to minimize the discharge of these pollutants. The NPDES program initially targeted easily detected sources of water pollution such as municipal sewage and industrial process wastewater and was successful in improving water quality. However, the NPDES program did not address other significant sources of water quality impairment such as storm water runoff.

In 1987 the CWA was amended to address the environmental impact of storm water by adding Section 402(p), which established a comprehensive, two-phase approach to storm water control. This two-phase approach, Phase I and Phase II storm water regulations, treat storm water discharges from municipalities as point sources of pollution. As a result, local governments covered by the Phase I and Phase II regulations must – like all point source dischargers – obtain federally enforceable NPDES permits under the CWA.

Phase I was publicized on November 16, 1990. The Phase I regulations require large sources of storm water discharge to apply for NPDES permits. Large sources include medium and large municipal storm drain systems serving 100,000 people or more as well as several categories of industrial activities including construction activity disturbing

five or more acres of land. The NPDES permits require cities to develop a storm water management program, track and oversee industrial facilities that are also regulated under the NPDES storm water program, conduct monitoring, and submit periodic reports.

Phase II regulations were publicized on December 8, 1999 and expanded the scope of the NPDES program to include smaller local municipalities serving populations of less than 100,000. Similar to Phase I, Phase II requires local governments, referred to as small municipal separate storm sewer systems (small MS4) to obtain NPDES permit coverage. These local governments must design a storm water management program to include the development and implementation of six specified measures that reduce storm water pollution to the maximum extent practicable. Evaluation and reporting measures are also required. In addition, the rule sets requirements for construction activity that disturbs between one and five acres and extends a previously set deadline for municipalities that operate industrial activities regulated under Phase I.

DESCRIPTION OF THE PHASE II NPDES PROGRAM

The Phase II NPDES Program is intended to reduce adverse impacts to water quality and aquatic habitat by instituting the use of controls on the unregulated sources of storm water discharges that have the greatest likelihood of causing continued environmental degradation. Storm water discharges from urbanized areas are a concern because of the high concentration of pollutants found in these discharges. Concentrated development in urbanized areas substantially increases impervious surfaces, such as city streets, driveways, parking lots, and sidewalks, on which pollutants from human activities settle and remain until a storm event washes them into nearby storm drains or sumps. Common pollutants may include sediment, nutrients, oil and grease, organic compounds, and gross pollutants. Storm water runoff picks up, transports and discharges these pollutants, untreated, to waterways and groundwater via storm drain systems and sumps.

The NPDES Phase II program is implemented by the State of Utah under the Utah Pollutant Discharge Elimination System. The Utah Department of Environmental Quality, Division of Water Quality and its regional agencies are responsible for both interpreting the regulations and issuing the permits to local agencies that operate industrial facilities and MS4s. The updated State of Utah NPDES Small MS4 General Permit requirements were adopted on May 12, 2016.

Purpose of the Storm Water Management Program

The purpose of the Storm Water Management Program is to implement and enforce a program designed to reduce the discharge of pollutants to the "maximum extent practicable" (MEP) to protect water quality. According to the State of Utah General Permit, the MEP standard is an ever-evolving, flexible, and advancing concept, which considers technical and economic feasibility. Since knowledge about controlling urban runoff continues to evolve, so does that which constitutes the Maximum Extent Practicable. Reducing the discharge of storm water pollutants to the MEP in order to protect beneficial uses requires review and improvement, which includes seeking new opportunities. To do this, the City must effectively assess the SWMP on an annual basis by conducting and documenting an evaluation and assessment of each relevant element of its program and revising, as necessary, SWMP activities, control measures, BMPs, and measurable goals to meet the MEP.

Minimum Control Measures and Annual Reporting

The Phase II NPDES Program contains the following six program elements, termed "Minimum Control Measures" intended to reduce polluted runoff.

A. Public Education and Outreach

- Implement a public education program to distribute materials to the community or conduct equivalent outreach activities about the impacts of polluted storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.

B. Public Participation/Involvement

- Comply with State and local public notice requirements when implementing a public participation/involvement program. This provides opportunities for citizens to participate in the storm water management program development and implementation, including effectively publicizing public hearings and encouraging citizen representatives to attend these community meetings.

C. Illicit Discharge Detection and Elimination

- Develop, implement and enforce a program to detect and eliminate illicit connections and discharges (as defined at 40 CFR 122.26(b)(2)) into the regulated Small MS4.
- Develop a storm sewer system map, showing the location of all outfalls and the names and locations of all waters of the U.S., that receive discharges from those outfalls.
- To the extent allowable under State or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the MS4 and implement appropriate enforcement procedures and actions.
- Develop and implement a plan to detect and address non-storm water discharges, including illegal dumping, to the system that are not authorized by a separate NPDES permit.
- Inform public employees, businesses, and the general public of the hazards that are generally associated with illegal discharges and improper disposal of waste.

D. Construction Site Runoff Control

- Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the Small MS4 from construction activities that

result in a land disturbance of greater than or equal to one acre. Reduction of storm water discharges from a construction activity disturbing less than one acre must be included in the SWMP if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The City shall comply with the requirements for their own construction activities that result in a land disturbance of greater than one acre. The program must include the development and implementation of, at a minimum:

- An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions, or other effective mechanisms, to ensure compliance, to the extent allowable under State, or local law.
- Requirements for construction site operators to implement appropriate erosion and sediment control best management practices.
- Requirements for construction site operators to control waste, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste, that may cause adverse impacts to water quality, at the construction site.
- Procedures for site plan review which incorporate consideration of potential water quality impacts.
- Procedures for receipt and consideration of information submitted by the public.
- Procedures for site inspection and enforcement of control measures.

E. Post-Construction Runoff Control

- Develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that

discharge into the Small MS4 by ensuring that controls are in place that would prevent or minimize water quality impacts.

- Develop and implement strategies, which include a combination of structural and/or non-structural BMPs appropriate for the community.
- Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under state or local law.
- Ensure adequate long-term operation and maintenance of BMPs.
- Incorporate retention and Low Impact Development (LID) guidance for the City.

F. Pollution Prevention and Good Housekeeping for Municipal Operations

- Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.
- Develop and implement employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet building maintenance, new construction and land disturbances, and storm water system maintenance.
- Develop Standard Operating Procedures (SOP) for appropriate municipal practices as required by the permit.

For each of these six Minimum Control Measures, there are BMPs and associated Measurable Goals that will be implemented during the course of the 5-year permit term. Storm Water Management Programs must describe BMPs and associated Measurable Goals that will fulfill the requirements of the six Minimum Control Measures. It is through the implementation and evaluation of BMPs and Measurable Goals that municipalities will ensure that the objectives of the Phase II NPDES Program are met. BMPs and measurable goals incorporate adequate measures of effectiveness in terms of achieving permit requirements and protecting and restoring water quality and beneficial uses. The

measurable goals must include, as appropriate, the months and years for scheduled actions, including interim milestones and frequency of the action.

Annual Reporting & Ongoing Documentation

The data collected for each BMP identified in this SWMP will be compiled and summarized in annual reports. The City will review results of the SWMP's control measures and program elements and measure how they obtain different outcome levels discussed in the Manual, annually. If the SWMP BMPs and measurable goals are found to be ineffective or do not achieve stated goals or desired "outcome levels," the City will revise them to optimize BMP effectiveness. As the City's Storm Water Management Program matures, assessments of the BMPs and measurable goals will begin to shift to higher outcome levels.

The City will have an ongoing documentation process for gathering, maintaining, and using information to conduct planning, set priorities, track the development and implementation of the SWMP, evaluate Permit compliance and effectiveness of the SWMP implementation. The City will track the number of inspections performed, official enforcement actions taken, and types of public education activities implemented.

Chapter Three: Pollutants of Concern

There are a number of potential urban storm water pollutants of concern that the NPDES Phase II Storm Water Management Program aims to control. These urban pollutants may include sediment, nutrients, microbiological contaminants, hydrocarbons, pesticides, metals, additional organic compounds, and gross pollutants such as trash, green waste, and other debris that collects in storm drains or is dumped illegally into waterways. Urbanization and increases in population density directly affect the type of pollutant that enter storm drains. The City discharges into sumps, the American Fork River, Dry Creek, and Spring Creek-Lehi (as identified in the Utah Integrated Report). Only Spring Creek-Lehi is considered impaired; however, it does not have a TMDL. Spring Creek-Lehi is not supporting the parameters of dissolved oxygen, E. coli, and

temperature. All of the receiving waters flow into Utah Lake, which is also considered impaired and does not have a TMDL.

Background on Pollutants of Concern

Sediment

Sediment is often a component of storm water that can be detrimental to aquatic life. Sediment can transport other pollutants that are adsorbed to grain surfaces, including bacteria, nutrients, metals, and hydrocarbons. Sediment is the primary component of "total suspended solids" (TSS), a common water quality analytical parameter.

Nutrients (Nitrogen & Phosphorus)

Nutrients including nitrogen and phosphorous, the major plant nutrients used for fertilizing landscapes, may be found in stormwater. High concentrations of these nutrients can result in excessive or accelerated growth of algae, resulting in impaired use of water in lakes and other sources of water supply. In addition, un-ionized ammonia (one of the nitrogen forms) can be toxic to fish.

In particular in accordance with the Small MS4 General UPDES Permit (UTR090000) the SWMP must specifically address the reduction of water quality impacts associated with nitrogen and phosphorus in discharges from MS4s. Highland City is part of the Utah County Coalition and participates in a collaborative effort to evaluate, identify, target, and provide outreach that addresses sources within Utah County. Highland has targeted sources that use fertilizer as residents, business owners and the City that contribute Nitrogen and Phosphorus to discharges. Additional information can be found concerning the "Technical Basis for Utah's Nutrient Strategy" at the following website. http://nutrients.utah.gov/index.htm

Pesticides

Pesticides (including herbicides, fungicides, rodenticides, and insecticides) have been detected in storm water throughout the nation. As pesticide use has increased, so too have concerns about adverse effects of pesticides on the environment and human health. Accumulation of these compounds in simple aquatic organisms, such as plankton, provides an avenue for biomagnifications through the food web, potentially resulting in elevated levels of toxins in organisms that feed on them, such as fish and birds.

Gross Pollutants

Gross Pollutants often defined as trash, debris, and floatables are often carried by stormwater. Trash can include plastics, paper, yard debris, discarded household items, and other materials. Urbanization and increases in population density directly affect the type of pollution that enters storm drains. Typically resulting from an urban environment, industrial sites, and construction sites, trash and floatables are aesthetically unappealing. Gross pollutants also include plant debris (such as leaves and lawn clippings from landscape maintenance), human and animal excrement, street litter, plastics, trash, discarded household items, and other materials.

Chapter Four: Public Education and Outreach

The City of Highland is committed to ongoing opportunities for public involvement and participation in the development of this plan. The City of Highland has requested public review of the City's Stormwater Management Plan (SWMP) through the City's internet page.

When updates are made, residents are invited to review and comment on the plan's content and the City's response to permit requirements. The City also provides a contact number for residents to call with questions throughout the year from the City's SWMP webpage.

In addition, Highland has held public discussions during city council meetings and city council works sessions to adopt local ordinances and to discuss NPDES Phase II Permit requirements. Additional community interactions on receiving waters and environmental stewardship have occurred during neighborhood planning efforts.

Because stormwater runoff is generated from dispersed land surfaces—pavements, yards, driveways, and roofs—efforts to control stormwater pollution must consider individual, household, and public behaviors and activities that can generate pollution from these surfaces. These common individual behaviors have the potential to generate stormwater pollution:

- Littering,
- Disposing of trash and recyclables,
- Disposing of pet-waste,
- Applying lawn-chemicals,
- Washing cars,
- Changing motor-oil on impervious driveways,
- Household behaviors like disposing of leftover paint and household chemicals.

It takes individual behavior change and proper practices to control such pollution. Therefore, it is important to make the public sufficiently aware and concerned about the significance of their behavior for stormwater pollution, through information and education, that they change improper behaviors.

Phase II MS4s are required to educate their community on the pollution potential of common activities and increase awareness of the direct links between land activities, rainfall-runoff, storm drains, and their local water resources. Most importantly the requirement is to give the public clear guidance on steps and specific actions that they can take to reduce their stormwater pollution-potential.

Highland City has entered into an inter-local agreement with Utah County to develop and implement this Minimum Control Measure (Appendix C).

Highland City will also provide at a minimum quarterly information related to Stormwater and the public's responsibility and attention through a multimedia approach. The City will provide information through quarterly outreach publications such as newsletters, social media, etc..

Chapter Five: Public Participation and Involvement

The Public Involvement/Participation section of the SWMP addresses the importance of public involvement with respect to protection of the storm water. Community participation involves a broader public support, shorter implementation schedule, a broader base of expertise, and the development of important relationships with other community and government programs when drawing upon the residences of the community.

The BMPs described in this section of the SWMP include opportunities for the public to take part in an active role in the development and implementation of the BMPs within the SWMP. Such opportunities include public notice process and efforts to reach out and engage all members of the Highland City Community.

A single regulatory agency or municipal office working alone cannot be as effective in reducing stormwater pollution as if it has the participation, partnership, and combined efforts of other groups in the community all working towards the same goal. The point of public involvement is to build on community capital to help spread the message on preventing stormwater pollution and to undertake group activities that highlight storm drain pollution.

BMP 2.1: SWMP Review and Public Involvement

Description: (4.2.2) Highland City will provide members of the community with the opportunity to participate by manning information booths at the Highland City Open House and Highland Fling annually that will allow the public to comment on the Storm Water Management Plan. Notification to the City residents and additional stakeholders will included in communications regarding the events.

The City will post the SWMP on its website with a link for comments and input.

Objective: Provide Highland residents, institutions, business owners, and developers the opportunity for public involvement in the development and implementation of the BMPs within this SWMP.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 2 in Appendix A.

BMP 2.2: STORM DRAIN MARKING

Description: Storm drain marking involves labeling storm drain inlets with plaques, tiles, painted, or pre-cast messages warning citizens not to dump pollutants into the drain. The messages are generally a simple phrase or graphic to remind those passing by that the storm drains connect to local water bodies and that dumping will pollute those waters.

Storm drain marking projects offer an excellent opportunity to educate the public about the link between storm drain systems and water quality.

Phase I (completed): Municipal crews or volunteers systematically mark existing storm drain inlets.

Phase II: Municipal crews mark new or replaced storm drain inlets at the end of construction projects and any existing storm drain inlets that may have been missed in Phase I.

Objective: Reduce sediments and pollutants into the receiving sumps and storm drain system by raising public awareness of the interconnections.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 2 in Appendix A.

BMP 2.3: CITY PUBLIC EDUCATION PROGRAM

Description: Provide education materials to the public through a multimedia approach in addition to the Utah County Coalition efforts. The audiences shall include residents, institution, industrial, commercial facilities, developers, contractors and MS4 employees.

The SWMP and supporting documents including training information will be maintained online and reviewed annually.

Required documentation for all public education efforts include dates, topics, and number of people educated. Save required documentation on the City server in the UPDES folder and City Communication's folders.

(4.2.1.1) Target specific pollutants and pollutant sources determined to be impacting or have the potential to impact the beneficial uses of the City receiving water. Provide information that describes the potential impacts, methods for avoiding, minimizing, reducing or eliminating adverse impacts and the actions individuals can take to improve water quality.

(4.2.1.2) Annually, provide and document education outreach given to the general public on City's prohibitions against illicit discharges and improper disposal of waste and the impacts to water quality associated with these types of discharges. Document dates, topics, and number of people educated for each component of City's education and outreach program. Topics to include 1) maintenance of septic systems; 2) effects of outdoor activities such as lawn care (use of pesticides, herbicides, and fertilizers); 3) benefits of onsite infiltration of storm water; 4) effects of automotive work and car washing on water quality; 5) proper disposal of swimming pool water; 6) proper management of pet waste; and 7) any other relevant topics specific to the MS4. Permittees shall evaluate these topics and prioritize education on those most relevant to the community.

(4.2.1.3) Annually, provide and document education outreach given to institutions, industrial, and commercial facilities on an annual basis of the City's prohibitions against illicit discharges and improper disposal of waste and the impacts to water quality associated with these types of discharges. Topics to include 1) proper lawn maintenance (use of pesticides, herbicides and fertilizer); 2) benefits of appropriate onsite infiltration of storm water; 3) building and equipment maintenance (proper management of waste water); 4) use of salt or other deicing materials (cover/prevent runoff to storm system and contamination to ground water); 5) proper storage of materials (emphasize pollution prevention); 6) proper management of waste materials and dumpsters (cover and pollution prevention); 7) proper management of parking lot surfaces (sweeping); and 8) any other relevant topics specific to the MS4. City will evaluate these topics and prioritize education on those most relevant to the community This item can be part of the IDDE measures.

(4.2.1.4) Annually, provide and document education outreach given to engineers, construction contractors, developers, development review staff, and land use planners concerning the development of storm water pollution prevention plans (SWPPPs) and BMP use, to reduce adverse impacts from storm water runoff from development sites. This education can be coupled with Construction Site minimum control measures.

Objective: Educate the public to promote behavior changes that could reduce water quality impacts associated with pollutants of concern for the City in stormwater runoff.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP. City staff will provide educational information to the public through a multimedia approach.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 2 in Appendix A.

Chapter Six: Illicit Discharge Detection and Elimination

An illicit discharge is defined as any discharge to the municipal separate storm sewer system (MS4) that is not composed entirely of storm water. These non-storm water discharges occur due to illegal collections to the storm drain system from business, residential, or commercial establishments. The IDDE section of the SWMP addresses non-storm water flows that are discharged into receiving waters or ground water via storm water conveyance systems or sumps.

The IDDE program will implement BMPs to assist in the identification of illicit discharges and removal of these discharges from the system. This IDDE program will also focus on the prevention of new illicit discharges to the storm water system by means of inspections, regulations, and mapping.

With the Highland City drainage system consisting predominantly of sumps, it becomes extremely difficult to monitor and detect illicit discharges. Maintenance and inspection operations become extremely important in making this a cost-effective program.

This program will also be integrated with the Public Education and Outreach Program to promote awareness of the importance of protecting the storm water system from illicit discharge and the resultant impact to receiving waters. The following BMPs describe the implementation tasks and assessment tasks to be completed by Highland City for the IDDE program.

BMP 3.1: Maintain Storm Drain System Map

Description: (4.2.3.1) Runoff throughout the City is predominately in an east to west or a northeast to southwest direction. Most of the natural predevelopment flow from storm events eventually drains either to American Fork River, or other natural drainages passing through the City. These drainage features conveyed predevelopment runoff contributed from the Highland area through the adjacent communities including American Fork and Lehi.

The City will locate sump inlets, storm drain inlets, and identify other drainage features throughout the City by use of GIS. For runoff systems that drain to irrigation facilities, an estimate of the capacity of the irrigation system will be determined to approximate the excess flow for storm water beyond the basic irrigation water rights. If an irrigation ditch accepts storm runoff but is to be abandoned, the City will evaluate the need to secure an easement or right-of-way for maintaining its use for storm water purposes.

Each new storm drain structure added within Highland City will be added to the GIS mapping.

Objectives: Identify all of the sumps, storm drain lines, detention and retention ponds, and outfall lines to waterways. By mapping this, a program of inspections can be developed and implemented by the City to better detect illicit discharges.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 3 in Appendix A.

BMP 3.2: ILLICIT DISCHARGE STORM WATER ORDINANCE

Description: (4.2.3.2) Review and revise, if necessary, the ordinance that prohibits illicit discharges into the sumps and other storm drainage systems, and review enforcement procedures and actions annually.

Illicit discharges are defined as any discharge to the storm drain system that is not composed entirely of storm water. Examples of illicit discharges include sanitary wastewater, improper disposal of waste oil, paint, household toxics, and spills from roadway accidents. (Exceptions to this definition are categories of non-storm water discharges identified in UPDES Permit, Part IV.B.3.a.6.)

Illicit discharge pollutants into the storm drain system, if not treated properly, will contribute to high levels of pollutants entering underground aquifers and waterways. An effective Storm Water Ordinance with enforcement procedures will contribute to the elimination of illicit discharges into the storm drain system.

Phase I (completed): Draft and pass a City ordinance, then train relevant staff on authorities of the IDDE ordinance.

Phase II: Ongoing enforcement and training by relevant staff.

Objective: Implement an ordinance that allows for the enforcement of the IDDE program.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 3 in Appendix A.

BMP 3.3: ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM.

Description: (4.2.3.3) Develop, prepare, and implement a plan to detect and address non-storm water discharges. Plan shall include:

(4.2.3.3.1) Develop and implement written systematic procedures for locating and listing priority areas. Document the selection basis, and update annually.

Selecting priority areas shall consider: 1) areas with older infrastructure that are more likely to have illicit connections; 2) industrial, commercial, or mixed-use areas; 3) areas with a history of past illicit discharges; 4) areas with a history of illegal dumping; 5) areas with onsite sewage disposal systems; 6) areas with older sewer lines or with a history of sewer overflows or cross-connections; 7) areas upstream of sensitive water bodies; and 8) other areas the Permittee determines to be likely to have illicit discharges

The specific high priority areas for IDDE enforcement will be maintained in the City GIS map.

(4.2.3.3.2) Provide annual field inspections, with an inspection form, of priority areas identified in 4.2.3.3.1.

(4.2.3.3.3) Continue a Dry Weather Screening Program (DWSP) designed to detect and address illicit discharges. Through the DWSP the City will inspect each outfall annually. The Dry Weather Screening Program provides a framework to identify suspect sources as a basis for initiating more detailed drainage area investigations. All activities conducted under the Dry Weather Screening Program will be documented in the City's GIS.

(4.2.3.3.4) If the City discovers or suspects that a discharger may need a separate UPDES Permit the City shall notify the Director within 30 days.

(4.2.3.3.5) Permittees shall promote or provide services for the collection of household hazardous waste.

The City website, Utah County Coalition efforts and City Newsletters will promote hazardous waste disposal sites.

(4.2.3.3.6) Permittees shall publicly list and publicize a hotline for public reporting of spills and other illicit discharges. A written record shall be kept of all calls, all follow-up actions taken, and any feedback.

The City website has a complaint form, City phone numbers and a link to the Utah Department of Environment Quality to report any spills. The spills reports are maintained in the City's public work order database for reference.

(4.2.3.4) The City shall implement the following SOPs in the IDDE program

- (4.2.3.4.1) Tracing Illicit Discharges
- (4.2.3.4.2) Characterizing Illicit Discharges
- (4.2.3.4.3) Ceasing Illicit Discharges
- (4.2.3.4.4) Spill and Improper Disposal

(4.2.3.4.5) Program evaluation and assessment is conducted through maintaining a record of dry weather screening, and maps of outfalls, and illicit discharges in the City GIS.

(4.2.3.5) The IDDE documentation shall be stored in the City's public works database and GIS.

(4.2.3.6) IDDE Training for all Public Works Department, Building Department, and Code Compliance staff as well as office personnel who may receive calls regarding illicit discharges.

(4.2.3.6.1) Train annually, within 60 days of hire, and when relevant SOPs are updated.

(4.2.3.6.2) Topics of training will include: 1) identification and reporting; 2) investigation, termination, clean-up, and enforcement procedures; and 3) investigation documentation requirements. Trainings will be in and through relevant SOPs and included forms. Individuals will be trained in all aspects of IDDE program but will emphasize portions most relevant to their position. The SOPs and forms will be stored in Appendix D.

(4.2.3.6.3) Records of trainings will be stored in the UPDES permit folder within the City server and include dates, activities or course descriptions, and names and positions of staff in attendance.

A drawing showing the location of spill incidents and high priority areas is maintained in the city database. High priority sites shall be inspected annually. An assessment of the IDDE program shall be made annually and revisions to the program will be made at that time.

Trainings will be based off of SOPs developed for municipal activities.

Objective: Identify and eliminate any illicit discharges into the sumps or storm drain system. Any dry weather flows that are identified are traced to their source.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 3 in Appendix A.

Chapter Seven: Construction Site Storm Water Runoff Control

Phase II MS4s are required to develop a program to reduce pollutants in stormwater runoff to the MS4 for construction sites disturbing one or more acres including sites less than one acre that are part of a larger common plan. This primarily includes developing:

- BMP 4.1: Construction Site Program Ordinance,
- BMP 4.2: Site Plan and Subdivision Review,
- BMP 4.3: Site Inspection,
- BMP 4.4: Public Reporting.

The Construction Site Storm Water Runoff Control Program section of the SWMP addresses water quality concerns for construction sites greater than or equal to one acre including sites less than one acre that are part of a larger common plan. Polluted storm water runoff from construction sites often flows to storm drainage systems and into receiving waters comparative to that which can be deposited naturally during several decades.

The resulting siltation can cause physical, chemical, and/or biological harm to sumps (causing complete blockage) and receiving waters. The BMPs described in this section of the SWMP includes the development of a construction site program designed to reduce pollutants in storm water runoff from construction activities.

This program will include procedures for construction site plan review, site inspections, public reporting, notification of permit requirements to all construction site owners/operators, and education of contractors in BMP 2.3: City Public Education Program. Physical BMPs include but are not limited to: temporary on-site basins, check dams, energy dissipaters, silt fencing, channel linings, etc.

BMP 4.1: CONSTRUCTION SITE PROGRAM ORDINANCE

Description: The ordinance requires construction operators to use erosion and sediment controls, and maintain appropriate structural and non-structural BMPs to reduce pollutants discharged during times of soil disturbances or excavation activities, along with penalties to enforce and ensure compliance.

The ordinance provides the frame work for the Construction Site Storm Water Program, as well as the regulatory jurisdiction for enforcement. The ordinance will be reviewed annually to help assure compliance with appropriate regulations. Site plan review and approval procedures have been developed and incorporated in the design standards. Consideration for proper operation and maintenance of control measures is incorporated into the plan review process.

An effective ordinance with enforcement procedures, requiring an erosion control plan and proper waste handling will contribute to the reduction of erosion, sediment transportation, and other pollution from construction sites.

(4.2.4.1) Require construction operators to follow state SWPPP and UPDES construction permit requirements

(4.2.4.2) Review the written enforcement strategy and implement the enforcement provisions of the ordinance which shall include:

(4.2.4.2.1) SOPs that include 1) specific processes and sanctions to minimize the occurrence of violations and obtain compliance from violators; 2) appropriate escalating enforcement procedures and actions, including an appeals process that is published in a publicly accessible location; 3) notification and documentation procedures for enforcement actions; and 4) a definition of who has authority to implement enforcement procedures on behalf of the MS4. The Permittee shall have the authority to the extent authorized by law to impose sanctions to ensure compliance with the local program

(4.2.4.2.2) Document and track all enforcement actions.

The procedures for escalating enforcement actions are included in the Appendix E.

Objective: Review and enforce an ordinance that allows for the enforcement of the Construction Site Water Program.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 4 in Appendix A.

BMP 4.2: SITE PLAN AND SUBDIVISION REVIEW

Description: Develop procedures for site plan review that incorporate considerations for potential short and long-term water quality impacts and minimize these impacts, to the MEP. An erosion control plan must be submitted for review and approval prior to commencing grading operations.

(4.2.4.3) Develop and implement SOPs for pre-construction SWPPP review and keep records for five years or until construction is completed, whichever is longer. A checklist for SWPPP review will be utilized.

(4.2.4.3.1) Conduct a pre-construction SWPPP review

SWPPPs are a required part of the approval process.

(4.2.4.3.3) Identify priority construction sites, including slope, project size and type, sites discharging directly into water recognized as impaired or high quality and past records of non-compliance by operators of a construction site.

Prioritizing construction sites is part of the review process and checklist.

Objective: Prevent erosion during the construction phase by implementing site plan and subdivision SWPPP review.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 4 in Appendix A.

BMP 4.3: SITE INSPECTION

Description: Construction sites lacking adequate stormwater controls can contribute significant amounts of sediment to streams and lakes; therefore, the City will develop procedures for site inspection and enforcement of erosion control measures at construction sites to deter infractions. Procedures will include steps to identify priority sites for inspection and enforcement. To reduce the water quality impacts of active construction sites, the site inspections will ensure that construction projects install and maintain appropriate erosion and sediment control, stormwater management, and housekeeping BMPs.

(4.2.4.4) Develop and Implement SOPs for construction site inspection and enforcement.

SOPs will be reviewed, revised and placed into Appendix E.

(4.2.4.4.2) Minimum monthly inspections by a qualified person until completion or conditions of Adequate Compliance History or Frozen Conditions are met as specified in the UPDES permit. Highland City is not considered an Arid Location by the UPDES permit.

(4.2.4.4.3) Monthly inspections must be completed for priority construction sites.

(4.2.4.4.4) Other minimum inspections required are 1) one inspection prior to land disturbance; 2) one inspection each year during active construction; 3) one inspection following active construction; and 4) inspections to investigate any verified complaint.

(4.2.4.5) Staff whose primary job duties are related to implementing the program are annually trained. Training records must be maintained per the Permit.

(4.2.4.6) Permittee shall adopt and implement a procedure to maintain records of all projects. (e.g. plan review, inspections, and enforcement actions) for five years or until construction is completed, whichever is longer.

The City is utilizing the website ComplianceGO for all records. The documentation process outlines the procedure for storing records. SWPPP review folder, plans in subdivision folder and web-based software for site inspection updates.

Objective: Utilize site inspections to ensure that BMPs are properly installed, maintained, and are reducing pollutants in storm water runoff from construction activities to the MEP.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 4 in Appendix A.

BMP 4.4: PUBLIC REPORTING

Description: Public reporting can provide important assistance in preventing storm water pollution during construction activities. In order to accept such reporting, a procedure for the receipt and consideration of public inquiries, concerns, and information submitted regarding storm water runoff from local construction activities must be outlined. A phone number for the purpose of reporting possible violations will be made available at all public meetings including city council, planning commission, and neighborhood.

(4.2.4.3.2) Develop procedures for receiving and considering information and comments submitted by the public on proposed projects.

Objective: Encourage public participation in addressing storm water quality concerns during construction activities.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 4 in Appendix A.

Chapter Eight: Long Term Storm Water Management in New Development and Redevelopment/Post-Construction Storm Water Management

The Post-Construction Storm Water Management in New Development and Redevelopment Program addresses storm water runoff from new development and redevelopment projects that disturb greater than, or equal to, one acre. The program ensures that controls are in place that will protect water quality and reduce the discharge of pollutants to the maximum extent practicable.

This program will be integrated with the Construction Site Storm Water Runoff Control Program of the SWMP to ensure adequate long-term operation and maintenance of the BMPs. The following BMPs describe implementation tasks and assessment tasks to be completed by Highland City for the Post-Construction Storm Water Management in New Development and Redevelopment.

The best way to mitigate stormwater impacts from new developments is to use practices to treat, store, and infiltrate runoff onsite before it can have any negative effects downstream. Innovative site designs that reduce imperviousness and smaller-scale low impact development practices dispersed throughout a site are excellent ways to achieve the goals of reducing flows and improving water quality.

Phase II MS4s are required to address post-construction stormwater runoff from new development and redevelopments that disturb one or more acres. This primarily includes developing:

- An ordinance to address post-construction runoff,
- Strategies to implement a combination of structural and non-structural BMPs,
- A program to ensure adequate long-term operation and maintenance of BMPs.

BMP 5.1: POST-CONSTRUCTION STORM WATER ORDINANCE

Description: Review and if necessary, modify the existing City ordinance with requirements for post-construction runoff controls. Post-construction storm water management in areas undergoing new development or redevelopment is necessary because runoff from these areas has been shown to significantly affect receiving water bodies. There are two forms of impacts associated with post-construction runoff.

The type and quantity of pollutants in storm water runoff increases following new development and redevelopment projects. As runoff flows over newly disturbed areas it picks up harmful sediment and chemicals from the unprotected surface and conveys it to receiving waters. By controlling development and preserving open space, the quantity of impervious surface is minimized, which has an effect of reducing both the quantity and quality of the runoff. The open space also allows for the protection of sensitive areas such as wetlands and riparian areas. BMPs can be either non-structural or structural.

(4.2.5.2) Develop an enforcement strategy which includes:

(4.2.5.2.1) Procedures that include specific processes and sanctions to minimize occurrence of, and obtain compliance from, repeat violators using escalating enforcement procedures.

The enforcement strategy will be included in or referenced by the ordinance.

(4.2.5.2.2) The ordinance or other regulatory mechanism shall include provisions for post-construction access for Permittees to inspect storm water control measures on private properties that discharge to the MS4 to ensure that adequate maintenance is being performed.

(4.2.5.2.4) Documentation on how the requirements of the ordinance will protect water quality and reduce the discharge of pollutants. The permit provides specific information on the documentation requirements.

Objective: Develop and implement an effective ordinance requiring the implementation of post-construction runoff controls that will contribute to the reduction of erosion, sediment transportation, and other pollution from development sites.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 5 in Appendix A.

BMP 5.2: NEW DEVELOPMENT/REDEVELOPMENT PROGRAM

Description: Implement a program to ensure adequate long-term operation and maintenance of storm water controls at post construction sites.

(4.2.5.1) The Permittee's new development/redevelopment program must have requirements or standards to ensure that any storm water controls or management practices for new development and redevelopment will prevent or minimize impacts to water quality. BMPs must be selected that address pollutants known to be discharged or anticipated to be discharged from the site.

(4.2.5.1.1) The Permittee's new development/redevelopment program shall include nonstructural BMPs such as requirements and standards to minimize development in areas susceptible to erosion and sediment loss; to minimize the disturbance of native soils and vegetation; to preserve areas in the municipality that provide important water quality benefits; to implement measures for flood control; and to protect the integrity of natural resources and sensitive areas.

(4.2.5.1.2) Retention Requirement. The Permittee must develop and define a specific hydrologic method or methods for calculating runoff volumes and flow rates to ensure consistent sizing of structural BMPs in their jurisdiction and to facilitate plan review.

New development projects that disturb land greater than or equal to one acre, including projects that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre must manage rainfall on-site and prevent the off-site discharge of the precipitation from all rainfall events less than or equal to the 80th percentile rainfall event or a predevelopment hydrologic condition, whichever is less. This objective must be accomplished by the use of practices that are designed, constructed, and maintained to infiltrate, have evapotranspiration, and/or harvest and reuse rainwater. The 80th percentile rainfall event is the event whose precipitation total is greater than or equal to 80 percent of all storm events over a given period of record.

Redevelopment projects that disturb greater than or equal to one acre, including projects less than an acre that are part of a larger common plan of development or sale which collectively disturbs land greater than or equal to one acre must provide a site-specific and project-specific plan aimed at net gain to onsite retention or a reduction to impervious surface to provide similar water quality benefits. If a redevelopment project increases the impervious surface by greater than 10%, the project shall manage rainfall on-site and prevent the off-site discharge of the net increase in the volume associated with the precipitation from all rainfall events less than or equal to the 80th percentile rainfall event. This objective must be accomplished by the use of practices that are designed, constructed, and maintained to infiltrate, have evapotranspiration, and/or harvest and reuse rainwater.

(4.2.5.1.3) Low Impact Development Approach. The program shall include a process which requires the evaluation of a Low Impact Development (LID) approach for all projects subject to the requirements in 4.2.5.1.2. An LID approach promotes the implementation of BMPs that allow storm water to infiltrate, have evapotranspiration or harvest and use storm water on site to reduce runoff from the site and protect water quality. Guidance for implementing LID can be found in DWQ LID controls with are appropriate for use in the State of Utah can be found in A Guide to Low Impact Development within Utah.

The City may consider any LID approaches in the state's guide.

(4.2.5.1.4) If an LID approach cannot be utilized, the Permittee must document an explanation of the reasons preventing this approach and the rationale for the chosen alternative controls on a case-by-case basis for each project. Causes of nonuse may include high groundwater, drinking water source protection areas, soil conditions, slopes, accessibility, excessive costs, or any other justifiable constraint. Alternative controls must provide water quality benefits equivalent to LID controls.

Program is provided in City's Design Standards

Objective: To use development and redevelopment requirements to provide stormwater quality improvements.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 5 in Appendix A.

BMP 5.3: POST-CONSTRUCTION INSPECTION

Description: Develop procedures to ensure adequate long-term operation and maintenance of storm water controls at post-construction sites. Proper operation and maintenance of the control measures will help to minimize pollutants in storm water runoff. This program will require the establishment of maintenance responsibility for the development. Improper maintenance or failure of storm water controls following construction can lead to adverse impacts on storm water quality.

(4.2.5.4.1) Permanent structural BMPs shall be inspected at least once during installation by qualified personnel. Upon completion the Permittee must verify that long-term BMPs were constructed as designed.

(4.2.5.4.2) Inspections and any necessary maintenance must be conducted every other year by either the Permittee or through a maintenance agreement, the property owner/operator.

(4.2.5.6) Permittees shall ensure that all staff involved in post-construction storm water management, planning and review, and inspections and enforcement receive adequate training on an annual basis.

(4.2.5.4.2) Maintenance inspections will be conducted with the following pattern:

- City owned: conducted biannually
- Privately owned: conducted at least once every five years by the City and at least biannually by the owner.

The inspections will be documented with a report form.

Objective: Maintain procedures to ensure adequate long-term inspection of storm water controls is imperative in reducing storm water pollution.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 5 in Appendix A.

BMP 5.4: POST-CONSTRUCTION STORM WATER INVENTORY

Description: (4.2.5.5) The Permittee must maintain an inventory of all post-construction structural storm water control measures installed and implemented at new development and redevelopment sites that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale. This inventory shall include both public and private sector sites located within the Permittee's service area. Per (4.2.5.5.1) each inventory shall include basic information on each project such as projects name, owners name and contact information, location, start/end date, etc.

In addition, inventory entries must include the following for each project:

- Short description of each storm water control measure (type, number, design or performance specifications);
- Short description of maintenance requirements (frequency of required maintenance and inspections); and
- Inspection information (date, findings, follow up activities, prioritization of follow-up activities, compliance status).

(4.2.5.5.2) Based on inspections conducted pursuant to Part 4.2.5.6, the Permittee must update the inventory as appropriate where changes occur in property ownership or the specific control measures implemented at the site.

Objective: Maintain Inventory of all post-construction structural storm water controls

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 5 in Appendix A.

Chapter Nine: Pollution Prevention/Good House Keeping Program

The Pollution Prevention/Good Housekeeping Program of the Storm Water Management Plan addresses routine activities in the operation and maintenance for drainage systems, roadways, parks and open spaces, and other municipal operations to help ensure a reduction in pollutants entering the storm drain systems. The program will implement BMPs to address specific roadway practices which include snow removal, de-icing, salt pile management, and road crew training.

This program will also focus on storm drainage system maintenance, maintenance yard practices, pesticide, herbicide and fertilizer program, spill prevention and response. This Pollution Prevention/Good Housekeeping Program will be integrated with other BMPs described within this Storm water management plan to promote awareness of water quality concerns in performing routine roadway maintenance and operation and other practices. The following BMPs describe implementation tasks and assessment tasks to be completed by Highland City for the Pollution Prevention/Good Housekeeping Program.

Municipalities conduct numerous activities that can pose a threat to water quality if practices and procedures are not in place to prevent pollutants from entering the MS4. These activities include winter road maintenance, minor road repairs, infrastructure work, automobile fleet maintenance, park maintenance, and building maintenance. Municipalities also conduct activities that remove pollutants from the MS4 when performed properly, such as parking lot and street sweeping, and storm drain system cleaning. Finally, municipal facilities can be sources of stormwater pollutants if BMPs are not in place to contain spills, manage trash, and handle non-stormwater discharges. The following is a list of some potential problems usually associated with a municipal operation:

Municipality Facility Activity	Potential Pollutants							
	Sediment	Nutrients	Trash	Metals	Bacteria	Oil & Grease	Organics	Pesticides
Building and Grounds Maintenance and Repair	X	X	X	X	X	X	X	X
Parking/Storage Area Maintenance	X	X	X	X	X	X	X	
Waste Handling and Disposal	X	X	X	X	X	X	X	X
Vehicle and Equipment Fueling			X	X		X	X	
Vehicle and Equipment Maintenance and Repair				X		X	X	
Vehicle and Equipment Washing and Steam Cleaning	X	X	X	X		X	X	
Outdoor Loading and Unloading of Materials	X	X	X	X		X	X	X
Outdoor Container Storage of Liquids		X		X		X	X	X
Outdoor Storage of Raw Materials	X	X	X			X	X	X
Outdoor Process Equipment	X		X	X		X	X	
Overwater Activities			X	X	X	X	X	X
Landscape Maintenance	X	X	X		X			X

Municipal Program	Activities	Potential Pollutants							
		Sediment	Nutrients	Trash	Metals	Bacteria	Oil & Grease	Organics	Pesticides
Roads, Streets, and Highways Operation and Maintenance	Sweeping and Cleaning	X		X	X		X		
	Street Repair, Maintenance, and Striping/Painting	X		X	X		X	X	
	Bridge and Structure Maintenance	X		X	X		X	X	
Plaza, Sidewalk, and Parking Lot Maintenance and Cleaning	Surface Cleaning	X	X			X	X		
	Graffiti Cleaning	X	X		X		X		
	Sidewalk Repair	X		X					
	Controlling Litter	X		X		X	X		
Fountains	Fountain and Pool Draining		X					X	
Landscape Maintenance	Mowing/Trimming/Planting	X	X	X		X			X
	Fertilizer & Pesticide Management	X	X	X					X
	Managing Landscape Wastes			X					X
	Erosion Control	X	X						
Drainage System Operation and Maintenance	Inspection and Cleaning of Stormwater Conveyance Structures	X	X	X		X		X	
	Controlling Illicit Connections and Discharges	X	X	X	X	X	X	X	X
	Controlling Illegal Dumping	X	X	X	X	X	X	X	X
	Maintenance of Inlet and Outlet Structures	X		X	X		X		
Waste Handling and Disposal	Solid Waste Collection		X	X	X	X	X	X	
	Waste Reduction and Recycling			X	X				
	Household Hazardous Waste Collection			X	X		X	X	
	Controlling Litter			X	X	X		X	
	Controlling Illegal Dumping	X		X		X	X		X
Water and Sewer Utility Operation and Maintenance	Water Line Maintenance	X				X	X		
	Sanitary Sewer Maintenance	X				X	X		
	Spill/Leak/Overflow Control	X	X			X		X	

Phase II MS4s are required to train staff on ways to protect stormwater, particularly when maintaining MS4 infrastructure and performing daily municipal activities, such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance. This primarily includes:

- Developing inspection and maintenance procedures and schedules for stormwater BMPs,
- Implementing BMPs to treat pollutants from transportation infrastructure, maintenance areas, storage yards, sand and salt storage areas, and waste transfer stations,
- Establishing procedures for properly disposing of pollutants removed from the MS4,
- Identifying ways to incorporate water quality controls into new and existing flood management projects.

BMP 6.1: Operations and Maintenance Plans and Procedures

Description: (4.2.6.5) City shall develop and implement SOPs to protect water quality at each of the facilities owned or operated by the City and/or activities conducted by the City including, but not limited to: 1) buildings and facilities; 2) material storage areas; 3) heavy equipment storage areas and maintenance areas; 4) parks and open spaces; 5) vehicle and equipment; 6) roads, highways, and parking lots; and 7) storm water collection and conveyance systems. The following plans and procedures will be updated and maintained:

- Use, storage and disposal of chemicals
- Storage of salt, sand, gravel, landscaping materials, asphalt and other materials
- Waste and trash management
- Cleaning, washing, painting and maintenance activities including: cleaning of maintenance equipment, building exteriors, and trash containers
- Sweeping roads and parking lots
- Proper application, storage, and disposal of fertilizer, pesticides, and herbicides and minimizing their use
- Lawn maintenance and landscaping activities including: proper disposal of lawn clipping and vegetation
- Green waste deposited in the street
- Proper disposal of pet wastes
- Vehicle/equipment maintenance and repair activities, including use of drip pans and absorbents under or around leaky vehicles and equipment
- Vehicle/equipment storage including storing indoors where feasible
- Vehicle fueling including placing fueling areas under cover in order to minimize exposure, where feasible
- Vehicle/equipment washing
- Road and parking lot maintenance, including: pothole repair, pavement marking, sealing, and repaving

- Cold weather operations, including plowing; sanding; application of deicing compounds; and maintenance of snow disposal areas
- Right-of-way maintenance, including mowing; herbicide and pesticide application
- City-sponsored events such as large outdoor festivals, parades, or street fairs and the clean-up following these events
- Regular inspection, cleaning, and repair of storm water conveyance and structural storm water controls
- Graffiti removal
- Waste/Wastewater disposal from stormwater infrastructure maintenance
- Spill prevention plan in emergency or hazardous situations
- Any activities or operations not listed in this Part that would reasonably be expected to discharge contaminated runoff

(4.2.6.6) City shall maintain an inventory of all floor drains inside all City-owned or operated buildings. Permittees shall ensure that all floor drains discharge to appropriate locations. The inventory shall be updated as necessary to ensure accuracy.

(4.2.6.7) City is responsible for ensuring, through contractually required documentation and/or periodic site visits, that contractors performing operation and maintenance activities for the Permittee are using appropriate storm water controls and following the SOPs, storm water control measures, and good housekeeping practices of the Permittee

Objective: Maintain plans and standard operating procedures to conduct all typical City operations and maintenance activities with the least risk of negative impact to water quality.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 6 in Appendix A.

BMP 6.2: INTERNAL TRAINING

Description: (4.2.6.10) The Permittee shall require that all employees, MS4 contractors, and other responsible entities that have job functions that may impact storm water quality receive training.

The City will provide annual training to all relevant employees on all IDDE SOPs and Operations and Maintenance SOPs and plans. New hires in relevant positions will be trained within 60 days of hire on the same SOPs and plans. Minimum topics shall include:

- The importance of protecting water quality,
- The requirements of Part 4.2.6,
- Inspection and follow-up procedures,
- Ways to prevent or minimize impacts to water quality by how they perform their job activities,
- SOPs for operation and maintenance activities,
- SWPPPs for the “high priority” facilities, and
- The City’s prohibition against illicit discharges and improper disposal of waste including the City’s procedures for reporting water quality concerns and potential illicit discharges.

The City will require MS4 contractors to provide records of their trainings.

The City shall keep and maintain annual and new hire training records that include dates, activities or course descriptions, and names and positions of staff in attendance.

Objective: Ensure the effectiveness of the City’s water quality SOPs by regular trainings of relevant employees.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 6 in Appendix A.

BMP 6.3: Update/Prepare a Storm Water Management Plan for the High Priority City Facilities

Description: Identify, maintain, and control industrial facilities owned by Highland City Corporation that are subject to the State's UPDES Multi-Sector General Permit for discharges of storm water associated with industrial activity which ultimately discharge to the MS4. Proper management of these facilities will prevent migration of concentrated suspended material to storm drain systems.

(4.2.6.1) Permittee shall develop and keep a written inventory of Permittee-owned or operated facilities that are termed as “high priority” facilities per the Permit facility list.

An inventory of City owned or operated facilities will be included in Appendix G.

(4.2.6.2) All permittees must initially assess the written inventory (4.2.6.1) for their potential to discharge pollutants to storm water. City will make a list of common pollutants that may originate from these facilities and how to prevent them from entering the storm water system. A description of the assessment process and findings must be included in the SWMP document.

An initial assessment of City owned property will be included in Appendix G.

(4.2.6.3) Identify the “high-priority” facilities or operations.

The properties with the highest pollution potential are the Public Works Facility. This is due to the onsite chemicals, salt storage and other hazardous materials kept on site. BMPs shall be provided at all high priority sites.

Each “high-priority” facility must develop a facility-specific SOP to protect water quality and reduce the discharge of pollutants. Include BMPs and LID techniques for all of the following types of facilities and/or activities listed:

Buildings and facilities, materials storage areas, heavy equipment storage areas and maintenance areas, parks and open space, and vehicle and equipment maintenance.

(4.2.6.4.1) Monthly Visual Inspections shall be performed at each high priority facility. The inspection log should include identified deficiencies and the corrective actions taken to fix the deficiencies.

(4.2.6.4.2) Semi Annual comprehensive inspections shall be performed at least twice per year at each high priority facility. The inspection report should include identified deficiencies and the corrective actions taken to fix the deficiencies. Comprehensive inspections must include review of 1) waste storage areas; dumpsters; vehicle and equipment maintenance/fueling areas; material handling areas and similar pollutant-generating areas; 2) previous monthly or annual inspections conducted at the facility; 3) and the facility's SWPPP.

(4.2.6.4.3) An annual visual observation of storm water discharges shall be performed at least once per year at each high priority facility.

Objective: Minimize pollutants entering storm drain system from equipment yards and maintenance facilities.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 6 in Appendix A.

BMP 6.4: Implement a Process to Assess Water Quality Impacts from Flood Management Structural Controls

Description: (4.2.6.8) Develop and implement a process to assess the water quality impacts in the design of all new flood management structural controls. A description of this process must be included in the SWMP document.

(4.2.6.8.1) Existing flood management structural controls must be assessed. A description of this process must be included in the SWMP document.

These processes will be included in Appendix H.

Objective: Mitigate water quality degradation due to Flood Management Structural Controls

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 6 in Appendix A.

BMP 6.5: DEVELOP/UPDATE RETROFIT PLAN

Description: (4.2.6.9) City shall develop a plan to retrofit existing developed sites that the City owns or operates that are adversely impacting water quality. The retrofit plan shall be developed to emphasize controls that infiltrate, have evapotranspiration, or harvest and use, storm water discharges.

The retrofit plan shall include a ranking of retrofit sites based on the following criteria: 1) proximity to a waterbody; 2) current assessment of the waterbody with the goal to improve impaired waterbodies and protect unimpaired waterbodies; 3) hydrologic condition of the receiving waterbody; 4) proximity to a sensitive ecosystem or protected area; and 5) any sites that could be further enhanced by retrofitting storm water controls.

Retrofit projects will be completed at the direction of the Public Works Director, City Administrator, and City Council. The prioritized retrofit plan in this BMP will be considered as one factor in retrofitting city facilities.

Objective: Maintain a prioritized list for retrofit of City facilities to benefit water quality.

Responsible: The Public Works Director or designee will be responsible for the implementation of this BMP.

Funding: The funding for this BMP will be provided through the Storm Water Utility Fee as adopted by the City Council.

Implementation and Assessment: See Table 6 in Appendix A.

Appendix A:

- BMP Table 2
- BMP Table 3
- BMP Table 4
- BMP Table 5
- BMP Table 6

Table 2 Minimum Control Measure Public Participation and Involvement BMP Two

BMP Number	Title	Objective	Concern	Permit Year					Measurable Goal
				1	2	3	4	5	
2.1	SWMP Review and Public Involvement	Provide Highland residents, institutions, business owners, and developers the opportunity for public involvement in the development and implementation of the BMPs	Public involvement	X	X	X	X	X	Annually Update SWMP on website Gather public input for any changes to SWMP 2x's per year.
2.2	Storm Drain Marking	Reduce sediments and pollutants into the receiving sumps and storm drain system by raising public awareness of the interconnections	Bacteria, nutrients, sediment, public education	X	X	X	X	X	Mark new or replaced storm drain inlets at the end of construction projects.
2.3	City Public Education Program	Educate the public to promote behavior changes that could reduce water quality impacts associated with pollutants of concern for the City in stormwater runoff.	Public involvement	X	X	X	X	X	Provide information quarterly through social media, website, newsletter, flyers, and etc. This BMP also includes Coalition Education.

Table 3 Minimum Control Measure Illicit Discharge Detection and Elimination BMP Three

BMP Number	Title	Objective	Concern	Permit Year					Measurable Goal
				1	2	3	4	5	
3.1	Maintain Storm Drain System Map	Identify all sumps, storm drain lines, detention and retention ponds, and outfall lines to waterways	Bacteria, nutrients, and sediments	X	X	X	X	X	Regularly update map to reflect new drainage structures, retrofits, or alterations
3.2	Illicit Discharge Storm Water Ordinance	Implement an ordinace that allows for the enforecement of the IDDE program.	Enforcement authority to control illicit discharges	X	X	X	X	X	Phase I: pass ordinance - completed Phase II: ongoing enforcement; track enforcement actions
3.3	Illicit Discharge Detection and Elimination Program	Identify and eliminate any illicit discharges into sumps or storm drain system. Trace any dry weather flows to source.	Illicit discharge locations	X	X	X	X	X	Identify, cite, and eliminate illicit discharge sites as needed. Dry weather inspections for outfalls annually, and all IDDE priority areas annually.

Table 4 Minimum Control Measure Construction Site Storm Water Runoff Control BMP Four

BMP Number	Title	Objective	Concern	Permit Year					Measurable Goal
				1	2	3	4	5	
4.1	Construction Site Program Ordinance	Review and enforce an ordinance that allows for the enforcement of the Construction Site Storm Water Program.	Sediment transportation and gross pollutants	X	X	X	X	X	Phase I: Implement ordinance and erosion control plan. Phase II: Ongoing enforcement.
4.2	Site Plan and Subdivision Review	Prevent erosion during the construction phase by implementing site plan and subdivision SWPPP review.	Erosion	X	X	X	X	X	Utilize site plan and subdivision review process, and make adjustments to site plans as needed.
4.3	Site Inspection	Ensure that BMPs are properly installed and maintained, and are reducing pollutants to the MEP.	Water quality impacts of active construction	X	X	X	X	X	Provide site inspections as allowed by UPDES Permit and track construction site stormwater runoff control activities individually.
4.4	Public Reporting	Encourage public participation in addressing storm water quality concerns during construction activities.	Storm water pollution	X	X	X	X	X	Track and log all public reports. Respond to reports within 24 hours or next business day.

Table 5 Minimum Control Measure Post-Construction Storm Water Management BMP Five

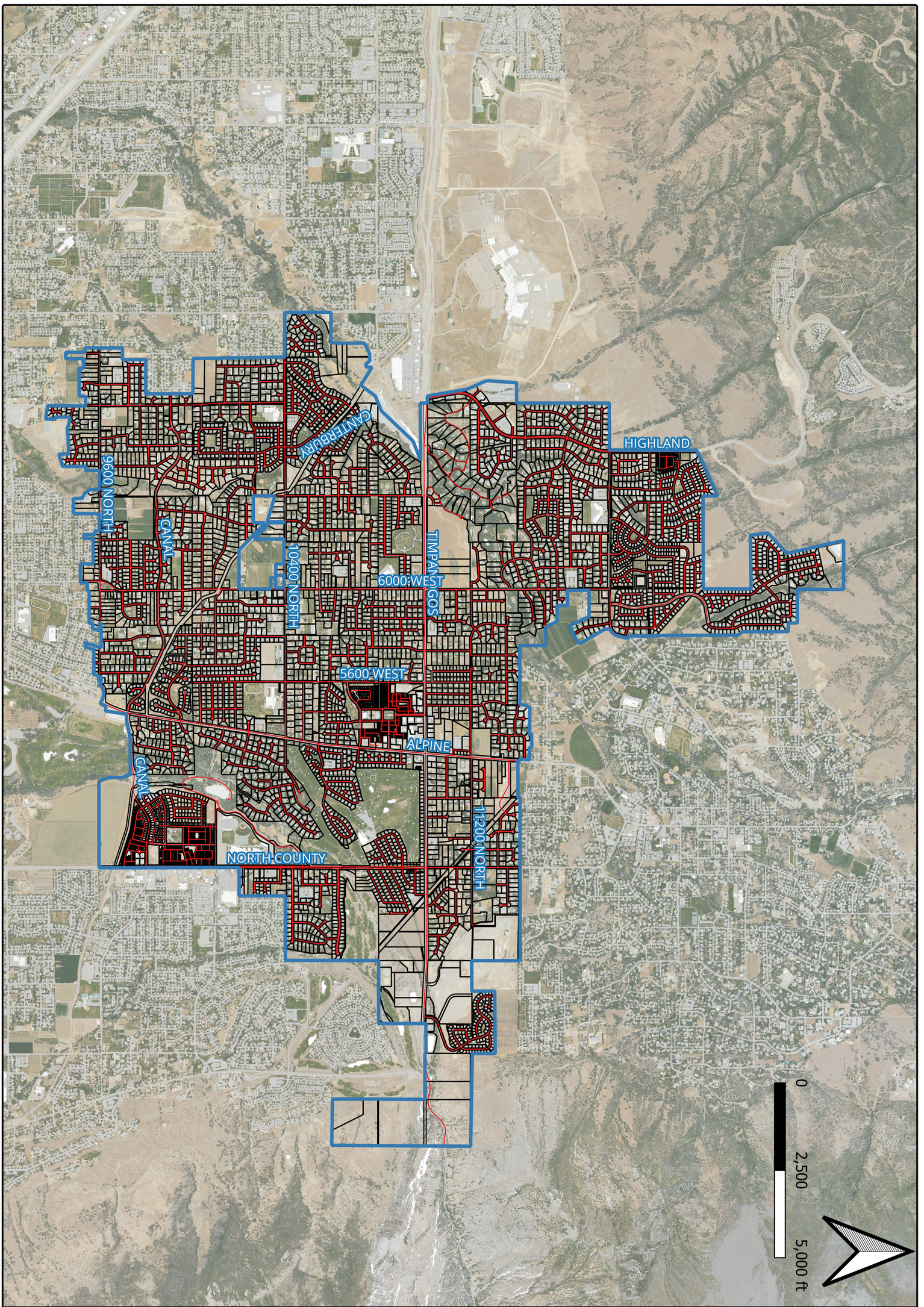
BMP Number	Title	Objective	Concern	Permit Year					Measurable Goal
				1	2	3	4	5	
5.1	Post-Construction Storm Water Ordinance	Develop, write, pass, and enforce an ordinance that allows for the enforcement of the Post-Construction Storm Water Management program.	Erosion, sediment transportation, and gross pollutants	X					Review of the post-construction storm water ordinance once per permit period.
5.2	New Development/Redevelopment Storm Water Program	To use development and redevelopment requirements to provide stormwater quality improvements.	Adverse impacts on storm water quality	X					Review standards and requirements of development and redevelopment once per permit period.
5.3	Post-Construction Inspection	Maintain procedures to ensure adequate long-term inspection of storm water controls.	Adverse impacts on storm water quality	X	X	X	X	X	Inspect public controls biannually and private controls once every five years. Track and maintain all inspection reports.
5.4	Post-Construction Storm Water Inventory	Maintain Inventory & Inspection of all post-construction structural storm water control measures.	Adverse impacts on storm water quality	X	X	X	X	X	Update Inventory and keep records regarding inspections.

Table 6 Minimum Control Measure Pollution Prevention / Good Housekeeping BMP Six

BMP Number	Title	Objective	Concern	Permit Year					Measurable Goal
				1	2	3	4	5	
6.1	Operations and Maintenance Plans and Procedures	Maintain plans and standard operating procedures to conduct all typical City operations and maintenance activities with the least risk of negative impact to water quality.	Discharge of pollutants	X	X	X	X	X	Create and maintain a field manual of standard operating procedures.
6.2	Internal Training	Ensure the effectiveness of the City's water quality SOPs by regular trainings of relevant employees.	Discharge of pollutants	X	X	X	X	X	Track the annual training of each relevant employee on IDDE and Operations & Maintenance SOPs.
6.3	Update/prepare a Storm Water Management Plan for the High Priority City Facilities	Minimize pollutants entering the storm drain system from equipment yards and maintenance facilities.	Sediment, gross pollutants, bacteria, and salt	X					Update the Public Works Building SWMP and prepare a SWMP for the new Parks Building.
6.4	Implement a Process to Assess Water Quality Impacts from Flood Management Structural Controls	Mitigate water quality degradation due to flood management structural controls.	Sediment and gross pollutants	X	X	X	X	X	Review water quality impacts of proposed stormwater controls at site plan and subdivision review.
6.5	Develop/Update Retrofit Plan	Maintain a prioritized list for retrofit of City facilities to benefit water quality.	Pollutants	X	X	X	X	X	Annually consider retrofit of existing facilities and stormwater controls in the stormwater/public works budget.

Appendix B:

- Highland City Map



HIGHLAND CITY MAP

DATE DRAWN: 04/21/2026

HIGHLAND CITY

Appendix C:

- Utah County MCM

Agreement No. 2014-111

INTERLOCAL COOPERATION AGREEMENT FOR NPDES PHASE II STORM WATER PUBLIC EDUCATION AND OUTREACH BEST MANAGEMENT PRACTICE COMPLIANCE

THIS AGREEMENT, is entered into this 11th day of February, 2014, by and between PROVO, OREM, PLEASANT GROVE, AMERICAN FORK, SPRINGVILLE, SPANISH FORK, LEHI, PAYSON, UTAH COUNTY, LINDON, HIGHLAND, ALPINE, MAPLETON, SALEM, CEDAR HILLS, and EAGLE MOUNTAIN, political subdivisions of the State of Utah.

WITNESSETH:

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953 as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative action; and

WHEREAS, the parties to this Agreement are public agencies as defined in the Interlocal Cooperation Act; and

WHEREAS, the parties desire to establish a joint undertaking to comply with National Pollution Discharge Elimination System (NPDES) Phase II Storm Water Permit Coverage;

NOW, THEREFORE, the parties do mutually agree, pursuant to the terms and provisions of the Interlocal Cooperation Act, as follows:

Section 1. EFFECTIVE DATE; DURATION

This Interlocal Cooperation Agreement shall become effective and shall enter into force, within the meaning of the Interlocal Cooperation Act, upon the submission of this Interlocal Cooperation Agreement to, and the approval and execution thereof by Resolution of the governing

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bodies of each of the parties to this Agreement. Unless otherwise terminated as provided for herein, this Interlocal Cooperation Agreement shall be effective for a period of up to, but not exceeding, fifty (50) years. This Interlocal Cooperation Agreement shall not become effective until it has been approved by Resolution of all parties and reviewed as to proper form and compliance with applicable law by the attorney authorized to represent each of the parties hereto. Prior to becoming effective, this Interlocal Cooperation Agreement shall be filed with the official keeper of records of each of the parties hereto.

Section 2. ADMINISTRATION OF AGREEMENT

The parties to this Agreement do not contemplate nor intend to establish a separate legal entity under the terms of this Interlocal Cooperation Agreement. The parties hereto agree that, pursuant to Section 11-13-207, Utah Code Annotated, 1953 as amended, UTAH COUNTY shall act as the administrator responsible for the administration of this Interlocal Cooperation Agreement. The parties further agree that this Interlocal Cooperation Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as the Utah County Clerk/Auditor shall specify and further agrees that said books shall be open for examination by all parties to this Agreement, at reasonable times. The parties agree that they will not acquire, hold nor dispose of real or personal property pursuant to this Interlocal Agreement during this joint undertaking.

Section 3. PURPOSES

This Interlocal Cooperation Agreement has been established and entered into between the parties, for the purpose of a joint undertaking to comply with NPDES Phase II Storm Water Permit Public Education and Outreach Best Management Practices.

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Section 4. MANNER OF FINANCING

The parties agree that they shall provide the following resources and/or assistance for this joint undertaking:

a. COUNTY shall act as the administrator of this Agreement, pursuant to the terms of Section 2 hereof, and shall :

1. Schedule and conduct Utah County Storm Water Coalition meetings which are necessary to correlate activities, set proposed budgets, and provide training opportunities.

2. Provide information regarding best management practices for preventing storm water pollution that can be placed in a newsletter or other form of communication as determined by each member agency to be distributed to the public as each agency deems appropriate.

3. Maintain contract with approved Storm Water Educational Instructor and ensure proper teaching material is being presented. Maintain a master list of approved schools to be given to approved Storm Water Educational Instructor. Provide for each member agency a list of schools visited, the dates of all visits, an estimated number of attending students, and the number of classes taught.

4. Become a central warehouse for storm water educational materials and provide on demand materials for distribution. These materials could include informational pamphlets, activity books, pencils, note pads, magnets, videos, etc.

5. Maintain storage of display information for booths to be used for city and

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county activities and other events.

6. Provide, maintain, and promote an information system to the public for the disposal of household materials and chemicals to include internet and phone services. Citizens will be able to call a local, countywide phone number or access a website where gathered information for disposal sites will be distributed.

b. Each party to this agreement will pay to Utah County within 30 days of receipt of an annual invoice from Utah County, the sums listed in Exhibit A to this Agreement, said sums to be used solely for the NPDES Storm Water Phase II Public Education and Outreach Best Management Practices. The sums listed in Exhibit A shall be reviewed, approved, and modified by agency representatives on an annual basis, based on a combination of the percentage of the party's total population to the total population of the County as determined by the most recent Mountainland Association of Government figures and the percentage of the party's total number of schools to the total school count as submitted by the member agencies.

Section 5. METHOD OF TERMINATION

This Interlocal Cooperation Agreement will automatically terminate at the end of its term herein, pursuant to the provisions of paragraph one (1) of this Agreement. Prior to the automatic termination at the end of the term of this Agreement, any party to this Agreement may terminate its participation in and responsibilities under this Agreement at any time and for any reason by providing a sixty (60) day written notice of termination to the other parties. This Agreement may not be terminated in any event, if termination would cause a violation of the parties' NPDES Storm Water Permit.

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Section 6. INDEMNIFICATION

The parties to this Agreement are public entities. Each party agrees to indemnify and save harmless the other for damages, claims, suits, and actions arising out of a negligent error or omission of its own officials or employees in connection with this Agreement.

Section 7. ADDITION OF OTHER MEMBERS

Other entities may become parties to this Interlocal Cooperation Agreement, by executing an Addendum to this Agreement. In order for an entity to be added to this Agreement by Addendum, the Addendum must be approved by resolution of the governing body of the entity to be added and the Addendum must be reviewed for proper form and compliance with applicable law by the attorney for the entity to be added. Prior to becoming effective, this Interlocal Cooperation Agreement and any Addendum shall be filed with the official keeper of records of the entity being added to this Agreement.

Section 8. FILING OF INTERLOCAL COOPERATION AGREEMENT

Executed copies of this Interlocal Cooperation Agreement shall be filed with the official keeper of records of all parties to this Agreement and shall remain on file for public inspection during the term of this Interlocal Cooperation Agreement.

Section 9. ADOPTION REQUIREMENTS

This Interlocal Cooperation Agreement shall be (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties (c) submitted to and approved by an Authorized Attorney of each of the parties, as required by Section 11-13-202.5(3), Utah Code Annotated, 1953 as amended, and (d) filed in the official records of each party.

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Section 10. LAWFUL AGREEMENT

The parties represent that each of them has lawfully entered into this Agreement, having complied with all relevant statutes, ordinances, resolutions, by-laws, and other legal requirements applicable to their operation.

Section 11. AMENDMENTS

This Interlocal Cooperation Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, (c) submitted to and approved by an Authorized Attorney of each of the parties, as required by Section 11-13-202.5(3), Utah Code Annotated, 1953 as amended, and (d) filed in the official records of each party.

Section 12. SEVERABILITY

If any term or provision of the Interlocal Cooperation Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Interlocal Cooperation Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law which would render any of the terms of this Interlocal Cooperation Agreement unenforceable.

Section 13. NO PRESUMPTION

Should any provision of this Agreement require judicial interpretation, the Court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against the party, by reason of the rule of construction that a document is to be construed more strictly against the person who himself or through his agents prepared the same, it being

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acknowledged that all parties have participated in the preparation hereof.

Section 14. BINDING AGREEMENT

This Agreement shall be binding upon the heirs, successors, administrators, and assigns of each of the parties hereto.

Section 15. NOTICES

All notices, demands and other communications required or permitted to be given hereunder shall be in writing and shall be deemed to have been properly given if delivered by hand or by certified mail, return receipt requested, postage paid, to the parties' recorder or clerk/auditor as the case may be; or at such other addresses as may be designated by notice given hereunder.

Section 16. ASSIGNMENT

The parties to this Agreement shall not assign this Agreement, or any part hereof, without the prior written consent of all other parties to this Agreement. No assignment shall relieve the original parties from any liability hereunder.

Section 17. GOVERNING LAW

All questions with respect to the construction of this Interlocal Cooperation Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

Section 18. ENTIRE AGREEMENT

This Agreement shall constitute the entire Agreement between the parties and any prior understanding or representation of any kind proceeding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

IN WITNESS WHEREOF, the parties have signed and executed this Interlocal Cooperation Agreement, after resolutions duly and lawfully passed, on the dates listed below:

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UTAH COUNTY

Authorized by Resolution No. 2014-20, authorized and passed on the 11th day of February, 2014.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

By: _____
GARY J. ANDERSON, Chairman

ATTEST: Bryan Thompson
Utah County Clerk/Auditor

By: _____
Deputy

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:
Jeff Buhman, Utah County Attorney

By: _____
Deputy Utah County Attorney

PROVO CITY STORM WATER SERVICE DISTRICT

_____
Mayor of Provo
TITLE

ATTEST: _____
RECORDER FOR DISTRICT

PROVO CITY SEAL
INDUSTRY AND COMMERCE
UTAH COUNTY, UTAH.

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR DISTRICT

CITY OF OREM

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

CITY OF PLEASANT GROVE

_____
Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

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CITY OF AMERICAN FORK

Mayor

ATTEST: _____
DEPUTY RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

CITY OF SPRINGVILLE

_____
Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

CITY OF SPANISH FORK

Mayor

ATTEST: Kent R. Clark
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

Asst. ATTORNEY FOR CITY

CITY OF LEHI

Mayor

ATTEST:
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

Ryan V. Wood
ATTORNEY FOR CITY

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CITY OF PAYSON

Mayor

ATTEST: Jeanette C. Wineteer
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF LINDON

Mayor

ATTEST: Kathryn Moosman
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

ATTORNEY FOR CITY

CITY OF HIGHLAND

Mayor

ATTEST: _____
RECORDER FOR CITY

HIGHLAND CITY CORPORATE SEAL STATE OF UTAH

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

CITY OF ALPINE

_____
Mayor

ATTEST: _____
RECORDER FOR CITY

Alpine City CORPORATE Seal Utah County, Utah

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

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CITY OF MAPLETON

Mayor

ATTEST: _____
RECORDER FOR CITY

MAPLETON CITY CORPORATION
UTAH COUNTY-STATE OF UTAH

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

CITY OF SALEM

_____
Mayor

ATTEST: _____
RECORDER FOR CITY

SALEM CITY CORPORATE SEAL UTAH COUNTY UTAH

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

CITY OF CEDAR HILLS

Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

CITY OF EAGLE MOUNTAIN

_____
Mayor

ATTEST: _____
RECORDER FOR CITY

APPROVED AS TO PROPER FORM AND
COMPLIANCE WITH APPLICABLE LAWS:

_____
ATTORNEY FOR CITY

Based on 2014-2015 Total Schools to be Visited

STORM WATER COALITION

MEMBER AGENCY ANNUAL FEE SCHEDULE

CITY	POPULATION COUNT	%	$	SCHOOL COUNT	%	$	BILL AMOUNT $	
PROVO	112488	22.54%	$ 2,866	15	14.15%	$ 6,109	$ 8,975	0.16
OREM	88328	17.70%	$ 2,251	18	16.98%	$ 7,331	$ 9,582	0.17
PLEASANT GROVE	33509	6.72%	$ 854	7	6.60%	$ 2,851	$ 3,705	0.07
AMERICAN FORK	26263	5.26%	$ 669	6	5.66%	$ 2,444	$ 3,113	0.06
SPRINGVILLE	29466	5.91%	$ 751	6	5.66%	$ 2,444	$ 3,194	0.06
SPANISH FORK	34691	6.95%	$ 884	10	9.43%	$ 4,073	$ 4,957	0.09
LEHI	47407	9.50%	$ 1,208	9	8.49%	$ 3,666	$ 4,873	0.09
PAYSON	18294	3.67%	$ 466	5	4.72%	$ 2,036	$ 2,503	0.04
COUNTY	10009	2.01%	$ 255				$ 255	0.01
LINDON	10070	2.02%	$ 257	3	2.83%	$ 1,222	$ 1,478	0.03
HIGHLAND	15523	3.11%	$ 396	4	3.77%	$ 1,629	$ 2,025	0.04
ALPINE	9555	1.91%	$ 243	3	2.83%	$ 1,222	$ 1,465	0.03
MAPLETON	7979	1.60%	$ 203	2	1.89%	$ 815	$ 1,018	0.02
SALEM	6423	1.29%	$ 164	4	3.77%	$ 1,629	$ 1,793	0.03
CEDAR HILLS	9796	1.96%	$ 250	2	1.89%	$ 815	$ 1,064	0.02
EAGLE MOUNTAIN	21415	4.29%	$ 546	5	4.72%	$ 2,036	$ 2,582	0.05
SARATOGA SPRINGS	17781	3.56%	$ 453	7	6.60%	$ 2,851	$ 3,304	0.06
TOTAL	498997	100.00%	$ 12,714	106	100.00%	$ 43,172	$ 55,886	

*Population count based on 2010 Census figures as per Mountainland Association of Governments

Appendix D:

SOPs for Illicit Discharge Detection and Elimination

- SOP IDDE – Outfall Inspection
- SOP IDDE – Priority Area Inspection
- SOP IDDE – Reporting And Response
    - Incoming Call Report form
    - Reporting and Response Flow Chart
    - IDDE Response Form
- SOP - Spill Containment And Cleanup
- SOP - Tracing Illicit Discharge
    - Illicit Discharge Screening Flow Chart
- SOP - Removing Illicit Discharge

Field Inspection Sheet

IDDE – DRY WEATHER OUTFALL INSPECTION

1. PREPARATION

   a. Know the past and present weather conditions. Conduct inspections during dry weather periods.

   b. Identify each outfall with a consistent and unique identifier.

   c. Gather all necessary equipment including: personal protective equipment, tape measure, device with camera and access to ArcGIS Field Maps, and flashlight.

   d. Review GIS maps showing outfall locations and identifiers.

   e. Review outfall description and observations from previous inspections, so the outfall can be accurately identified and observations compared.

2. PROCESS

   a. Perform an inspection of all outfalls every year. Whenever possible, use the same personnel for consistency in observations.

   b. Use GIS maps and previous inspection reports saved in GIS to confirm the outfall identity and location.

   c. If dry weather flow is present at the outfall, document and evaluate the discharge by completing the following steps:

      - Complete the Outfall Inspection form including a photo in ArcGIS Field Maps.

      - Compare observations to previous inspections.

      - If the flow does not appear to be an obvious illicit discharge (e.g., flow is clear, odorless, etc.), attempt to identify the source of the flow.

      - If an illicit discharge (such as raw sewage, petroleum products, paint, etc.) is encountered or suspected, follow the procedure of SOP IDDE – Tracing Illicit Discharge.

3. DOCUMENTATION

   a. Inspector will document outfall inspection in GIS database.

IDDE – PRIORITY AREA INSPECTION

1. PREPARATION

    a. Conduct inspections during dry weather periods.

    b. Identify each inspection point with a consistent and unique identifier.

    c. Gather all necessary equipment including: personal protective equipment, tape measure, device with access to inspection form, flashlight, and camera.

    d. Review maps showing priority areas, inspection points, and identifiers.

    e. Review inspection point description and observations from previous inspections, so the inspection point can be accurately identified and observations compared.

2. PROCESS

    a. Perform an inspection of all priority areas every year. Whenever possible, use the same personnel for consistency in observations.

    b. Use maps and previous inspection reports to confirm the inspection point identity and location.

    c. Perform thorough inspection including observations of the nearest storm drain inlets.

    d. If dry weather flow is present at the inspection point, then document and evaluate the discharge by completing the following steps:

        - Complete the Priority Area Inspection Form.

        - Compare observations to previous inspections.

        - If the flow does not appear to be an obvious illicit discharge (e.g., flow is clear, odorless, etc.), attempt to identify the source of the flow (groundwater, intermittent stream, irrigation, etc.)

        - If an illicit discharge (such as raw sewage, petroleum products, paint, etc.) is encountered or suspected, follow the procedure of SOP IDDE – Tracing Illicit Discharge.

    e. Input information into ComplianceGO database.

3. DOCUMENTATION

    a. Inspector will document priority area inspection in ComplianceGO.

IDDE – REPORTING AND RESPONSE

1. PREPARATION

    a. Prepare report forms available for City personnel who may receive public reports of potential illicit discharges.

2. PROCESS

    a. Collect the appropriate information from the caller using the Incoming Call Report form. Online reports will be received by email.

    b. City personnel who receive report of potential illicit discharge will pass the information to the Public Works Administrative Assistant.

    c. Public Works Administrative Assistant will create a work order to inform the Stormwater Department.

    d. Stormwater Department to promptly investigate reported incident and fill out IDDE Response Form.

        - For spills, follow the procedures of SOP Spill Containment and Cleanup.

        - If an illicit discharge is confirmed and the source is unknown, follow the procedures of SOP IDDE – Tracing Illicit Discharge.

        - If an illicit discharge is confirmed and the source is known, follow the procedure of SOP IDDE – Removing Illicit Discharge.

        - Track response in work order.

3. DOCUMENTATION

    a. Documentation through City's work order software.

INCOMING CALL REPORT

(For Phone Operator)

Date: _____ Time: _____ □ AM □ PM

Location: _____

City: *Highland* State: *Utah*

Reported by □ Telephone □ Anonymously □ Email □ Other:_____

Complaint Information

Full Name:_____ Phone:_____

Remain anonymous? □ YES □ NO

Description of Spill or Illicit Discharge: _____

_____

_____

Estimate of Quantity Spilled: □ 1 - 5 Gallons □ 5 - 10 Gallons □ >10 Gallons

Public Works Personnel Contacted:_____

HIGHLAND CITY
IDDE REPORT RESPONSE FORM

GENERAL INFORMATION

Date of Incident:_____ Time Notified:_____
Reported by:_____ Time Responded: _____

Type of Investigation: □Discharge □ Spill □ Illicit Connection □Other_____

RESPONDING AGENCIES
□ Highland City Public Works/Code Enforcement
□ Utah County Health Department
□ State of Utah DEQ
□ Other:

NAME OF REPRESENTATIVE
_____
_____
_____
_____

INCIDENT INFORMATION

LOCATION OF INCIDENT
_____
_____
LATITUDE_____LONGITUDE_____

RESPONSIBLE PARTY
□Unknown
Company Name _____
Company Rep. _____
Address _____

Chemical name or identity of any substance involved in the discharge _____
Did the substance discharge into a Storm Drain System? □ Yes □ No
Did the substance discharge in receiving water (creek, stream, canal, pond)? □ Yes □ No

FOLLOW UP

FOLLOW UP REQUIRED_____
ENFOCEMENT _____

DATE OF FOLLOW UP_____
CLOSED _____
DATE CLOSED _____

NOTES

SPILL CONTAINMENT AND CLEANUP

1. NOTIFICATION

   a. Inform Highland Stormwater Supervisor.

   b. Supervisor will inform Highland City Fire (911) if emergency services are needed.

   c. Follow 24-hour reporting requirements to inform the Division of Water Quality.

      - Combined sewer flows
      - Sanitary sewer overflows
      - Sanitary sewer bypassing treatment
      - Report at 801-536-4300

   d. Follow 5-day reporting requirements to further inform the Division of Water Quality following 24-hour reporting. Include the following:

      - Description of the noncompliance and its cause
      - Time and dates of noncompliance
      - Steps taken or planned
      - Report at https://deq.utah.gov/water-quality/water-quality-electronic-submissions

2. CONTAINMENT

   a. Use personal protective equipment as appropriate.

   b. After appropriate safety precautions have been taken, no chemical or contaminant of any kind should be permitted to enter a storm drain, canal, pond, ditch, stream, or source protection zone.

   c. The general spill containment procedure is the following:

      - Stop the source of the spill.
      - Plug storm drain pipes, manholes, and inlets as needed.
      - Contain any spilled material using spill kits and/or other available material (nearby dirt, landscaping materials, rags, etc.). Surround the perimeter of the spill with absorbent pads/rolls, berms, etc.

3. CLEAN UP

    a. Never wash spills into the storm drain pipes

    b. Cleanup per SDS, but generally most spills can be cleaned up according to the following:

        - Use dry cleanup methods such as sorbent materials, broom and shovel, and vacuum.

        - Cleanup with water and detergents may also be necessary depending on the spilled material. The waste from this operation must also be vacuumed or effectively picked up by other methods.

4. DISPOSAL AND DECONTAMINATION

    a. Dispose of material in compliance with local state and federal regulations.

        - For any questions regarding appropriate disposal methods and procedures for disposal of cleanup or spill materials, contact Utah County Health Department (801- 851-7331).

    b. If necessary decontaminate the spill site, personnel, and equipment.

    c. If spill reaches soil, dig up affected area and dispose of soil according to state and federal regulations.

5. DOCUMENTATION

    a. Document notifications, containment, clean up, and disposal of spill in ArcGIS Field Maps or other work management database for tracking purposes.

TRACING ILLICIT DISCHARGE

1. PREPARATION

    a. Review information collected when illicit discharge was initially identified and documented (see completed IDDE Inspection Form, or Outfall Inspection Form).

    b. Review storm drain mapping for the area of the reported illicit discharge.

2. PROCESS

    a. Inspect connected manholes and other connected storm drain structures one-by-one upstream to identify the source of illicit discharge.

    b. Attempt to locate source and identify responsible party.

    c. If the source is located, follow SOP IDDE – Removing Illicit Discharge, as specified in the flow chart.

    d. If the source cannot be found, continue to monitor and inspect until source is located.

    e. Track illicit discharges in ArcGIS Field Maps.

3. ACTIONS

    a. Follow procedures identified in SOP IDDE – Reporting and Response.

    b. Follow procedures identified in SOP IDDE – Removing Illicit Discharge as needed.

4. DOCUMENTATION

    a. Track illicit discharges in ArcGIS Field Maps.

REMOVING ILLICIT DISCHARGE

1. PREPARATION

   a. Obtain available property ownership information for the source of the illicit discharge.

2. PROCESS

   a. Determine who is responsible; and follow associated procedures as given below.

   b. For private property owner:

      - Contact owner.
      - Educate owner and/or issue Notice of Violation as needed.
      - Determine schedule for removal.

   c. For municipal facility:

      - Notify appropriate municipal authority or department head.
      - Educate municipal authority or department head and schedule for removal.
      - Remove illicit connections.

   d. Block pollutant carrying illicit discharge from reaching storm drain system until clean has occurred.

   e. Direct responsible party to initiate repairs/corrections/cleanup. Coordinate with enforcement official for escalating penalties in accordance with the municipal ordinance.

   f. Repair/correct cause of discharge if municipality is responsible. Schedule the work through the appropriate municipal authority or department head.

   g. Seek technical assistance from the Utah County Health Department or Utah Department of Water Quality (DWQ), if needed.

   h. Track illicit discharges in ArcGIS Field Maps.

3. ACTIONS

   a. Clean or cause to be cleaned catch basins, storm drains, streets, etc. or initiate spill response procedures as identified in the relevant SOPs.

   b. Confirm illicit discharge is removed or eliminated by follow-up inspections.

4. DOCUMENTATION

   a. Inspector or drainage supervisor will document illicit discharge removal in ArcGIS

Field Maps for tracking purposes including:

- Records of Notice of Violation and penalties.
- Repairs, corrections, and any other actions required.
- A hard copy of the documentation will be kept for 5 years.

Appendix E:

- Standard Operating Procedures (SOPs) for Plan Review & Construction
    - SOP – SWPPP and Development Plan Review
    - SOP – SWPPP Review
    - SOP – Pre-Con SWPPP Meeting
    - SOP – Construction Site Inspections
    - SOP – Oversight Inspections
    - SOP – Enforcement
    - SOP – Escalating Enforcement
        - Enforcement Flow Chart
    - SOP – Site Close Out – Final Inspection/NOT

SWPPP AND DEVELOPMENT PLAN REVIEW

1. PROCESS

   a. Prior to submitting an application for development, it is recommended that a pre-design meeting be held with the developer or that the developer attend a Development Review Meeting. In these meetings, the development proposal can initially be assessed and suggestions made to assist with compliance to International Building Code, Land Development Code, City Ordinances, Development Requirements and Standards, and State and Federal requirements. Information can be provided regarding City requirements and standards and review procedures.

   b. An application for planned development is submitted by the developer to the Engineering Department with all supporting documents identified in the Land Development Code, including plans, storm drain calculations, SWPPP etc. where required.

   c. A preliminary review of the plans and all supporting documents is completed including the following:

      - Review plans, calculations, etc. for compliance with Development Standards.

      - Review of SWPPP site plan especially for immediately adjacent area concerns.

   d. Provide review comments to the developer.

   e. Meet with the developer, as needed, to review comments and discuss any questions the developer might have.

   f. Follow-up reviews should confirm that all comments have been addressed and required documents have been received.

   g. Final plans with all supporting documents for planned development are submitted to the Engineering Department by the developer.

   h. Prior to final approval, the following requirements shall be met:

      - All comments have been addressed and finalized from previous reviews.

      - The owner of development that warrants compliance with the Utah General Construction Permit (UGCP) regulation must submit a signed Storm Water Facilities Maintenance Agreement using the Highland City Agreement template. The agreement will be recorded prior to release of bonds.

      - The SWPPP management system shall be reviewed and approved.

   i. Provide Final Approval Letter to Developer.

2. DOCUMENTATION

   a. Documentation is through Planning Department.

   b. File scanned copies of the development review redlines and Final Approval Letter.

   c. Storm Water Facilities Maintenance Agreement is to be recorded once the project is constructed and before the bond is released.

Highland

Standard Operating Procedure

Activity: SWPPP Review & Priority Site Identification
Minimum Control Measure: Construction Site Runoff Controls

Effective Date: 9/1/24	Prepared by: Mitch Hilburn

Permit Requirement: 4.2.4.3 and 4.2.4.3.3

Purpose: To Provide guidance for reviewing and approving SWPPP Submittals, and designating priority sites.

Scope: This document will provide standard operating procedures/instructions for the SWPPP Review process specific to the City's MS4 regulatory program, Highland City Code and State MS4 permit requirements. This SOP will cover SWPPP review for sites with CGP permit coverage as well as CPP permit coverage. It will also provide guidance and instructions on designating a site a priority site if needed and tracking it.

Personnel: An authorized and certified stormwater inspector for the MS4 construction runoff program including but not limited to outside third-party inspectors.

- Following the Highland City LDP instructions, an operator is to submit the required documents under the "Submittal Requirements" 1-3 on the LDP.
- Highland City LDP "Process" 1-2 are receiving and reviewing the SWPPP Submittals.

- A SWPPP Review is initiated when one of the following occur:
    1. A building permit application is completed on the City Inspect Portal. This application may or may not have SWPPP submittals uploaded.
        - If all documents are uploaded, begin SWPPP Review Process
        - If all documents are not uploaded to City Inspect, reach out to the operator with the SWPPP packet/Documents needed email. See **Appendix A** below for the email format.
    2. An operator calls the SWPPP inspector and asks what needs to be done for SWPPP.
        - Speak to the operator and retrieve their email address. Also ask what the project is and for the address or lot number. Send operator the SWPPP packet/Documents needed email. See **Appendix A** below for the email format.
    3. A new NOI has become active on the NeTCGP CDX permit database.
        - Retrieve the operator and project information from the new permit. Send operator the SWPPP packet/Documents needed email. See **Appendix A** below for the email format.

- Once the SWPPP documents are received (mainly the SWPPP document, NOI, and LDP) begin the SWPPP Review.
    1. Create a project number for this site. Project numbers are in the following format: hc24001. For Highland City, 2024, sequential project number. Assign new SWPPP the next project number after the last assigned project number.
    2. Create a new folder in the SWPPP's folder and name the folder: Project number - Operator name – Site name (subdivision lot number). *For example: hc24001 – Anthem Custom Homes – Henningson Res (Four Seasons Lot 206)*. Place all documents in this folder.
    3. Create a pin on the Google Earth file with the site name and Green Pin.
        - Green pin means SWPPP not approved.
        - Yellow pin means SWPPP approved but needs pre con meeting.
        - Red pin means SWPPP approved, pre con completed.
    4. Create a new task on Asana in the "Not Started" project with the same name.
        - Add in the description of the task: UTR#, Address, GPS coordinates, Site contact name, phone and email.
    5. Check on ComplianceGo to see if the division (company) exists. If not create a division on ComplianceGo with all the company info in the SWPPP.
        - Add site to ComplianceGo with all the information in the SWPPP documents received.
        - Fill out all sections in CG for the company such as reciepents, inspectors, maps, documents, permits, etc.
        - Add SWPPP review inspection form for either CPP or CGP.
        - Start SWPPP review inspection. This is the checklist/inspection form for the SWPPP. An example of these inspection forms (for CPP and CGP) are in **Appendix B** below.
        - Go through all the questions while reviewing the SWPPP.
        - If there are any mistakes or omissions answer the question appropriately and create an action item for that item.
        - While reviewing the SWPPP you will also determine if the site should be a regular site or a priority site. In identifying priority construction sites consider the following factors at a minimum:
            - Site slopes
            - Project size and type
            - Sensitivity of receiving waterbodies (impaired or high-quality waters)
            - Proximity to receiving waterbodies
            - Soil erosion potential
            - Non-stormwater discharges
            - History of non-compliance
        - If any of the above exist on the site, then consider designating it a priority site. If it is designated a priority site, then place the task for the site in Asana in the "High Priority" project. Explain to the operator at the pre-con meeting that the MS4 will be inspecting the site every 14 days.

6. Add notes to the inspection form as needed and sign and send the inspection form.
7. Once all documents have been reviewed and are complete with no corrections needed then schedule the Pre-Construction SWPPP Meeting with the operator.
8. See SOP for Pre-Construction SWPPP Meeting.
9. After the Pre-Construction SWPPP Meeting is completed, fill out the MS4 portion of the LDP in the upper right corner and digitally sign it.
10. Upload the signed and issued LDP to City Inspect and ComplainceGo. Send a copy to the operator via email.
11. Operator is now free to begin dirt work onsite.
12. Add Contractor inspections to start in ComplianceGo.
13. Add MS4 inspections to start in ComplianceGo.

Appendix A

SWPPP Packet/documents needed email format

Builder,

I received notification of a building permit application for the **Henningson Res (Four Seasons Lot 206)**

In order for a Pre Con to be scheduled you must have an approved SWPPP and LDP.

I will need uploaded to City Inspect portal and/or sent to this email (stormwater@highlandut.gov) the following:

1. Highland City Land Disturbance permit completed and signed. – I have attached a blank one to be filled out. Please read and fill out both pages.
2. SWPPP document completed and signed (with site map) – I have attached the template for this.
3. NOI stormwater permit from Utah State DEQ – Go to updes.utah.gov. You will need to create an account with the States/EPAs CDX system if you have not already done so to obtain an NOI stormwater permit. Make sure to choose "signatory" when prompted for your role when creating a new login.

Once I have these documents I will review them. If everything looks good then I will schedule a SWPPP Pre-Con meeting onsite with you after which I will approve and issue to you the Land Disturbance Permit.

PLEASE NOTE AS OF 8/16/24 THE EPA CDX SYSTEM IS NOW REQUIRING A LOGIN.GOV ACCOUNT. GO TO CDX.EPA.GOV AND LOGIN LIKE NORMAL AND THEN FOLLOW THE PROMPTS TO CREATE A LOGIN.GOV ACCOUNT TO BE ABLE TO ACCESS YOUR NOI'S FROM NOW ON. IF YOU NEED HELP WITH THIS PROCESS, DON'T HESITATE TO REACH OUT TO ME.

If you are looking for a professional to help with your SWPPP, the following are some local SWPPP Service companies: Storm Water Utah, Silver Leaf SWPPP, AccenaGroup, ECS (Erosion Control Services), and Lavanta SWPPP Services, among others.

Thank you,
Mitch Hilburn
Highland City SWPPP Inspector
801-674-7754
stormwater@highlandut.gov

Appendix B

Sample/example SWPPP review checklist inspection forms (CPP and CGP)

Highland City

Standard Operating Procedure

Activity: Pre-Construction SWPPPP Meeting
Minimum Control Measure: Construction Site Runoff Controls

Effective Date: 9/1/24	Prepared by: Mitch Hilburn

Permit Requirement: 4.2.4.3.1

Purpose: To Provide guidance for scheduling and conducting the SWPPP Pre-Construction SWPPP Meeting with the operator.

Scope: This document will provide standard operating procedures/instructions for the Pre-Construction SWPPP Meeting specific to the City's MS4 regulatory program in Highland City Code and State MS4 permit requirements. This SOP will cover Pre-Construction SWPPP Meetings for sites with CGP permit coverage as well as CPP permit coverage.

Personnel: An authorized and certified stormwater inspector for the MS4 construction runoff program including but not limited to outside third-party inspectors. This meeting will be conducted with the permit operator present, typically on-site, as well as any permit operator representatives, and/or consultants.

- Following the Highland City LDP process #3 a Pre-Construction SWPPP Meeting will be scheduled between the MS4 Inspector and the operator prior to SWPPP/LDP approval/issuance.
- Meet with operator on-site and walk the site and discuss the questions in the Pre-Construction SWPPP Inspection form.
- Items to discuss at Pre-Construction SWPPP Meeting:
    - Have BMPs shown in the SWPPP and needed at this time been properly installed on site?
    - Are sensitive areas protected?
    - Were expectations properly discussed? Such as but not limited to:
    - Were inspection requirements discussed?
    - Were marking off action items discussed?
    - Was updating the SWPPP Document discussed?
    - Were the SWPPP maps discussed?
    - Is the Site Notice posted with all the required information?
    - Was NOT filing requirements discussed?
    - Additional items to be discussed:
        - Temporary BMP Maintenance.
        - On-site/Off-site water flows.
        - Post construction/Permanent BMPs to be installed.
        - Planned BMPs to be used to manage runoff created after development.
        - Underground Injection Controls and are they registered.
        - List of contacts that should be on the inspection recipient list.

  - Take pictures for inspection form
  - Discuss the Escalating Enforcement Process

- Following the Pre-Construction SWPPP Meeting:
  - Record the Pre-Construction SWPPP Meeting in ComplianceGo with the Pre-Construction SWPPP Meeting Form.
  - Answer all question and add detail descriptions of what was discussed on site with who.
  - Upload any pictures of the site taken predevelopment
  - Add any action items that may need to be taken care of.
  - Sign and send inspection form.
  - Update other trackers used such as Asana, Google Earth, etc that are used to track inspections for Highland City.

Highland City

Standard Operating Procedure

Activity: Construction Site Inspection and Follow Up
Minimum Control Measure: Construction Site Runoff Controls

Effective Date: 9/1/24	Prepared by: Mitch Hilburn

Permit Requirement: 4.2.4.4

Purpose: To Provide guidance for conducting SWPPP Inspections on Construction Sites.

Scope: This document will provide standard operating procedures/instructions for conducting SWPPP inspections on construction sites and the oversite of permitted construction sites to ensure compliance with State and City stormwater regulations.

Personnel: An authorized and certified stormwater inspector for the MS4 construction runoff program including but not limited to outside third-party inspectors.

- After a construction site has an approved SWPPP/LDP and has had a Pre-Construction SWPPP Meeting, regular inspections need to be scheduled and conducted by the MS4.
    1. If the site has been designated a priority site, then schedule the MS4 inspection for once monthly after the Pre-Construction SWPPP Meeting. Schedule the inspections in ComplianceGo.
    2. If the site is a regular site (not priority), then schedule the inspection to be once per month for 2 months, starting the month following the Pre-Construction SWPPP Meeting. If site goes 2 months of inspections without enforcement or complaints then after 2 months of inspections should wait 12 months until starting 2 months again. Schedule the inspection in ComplianceGo.

- Conducting an inspection:
    1. After arriving to the site, inspect all areas of the site:
        - All stormwater controls, material, waste, and equipment storage areas.
        - Inspect all areas where storm water flows within the site, including constructed or natural site drainage features designed to divert, convey and/or treat stormwater.
        - All points of discharge from the site. Including storm drains, rock lined ditches, and drainage flows over property lines.
        - All locations that have implemented stabilization measures.
        - Check whether all storm water controls (BMPs) are properly installed, appear to be operational, and are working as intended to minimize pollutant discharges.
        - Check for the presence of conditions that could lead to spills, leaks or other accumulations of pollutants on site.
        - Identify any locations where new or modified storm water controls are necessary.

- Check for signs of visible erosion and sedimentation that have occurred.
- Identify any incident of noncompliance observed.
- Check to make sure operator is recording inspections and at the proper frequency.

2. Inspection Report:
   - In ComplianceGo, navigate to the specific sites page. Check for any open action items, enforcements, operator inspections, etc.
   - Check all action items since the last MS4 inspection to verify that even if they were closed out on ComplianceGo that they were completed.
   - Start new inspection – Construction Site inspection for CPP or CGP.
   - Answer all the questions appropriately.
   - Add notes to the inspection such as the stage of construction, who you spoke to, any changes on site, etc.
   - Add pictures of good areas to your inspection.
   - Contact the SWPPP Contact and let them know about your inspection findings.
3. Correction Action Items:
   - If there are any deficiencies, create action items in your inspection. Clearly describe the deficiencies and what should be done to correct it. Add photos.
   - If the deficiencies require a new control/BMP or is a significant repair, place a 7-day priority on the action item.
   - If the deficiency is something that requires immediate attention, then place an immediate priority on the action item.
4. Send Inspection:
   - After adding all action items, notes and pictures, sign and send the inspection report.
5. Follow up:
   - Everyday check the MS4 email for past due notifications from ComplainceGo. Also check the dashboard for any past due corrective action items listed.
   - Corrective actions become “past due” the day following the priority given. For a 7-day priority the item becomes past due on the 8th day. For “immediate” priority, the corrective action becomes “past due” the day following the next day.
   - For all past due corrective action items that have not been updated or closed out on ComplianceGo you may begin the Escalating Enforcement Process.
   - The Escalating Enforcement Process may begin no matter what the action item was if the item became past due on ComplianceGo this is the reason for starting the Escalating Enforcement Process. Even if the operator tells you it was completed, they are failing to update the corrective action log.
   - Please see the SOP for Escalating Enforcement for more information.

Standard Operating Procedure for MS4 Construction Oversight Inspections of Permitted Construction Sites SOP

Last Reviewed: August 3, 2026

Introduction

This SOP was written for Utah MS4s to help them meet the requirements of their MS4 Permit and to provide guidance to abide by Utah State Code. This SOP references the *Construction Site Storm Water Runoff Control* section of the MS4 Permit. The overarching goal of this SOP is to standardize storm water construction program practices across all MS4s in the State of Utah.

From **Utah Code 19-5-108.3:**
"The applicant shall allow construction site inspections by the authority. Except as provided in Subsection (12), the authority shall conduct an oversight inspection[1] through an electronic site inspection[2]."

"The authority may conduct an on-site inspection if the authority: has a documented reason for justifying an on-site oversight inspection."

To differentiate between the two types of oversight inspections, the terms "on-site oversight" and "electronic oversight" inspection are used.

- "On-site oversight inspection" is an inspection in which MS4 staff physically visit(s) a construction site to determine a site's compliance with construction storm water permits as has been done historically.
- "Electronic oversight inspection" is an offsite inspection in which MS4 conducts a review of the operator's submitted electronic site inspection to determine a site's compliance with construction storm water permits.

Each of these types of oversight inspections will be described in the *During Construction* portion within the *Process* section of this SOP.

1. Purpose:

The purpose of this SOP is to describe how all MS4s will conduct inspections for construction sites that require construction storm water permit coverage under the Construction General Permit (CGP) or Common Plan Permit (CPP). For purposes of this SOP, "operator" means the person responsible for the Storm Water Pollution Prevention Plan (SWPPP) implementation.

2. Responsibilities:

Each MS4's permit staff are responsible for implementing the requirements and may not differ from this SOP. The operator is responsible for abiding by all requirements of the UPDES CGP or CPP, and the MS4 is responsible for oversight.

[1] "Oversight inspection" means a construction site inspection performed by the authority to impose compliance with the permit. (Utah Code 19-5-108.3)
[2] "Electronic site inspection" means geo-located and time-stamped photographs the applicant takes, evaluates, and submits electronically to the authority. (Utah Code 19-5-108.3)

- The position responsible for oversight inspections is the Public Works Coordinator over the SWPPP Program.
- The position(s) who has authority to implement enforcement procedures is a Public Works Coordinator, Public Works Field Supervisor, as well as the Division of Water Quality (DWQ).

This SOP is to be followed and updated according to State and municipal requirements.

3. MS4 Permit Requirements:

1. Oversight Inspection
    a. Required to be completed by the MS4 on any construction site that is greater than or equal to one acre or is part of a common plan of development or sale which collectively disturbs land greater than or equal to one acre.
    b. MS4 must inspect all phases of construction, including prior to land disturbance, during active construction, and following active construction.
    c. Oversight inspections are required to be completed monthly for non-priority construction sites and biweekly for priority construction sites.
2. Qualified Personnel
    a. The oversight inspection must be performed by a "qualified person" as described in the DWQ MS4 Permit.
    b. Anyone having a job duty related to implementing the construction storm water program must receive annual training. New hires must be trained within 60 days of hire.
3. Record Retention
    a. All MS4s must maintain records for at least five years of all applicable construction project documents which could include:
        i. Site plan reviews
        ii. SWPPPs
        iii. Inspections
        iv. Enforcement Actions (notices of violation, fines, stop work orders)

4. Process:

1. Pre-construction
    a. The MS4 will perform a pre-construction SWPPP review and meeting which at minimum will include:
        i. A review of the site design
        ii. Planned operations at the construction site
        iii. Planned Best Management Practice(s) (BMPs) during the construction phase
        iv. Planned long-term storm water run-off BMPs
        v. Documentation:
            1. SWPPP Review Checklist: Document the SWPPP Review Checklist through completing the SWPPP Review Form on ComplianceGo. Reference the SOP – HC_SWPPP Review.
            2. Pre-construction Meeting: Document the meeting by saving the Pre-Con inspection on ComplianceGo. Reference the SOP HC_Pre-Con SWPPP Meeting.
    b. The MS4 will determine the frequency at which oversight inspections will be performed.
    c. The MS4 must provide the operator the procedure for notifying the MS4 of their completion of active construction.

d. The MS4 will perform a pre-construction electronic oversight inspection or on-site oversight inspection with the operator(s).
    i. This pre-construction inspection must occur before land disturbance and will verify that the operator has placed all site specific construction BMPs prescribed by the SWPPP.
    ii. Documentation:
        1. Pre-construction inspection: In Highland City this inspection will be the Pre-Construction Meeting reference above in 4.a.v.2
e. The operator should be notified of the option to opt-out of electronic site inspection requirements and signify that election to the MS4.
f. The operator will submit a Notice of Intent (NOI) through the NeT NPDES eReporting Tool online (NeT) *before* earth disturbing activities.

2. During Construction – Reference SOP_HC Construction Site Inspection
    a. Electronic Oversight Inspection
        i. The MS4 will perform the required electronic oversight inspections through access to the operator's SWPPP, electronic site inspection(s), and operator's self inspection(s).
            1. The operator's report must use geo-located and time-stamped photos of all BMPs implemented at the construction site.
            2. All photos must be sufficient to depict that the BMP(s) is meeting its proper function to eliminate or control pollutants on site.
            3. The operator's report should show compliance with the CGP or CPP if applicable, and the site specific SWPPP.
                a. This includes all documentation regarding corrections taken as a result of the operator's self inspection.
    b. On-site Oversight Inspection
        i. An on-site oversight inspection may be conducted after the MS4 inspector has provided a 48-hours advance notice of an on-site inspection.
            1. Exceptions: If there is an imminent threat of discharge or the operator has formally opted-out of electronic site inspections.
        ii. An on-site oversight inspection may be warranted under the following conditions:
            1. Inadequate characterization in electronic site inspections of site conditions or portions of a site
            2. Verified complaints
            3. Failure to submit an electronic site inspection at the appropriate time
            4. Alterations of electronic photographs
            5. The construction site is within one-half mile of a river, a stream, or a lake
            6. Compliance with the CGP, CPP if applicable, and site specific SWPPP cannot be reasonably determined during an electronic oversight inspection

7. A perceived or reported threat to water quality that is immediate[3] and/or imminent[4]
8. Failure to install BMPs prior to land disturbance
9. Illicit discharge, unknown/unidentified non-storm water discharge, or prohibited discharge per CGP/CPP permits
10. The operator opts out of the electronic site inspection and instead elects an on-site inspection
11. Any other oversight inspection step listed below that cannot be fulfilled

c. An oversight inspection, both electronic and on-site, is performed by following these steps:
    1. Review the SWPPP
    2. Review the SWPPP signage for compliance with the CGP or CPP
        a. Placed in a safe, conspicuous, and publicly accessible location near the entrance
        b. Includes UPDES permit tracking number, contact information, and method of SWPPP access
    3. Review the operator self SWPPP inspection reports
    4. Review the entire perimeter and any downgradient areas
    5. Review points of vehicle/equipment exit
    6. Review any discharge points (keep in mind that these are not always piped inlets)
    7. Review all BMPs installed to mitigate or prevent sediment, erosion, and pollution
    8. Review all stabilizing areas (especially steep slopes)
    9. Review all pollutant generating activities such as fueling areas, washout areas, etc.
    10. Observe all discharges (if prohibited or unauthorized this is an immediate and/or imminent threat to water quality)
    11. Observe all conditions that could result in polluted storm water discharge (including sediment in the street/gutter)
    12. Determine if any additional sediment, erosion, and/or pollution prevention controls are needed
    13. Verify that all above activities are accounted for and updated in the site's SWPPP and Map
    14. Any deficiencies must be noted in the oversight inspection form
d. For oversight inspections, MS4 staff must use the *Oversight Construction Inspection Form* provided by the Division of Water Quality. This inspection form will be on ComplainceGo for Highland City.
    i. MS4 staff sends a copy of the oversight inspection to the operator.
    ii. MS4 staff maintains record of all oversight inspections through ComplianceGo
e. If the storm water BMPs on a construction site are found to be deficient by the MS4 inspector, steps will be taken to address the deficiencies as outlined in the *Enforcement for Construction Sites SOP*.
    i. Violations could include:

[3] Immediate threat means contaminants are entering a river, a stream, or a lake.
[4] Imminent threat means contaminants are anticipated to be discharged into a river, a stream, or a lake within 48-hours.

1. Failure to maintain BMPs
2. Failure to install BMPs
3. An illicit discharge
4. Failure to conduct inspections
5. Failure to document corrections
6. Failure to update SWPPP
7. Any other CGP and/or CPP requirements that are deficient

3. After Construction – Reference SOP – HC Site Close out - Final Inspection
    a. The operator will request through NeT, a Notice of Termination (NOT) once these conditions have been met:
        i. Has the site achieved final stabilization?
        ii. Have all construction materials, waste and waste handling devices been removed?
        iii. Have all temporary storm water controls been removed?
        iv. Have all pollutants and pollutant-generating activities been removed?
        v. If landscaping will be completed by the homeowner, have temporary sediment and erosion controls been installed?
    b. MS4 staff who have 'MS4 Authority' will be notified of the request to approve the operator's NOT via an email notification from NeT.
    c. MS4 staff will verify through an electronic oversight inspection (or on-site oversight inspection if applicable described in the *Enforcement for Construction Sites SOP*) if all NOT requirements have been met and approve or deny the NOT submission via NeT.
    a. MS4 staff will document the NOT inspection through the State's Storm Water NOT Inspection Form and maintain a record of it through saving a PDF of the completed inspection form to the ComplianceGo. This form will be available to use on ComplianceGo for Highland City.
    d. All documents related to each applicable construction site must be retained for five years or until construction is completed, whichever is longer.

***Note to the MS4:*
It is recommended that MS4s use this template to facilitate their construction storm water program requirements and should add specific information for each MS4 relevant to the program.

Standard Operating Procedure for MS4 Construction Oversight

Enforcement for Construction Sites SOP

Last Reviewed: August 3, 2026

Introduction

This SOP was written for Utah MS4s to help them meet the requirements of their MS4 Permit and to provide guidance to abide by Utah State Code. This SOP references the *Construction Site Storm Water Runoff Control* section of the MS4 Permit. The overarching goal of this SOP is to standardize storm water construction program practices across all MS4s in the State of Utah.

From **Utah Code 19-5-108.3:**
"The authority may conduct an on-site inspection if the authority has a documented reason for justifying an on-site oversight inspection." (Utah Code 19-5-108.3)

1. Purpose:

The purpose of this SOP is to describe how MS4s will implement standards from the MS4 Permit in conjunction with Utah State Code 19-5-108.3 in regard to sites that do not comply with their SWPPP and state issued Construction General Permit (CGP) or Common Plan Permit (CPP) if applicable. For purposes of this SOP, "operator" means the person responsible for SWPPP implementation.

2. MS4 Responsibilities:

Each MS4's permit staff are responsible for implementing the requirements and may not differ from this SOP. The operator is responsible for abiding by all requirements of the CGP or CPP and the MS4 is responsible for oversight.

- The position responsible for oversight inspections is SWPPP Inspector.
- The position(s) who has authority to implement enforcement procedures is SWPPP Inspector, as well as the Division of Water Quality (DWQ).

This SOP is to be followed and updated according to State and municipal requirements.

3. MS4 Permit Requirements:

1. Enforcement procedures and regulatory authority must be written and documented in the SWMP of each MS4.
    a. The procedures of this SOP should be summarized or referenced in the MS4's SWMP which is accessible by the public. Regulatory authority is described in the *Inspections of Permitted Construction Sites SOP*.
2. Each MS4 permit staff with responsibility over the SWPPP program must be trained in proper documentation of inspections, follow-up, and enforcement actions.
    a. Documentation of routine maintenance, corrective action, follow-up inspections, and enforcement actions should all be included with citations in the *Oversight Construction Inspection Form* provided by the DWQ.

i. Any communication between the operator and the MS4 should be recorded and retained through ComplianceGo.
ii. Verbal communication alone is not advised. If important communication does occur verbally (such as agreement on BMP improvement, corrective action deadline, etc) between the operator and the MS4, restating the conversation afterwards via email to the operator is advised so that a record can be retained.

3. For construction sites that have been issued multiple escalating enforcement actions , the construction site could now be designated as a "priority construction site". Oversight inspection frequency would then increase to at least biweekly due to the past record of non-compliance by the operator and potential to threaten water quality.

4. Process:

1. Oversight Inspections
    a. If violations of the CGP/CPP are determined after conducting an inspection (electronic or on-site) as identified in the *Oversight Inspections SOP*, the MS4 must document each violation as part of completing the *Oversight Construction Inspection Form* provided by DWQ. *If the inspection was conducted on-site, justification for an on-site oversight inspection must be documented on the inspection form*.
2. Violation and Follow-up Procedures
    a. First Notice of Violation (NOV 1)
        i. The MS4 must notify the operator of the violation(s) in writing as part of completing the *Oversight Construction Inspection Form*. The violation notation at minimum must include:
            1. Explanation/Identification of each violation
            2. Associated citation from the CGP/CPP
            3. Deadline to correct each violation.
                a. The deadline to correct violations should be no sooner than one business day.
        ii. Reinspection
            1. The MS4 shall verify (i.e., reinspection photos, documentation) that each violation has been corrected as soon as is practicable after the deadline given by the MS4.
                a. If the follow up electronic inspection submitted by the operator is not sufficient for MS4 staff to determine that the specific violation has been corrected, an on-site oversight inspection may be conducted to determine that each violation has been corrected. *If the inspection was conducted on-site, justification for an on-site oversight inspection must be documented on the inspection form.*
                b. The MS4 should describe to the operator how and when verification of correction will be performed.
            2. If the operator has not corrected the violation(s), the MS4 will notify the operator that the violation hasn't been corrected in writing as described in NOV 2.

3. If the operator has corrected the violation(s), the operator will be notified by the MS4 that the project is in compliance.

b. Second Notice of Violation (NOV 2)
   i. The MS4 must notify the operator of the violation(s) in writing as part of completing the *Construction Oversight Inspection Form*. The violation notation at minimum must include:
      1. Explanation/Identification of each remaining violation
      2. Associated citation from the CGP/CPP
      3. Written warning that fines can be issued if the violation is not corrected within the new time period specified by the MS4.
         a. The deadline to correct each violation should be no sooner than one business day.
   ii. Reinspection
      1. The MS4 shall verify (i.e., reinspection photos, documentation) that each violation has been corrected as soon as is practicable after the deadline within the time period given by the MS4.
         a. If the follow up is conducted as an electronic inspection submitted by the operator and is not sufficient for MS4 staff to determine that the violation has been corrected, an on-site oversight inspection may be conducted. *If the inspection was conducted on-site, justification for an on-site oversight inspection must be documented on the inspection form.*
         b. The MS4 should describe to the operator how and when verification of correction will be performed.
      2. If the operator has not corrected the violation(s), the MS4 will notify the operator that the violation hasn't been corrected in writing as described in NOV 3.
      3. If the operator has corrected the violation(s), the operator will be notified by the MS4 that the project is in compliance.

c. Third Notice of Violation (NOV 3)
   i. The MS4 may issue a fine as outlined in Utah Code 19-5-108.3 until the MS4 performs an oversight inspection to verify that the violation has been corrected or the operator shows the violation has been corrected through photos or documentation.

d. Documentation:
   i. The results of all enforcement notices, communications, and inspections including follow-up or reinspections, must be documented through ComplianceGo.

3. Administrative Fines
   a. If the operator does not correct the specific violation within the timeline set by the MS4 indicated in NOV 2, the MS4 shall notify the operator in writing that the specific violation has not been corrected and **may** impose an administrative fine for each occurrence* as follows:
      i. $500 per occurrence for working without an approved storm water permit;

ii. $300 per occurrence for tracking mud on road;
iii. $250 per occurrence for failure to clean up or report spills;
iv. $100 per occurrence for failure to conduct storm water inspections;
v. $100 per occurrence for failure to maintain storm water records; and
vi. $500 per site, per occurrence, for failure to use general best management practices, as determined by the authority;

** "each* occurrence" i.e. "per occurrence" *means that for each specific violation there is a separate fine associated with that violation each time that it occurs. For example, with two separate spills in different areas of the site, after the violation and follow up process has been exhausted for each spill, the MS4 could impose an administrative fine on the operator at $250 for each spill.*

b. The MS4 may impose the administrative fine:
   i. for each business day the specific violation continues beginning on the day after the day on which the authority issues the administrative fine;
   ii. and within 30 days after the day on which the applicant corrects the violation.
c. When the MS4 issues an administrative fine, the MS4 shall:
   i. impose each fine in writing and clearly document the specific violation in the writing; and
   ii. deposit collected fines into a restricted account for education and outreach under a program.

4. Special Cases
   a. The MS4 may issue a stop work order if the MS4 has clear documentation of an immediate[1] threat to water quality.
   b. The MS4 can correct a specific violation for the operator, and recoup the costs associated, if the operator refuses to correct the violation after the enforcement process and there is imminent threat[2] of significant harm to water quality or the stormwater system.
   c. Except in cases of immediate threats to water quality the MS4 cannot issue a stop work order if the violation is a result of a properly installed and maintained BMP per specifications for the site conditions from the preferred BMP list.

5. Communication:

Each MS4 will utilize a method of communication for enforcement (such as a notice of violation, fines, stop work orders) to the operator.

- The method used for this MS4 is
  - ComplianceGo –

[1] Immediate threat means contaminants are entering a river, a stream, or a lake.
[2] Imminent threat means contaminants are anticipated to be discharged into a river, a stream, or a lake within 48-hours.

- Enforcement actions to be documented through ComplianceGo
- Any email or other documents will be uploaded to the ComplianceGo enforcement inspections.

6. Flow Chart attached.

Highland City

Standard Operating Procedure

Activity: **Escalating Enforcement**
Minimum Control Measure: Construction Site Runoff Controls

Effective Date: 9/1/24	Prepared by: Mitch Hilburn

Permit Requirement: 4.2.4.2

Purpose: To Provide guidance for escalating enforcement actions relating to Small MS4 General UPDES Permit UTR090000.

Scope: This document will provide standard operating procedures/instructions for enforcement actions specific to the City's MS4 regulatory program as deemed necessary for the severity of the violation and in following with the enforcement options available in Highland City Code.

Personnel: An authorized and certified stormwater inspector for the MS4 construction runoff program including but not limited to outside third-party inspectors.

- The Construction inspections program has requirements for periodic inspections that must be conducted (please see SOP for construction site inspections). These inspections may have corrective action items. These corrective action items are required to be completed within a specified period. Usually 24 hours to 7 days.
- If the corrective action items are not completed and documented as completed before the end of the specified period on ComplianceGo then they will go past due. ComplianceGo will send a past due notification to the operator and city inspector.
- Once an item is past due the escalating enforcement process may begin.
- Under the escalating enforcement process a stop work order could be issued as soon as 72 hours after the initial action item or 48 hours after the verbal is issued. Depending on the severity of the violation a stop work order could be issued as much as 21 days after the initial action item or 14 days after the verbal is issued. The MS4 cannot initiate the escalating enforcement process if the original action item is over 30 days old.
- When an illicit discharge is discovered during an inspection, it is treated as an IDDE investigation in addition to the regulatory inspection process and reports will be fully documented in both the regulatory inspections and IDDE investigation tracking systems. In this case a stop work order could be issued immediately if the MS4 has clearly documented a reason articulating an immediate threat to water quality.

Escalating Enforcement Actions:

- Start the escalating enforcement process when one of the following conditions exist.
    - If while conducting an inspection there are currently past due/not completed action items listed in the corrective action log on ComplianceGo.
    - Checking the status of action items on dashboard of ComplianceGo and find that there are past due action items for any site that have not been signed off.
    - Receive an email notificaction from ComplianceGo that there are past due action items at a particular site.
    - Verify after receiving any kind of contact alerting to a spill or illicit discharge on a construction site. (This would also need to be followed up with an IDDE report as well)

1. Verbal Warning – A verbal warning is documented as its own inspection report in ComplianceGo.
    a. Start a Verbal Warning inspection on ComplianceGo, answer the questions and list in the notes why a verbal warning is being issued.
    b. Create an action item labeled “VERBAL WARNING” and choose a 24 hour or 7 day priority.
    c. In the action item description type: “This verbal warning should be signed off by the operator only after all past due action items have been completed/signed off”
    d. Sign and send Verbal Warning inspection.
    e. Contact the operator and let them know a verbal warning has been issued and that if it isn’t completed within the time frame given that further escalation may occur.

2. Written Warning – A Written Warning is documented as its own inspection report in ComplianceGo.
    a. Start a Written Warning inspection on ComplianceGo, answer the questions and list in the notes why a written warning is being issued.
    b. Create an action item labeled “WRITTEN WARNING” and choose a 24 hour or 7 day priority.
    c. In the action item description type: “This written warning should be signed off by the operator only after all past due action items have been completed/signed off”
    d. Sign and send Written Warning inspection.
    e. Contact the operator and let them know a written warning has been issued and that if it isn’t completed within the time frame given that further escalation may occur.

3. Stop Work Order – A Stop Work Order is documented as its own inspection report in ComplianceGo.
    a. Start a Stop Work Order inspection on ComplianceGo, answer the questions and list in the notes why a Stop Work Order is being issued.
    b. Create an action item labeled “STOP WORK ORDER” and choose immediate priority.
    c. In the action item description type: “This stop work order should be signed off by the operator only after all past due action items have been completed/signed off”

d. Sign and send the Stop Work Order inspection.
e. Contact the operator and let them know that the Stop Work Order has been issued until all SWPPP action items have been completed/signed off.
f. Contact the Building Department and let them know to stop scheduling building inspections until the site is in compliance.

Items to cause escalating enforcement:

- With the use of ComplianceGo, the main issue to cause the start of escalating enforcement to begin is if any normal action item becomes "Past Due".
  - If it is an item with an immediate priority the morning of the day after the next day the item is listed as past due.
  - If the item is a 7 day priority the morning of the 8 day the item is not completed/signed off the item becomes past due.
  - ComplianceGo is set up to automatically notify the inspector and operator by email when there are "Past Due" action items.
  - The inspector should check their email each day and be able to start escalating enforcement on every site in the MS4 that has a "Past Due" action item notification.
- The following are the types of items that would be a normal action item but not limited to:
  - Sweep the street and gutters
  - Add, repair or maintain perimeter control BMPs.
  - Add, repair or maintain inlet protection BMPs.
  - Add, repair or maintain track out BMPs.
  - Place appropriately and stake portable toilets.
  - Provide/install concrete washout area.
  - Clean up spilled concrete washout.
  - Post SWPPP site notice sign.
  - Renew or terminate NOI.
- The following are types of action items that would cause immediate need of escalating enforcement but not limited to:
  - Illicit discharges, such as: Concrete washing out to storm drains, oil or other hazardous chemical spills, dewatering without a permit, discharging anything into open waters, etc.
  - Operating on-site without NOI, SWPPP or LDP.

Lifting enforcement:

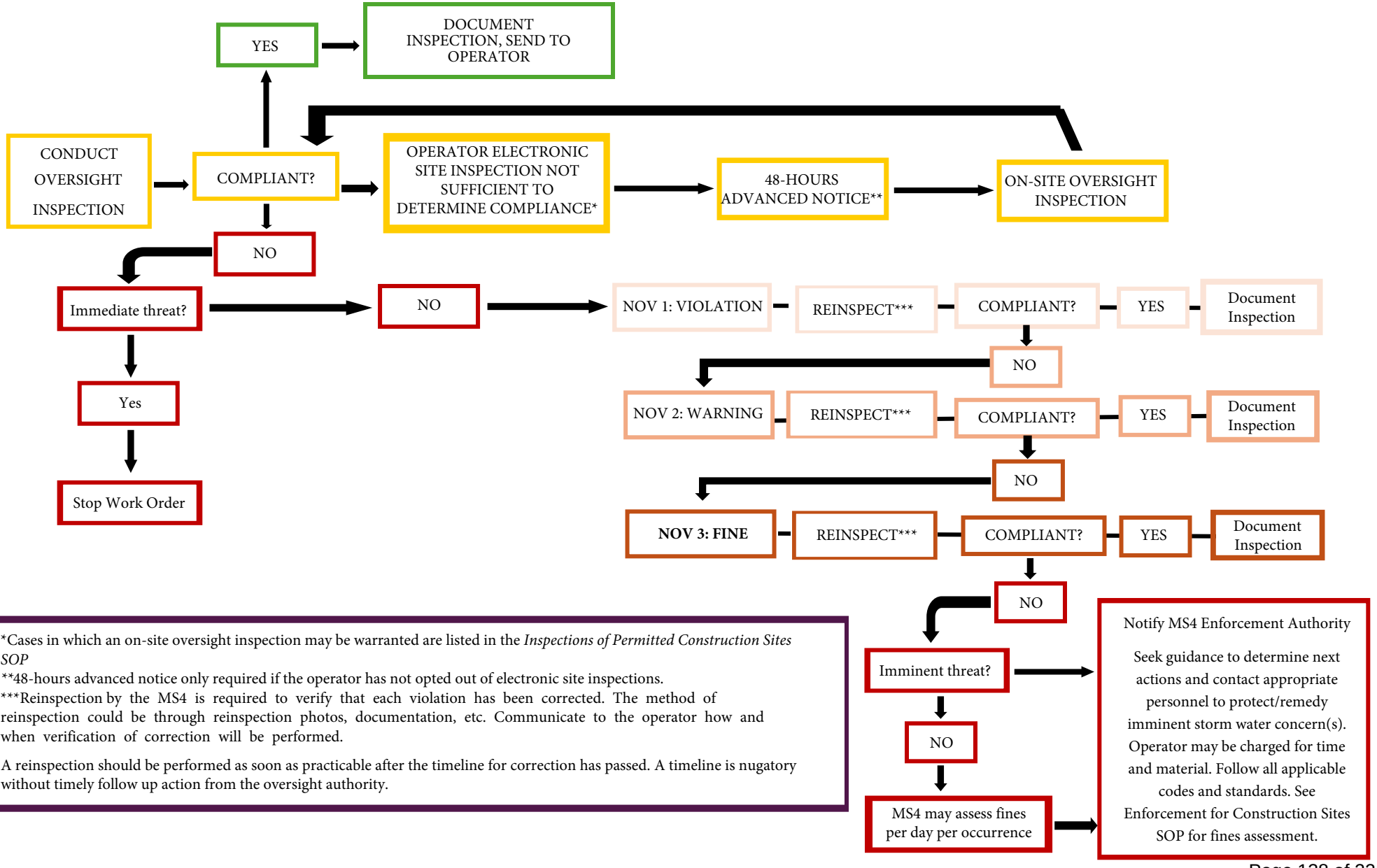
- The City, with the use of ComplainceGo, allows the operator to sign off the Verbal and Written warnings within ComplianceGo just as they are able to on normal action items.
- If pictures are used and uploaded to the item close out, the inspector can verify with the pictures without a site visit and no other action is required. If pictures are not used and the warnings are closed

out then a follow-up site visit is required to verify the items that were called out were in fact taken care of. If the Verbal or Written Warnings were signed off as completed but not actually completed then immediately issue the next higher enforcement.

- If the site is under a Stop Work Order, the operator may also sign off the stop work within ComplainceGo but not be allowed to have the stop inspections lifted with the building department until the inspector is able to verify the action items were taken care of whether that is though the use of pictures or an on-site follow up visit.
- Once the inspector can verify the action items that caused the enforcement actions are actually completed and documented, than the inspector notifies the building department in writing that they can re-instate building inspection scheduling.

Enforcement for Construction Sites

Flow Chart



*Cases in which an on-site oversight inspection may be warranted are listed in the *Inspections of Permitted Construction Sites SOP*

**48-hours advanced notice only required if the operator has not opted out of electronic site inspections.

***Reinspection by the MS4 is required to verify that each violation has been corrected. The method of reinspection could be through reinspection photos, documentation, etc. Communicate to the operator how and when verification of correction will be performed.

A reinspection should be performed as soon as practicable after the timeline for correction has passed. A timeline is nugatory without timely follow up action from the oversight authority.

Highland City

Standard Operating Procedure

Activity: Final Inspection / NOT Process
Minimum Control Measure: Construction Site Runoff Controls

Effective Date: 9/1/24	Prepared by: Mitch Hilburn

Permit Requirement: 4.2.4.4.2

Purpose: To Provide guidance and instructions for proper site Final Inspection and close out procedures.

Scope: This document will provide standard operating procedures/instructions for properly conducting final inspections as well as submission and approval of NOT.

Personnel: An authorized and certified stormwater inspector for the MS4 construction runoff program including but not limited to outside third-party inspectors.

- A Final SWPPP Inspection will be performed by the MS4 Inspector when one of the following occurs:
  - An operator requests from the MS4 a Final Inspection.
  - Ownership of a site has changed.
  - While conducting a regular inspection the MS4 inspector observes the construction site is ready for a Final Inspection as indicated by:
    - Site work is complete
    - Site is stabilized or stabilization has been initiated
    - Temporary BMPs have been removed
    - Property owner has taken occupancy
  - The NOT has been submitted by the operator

- Final Inspection Process
  - Use the UT MS4 NOT Final Inspection Form on ComplianceGo
  - Answer all the questions on the form.
    - Has ownership of the site changed?
    - Has the site been properly stabilized according to the UPDES permit?
    - Has all waste, materials, and equipment been removed from the site?
    - Have all BMP's that are not meant to stay on the site following construction been removed?
    - Have all potential pollutants been removed?
    - Has the site been properly cleaned up?
    - If applicable, have post construction BMP's been inspected and a post construction maintenance plan been implemented?
    - Has the NOT for this site been submitted?
    - Will the NOT be approved by the MS4?

- Add any pertinent information in the comments.

- If the site is not ready for the Final inspection but the operator requested the Final or the NOT was submitted, then record a regular inspection and notify the operator it is not ready for the final inspection. This would be from:
  - Work still happening on the building/structures.
  - All temporary BMP's still in place.
  - Site not adequately cleaned.
  - These can just be answered with no on the final inspection and with action items but the inspector should use judgement and if the site still has estimated 2 or more weeks of work left, than the Final should be postponed and a regular inspection take place.

- If the Final inspection does take place and there are action items, those action items need to be followed up on and verified complete (with operator closing out action items) before continuing to the NOT process.
- During the Final Inspection if the NOT has not been submitted make it an action item to do so with an immediate priority. Do not approve the NOT until all Final inspection action items have been verified to be completed.
- NOT approval will not hold up Certificate of Occupancy however the City will not release bonds to the operator until the NOT has been submitted and approved.
- Once Final inspection action items are all verified to be completed including submission of NOT, the MS4 inspector will approve the NOT on the NeTCGP/CDX database.
- After NOT is approved:
  - Place a copy of NOT in ComplainceGo documents.
  - Inactive the site on ComplianceGo.
  - Update other tracking software such as Asana, Google Earth, etc. that site has been closed out.
  - Maintain all records for at least 5 years.

Appendix F:

- Facilities SOPs
    - Dumpster And Garbage Storage
    - Parking Lot Maintenance
    - Well House and Booster Facility Cleaning
- Post Construction Controls Management & Inspection SOPs
    - Detention Pond Maintenance
    - Storm Drain Pipe Maintenance
    - Storm Drain Structure Maintenance
    - Sump Maintenance
    - Stormwater System Maintenance Prioritization
    - Assess Water Quality Impacts from Flood Management Controls
    - Retrofit Existing Infrastructure
- Open Space Stormwater SOPs
    - Chemical Application of Pesticides, Herbicides, And Fertilizers
    - Graffiti Removal
    - Mowing And Trimming
    - Pet Waste
    - Planting Vegetation (Turf)
    - Planting Vegetation (Non-Turf)
    - Shouldering And Mowing
- Streets Stormwater SOPs
    - Asphalt Seal Treatments
    - Curb And Pavement Markings
    - Snow Removal and De-Icing
    - Street Sweeping
- Utility Repair Stormwater SOPs
    - Planned Utility Excavation Repair and Replacement
    - Unplanned Utility Excavation Repair and Replacement
    - Waterline Flushing

- Vehicle and Transporting Stormwater SOPs
    - Fueling
    - Transporting Dry Excavated Materials and Spoils
    - Transporting Equipment
    - Storing Soil, Gravel, And Loose Materials
    - Transporting Wet Excavated Materials and Spoils
    - Vehicle And Equipment Storage
    - Vehicle Washing
- Miscellaneous
    - Cleanup from City Sponsored Events
    - Green Waste Deposited in the Street
    - Spill Prevention Plan

DUMPSTERS & GARBAGE STORAGE

1. PREPARATION

    a. Train employees on proper trash disposal.

    b. Locate dumpsters and trash cans in convenient, easily observable areas.

    c. Whenever possible store garbage containers beneath a covered structure or inside to prevent contact with storm water.

    d. When feasible, non-covered dumpster enclosures should drain water to above ground storm drain infrastructure such as vegetated strips.

2. PROCESS

    a. Inspect garbage bins for leaks regularly, and request a new dumpster from Waste Management immediately upon detection of damage.

    b. Request/use dumpsters and trash cans with lids and without drain holes.

3. ACTIONS

    a. Keep areas around dumpsters clear of all garbage.

    b. Have garbage bins emptied regularly to keep from overfilling.

PARKING LOT MAINTENANCE

1. PREPARATION

   a. Conduct regular employee training to reinforce proper housekeeping.

   b. Restrict parking areas to be swept prior to and during sweeping using regulations as necessary.

2. PROCESS

   a. Sweep parking areas, as needed, or as directed. At a minimum, the City owned parking lots will be swept annually.

   b. City owned parking lots immediately adjacent to landscaped areas will have the landscaping materials blown off the hard surfaces with the regular landscaping schedule.

   c. Hand sweep sections of gutter if soil and debris accumulate.

   d. Pick-up litter as required to keep parking areas clean and orderly.

   e. Asphalt preservation maintenance will generally follow the Asphalt Seal Treatments SOP.

3. ACTIONS

   a. Dispose of sweepings properly into a waste container.

   b. Street sweeper hoppers will be emptied and cleaned at the City drying beds which are connected to the sanitary sewer system.

   c. Dried materials from the truck wash facility will be transported to the landfill.

WELL HOUSE AND BOOSTER FACILITY CLEANING

1. PURPOSE

   a. As part of the UPDES program, the City was required to develop an inventory of floor drains inside city-owned or operated facilities.

   b. The City completed the inventory mapping of floor drains and found that there were some well houses and booster stations where the floor drains are connected to the storm drain system. It was determined that these connections do not need to be disconnected from the storm drain system as long as a Standard Operating Procedure (SOP) is in place and followed for the operation and maintenance of these facilities.

   c. The purpose of this SOP is to maintain standard procedures for operation and maintenance of the well houses and booster stations which have floor drains connected to the storm drain system, in order to keep pollutants from being discharged into the storm drain system from these facilities.

   d. The following wells and pump houses have floor drains that connect to the storm drain system:

      •

2. PROCESS

   a. Inspection and Cleaning

      • Do visual inspection before and after performing operations and maintenance work inside the facility.

         1. Look for sediment, debris, and any other items that could potentially enter the floor drain.

      • As needed, sweep up or vacuum any sediment and debris found on the floor and dispose of waste properly.

   b. Maintenance and Storage

      • Do not store chemicals unrelated to water supply treatment or distribution in the well/pump house.

      • Temporarily isolate and protect all floor drains during work that uses potential contaminants.

      • Immediately clean all potential contaminant spills/leaks in the well/pump house using dry cleaning methods (i.e. rags, absorbents). Properly dispose of the collected wastes.

DETENTION POND MAINTENANCE

1. PROCESS

   a. Schedule

      - City detention ponds will be maintained in a schedule to ensure proper function.
      - Private detention ponds are to be maintained per Maintenance Agreement.
      - Schedule the pond maintenance work for a time when dry weather is expected.

   b. Inspection and Cleaning

      - Do visual inspection of grates and lids to identify any cleaning or repairs needed.
      - Do visual inspection on inside of structures to identify any cleaning or repairs needed.
      - If possible, do a visual inspection of inside the storm drain pipe.
      - Perform a video inspection as necessary to identify any cleaning or repairs needed.
      - Remove sediment and trash from grates.
      - Provide outlet protection where feasible to minimize the amount of debris that might leave the pond during cleaning process.
      - Grub and remove debris with equipment as needed.
      - Finish cleaning structure and pond bottom as necessary by sweeping, shoveling, or other appropriate means.
      - Put all material removed from the pond into a dump truck.
      - After cleaning pond, clean off the concrete pads using dry methods (sweeping and shoveling) as needed.
      - Haul-off and dispose of materials removed according to SOPs: Transporting Dry Excavated Materials and Spoils and Transporting Wet Excavated Materials and Spoils.
      - Some structures and pipes may require use of a vacuum truck. If so, follow the procedures of the Cleaning Process of SOPs: Storm Drain Structure Maintenance and Storm Drain Pipe Maintenance.

c. Repair

- Any needed repairs are to be documented in the appropriate inspection forms. Once repairs are performed, they are to be documented within the maintenance forms.

STORM DRAIN PIPE MAINTENANCE

1. PROCESS

   a. Schedule

      - City storm drain pipes are to be cleaned and inspected at least once every five years.

      - Private storm drain pipes are to be maintained per Maintenance Agreement.

   b. Inspection and Cleaning

      - Visually inspect the inside of the storm drain pipe.

      - Perform a video inspection if necessary to identify any cleaning or repairs needed. When a video is performed on storm drain pipe, include connecting structures.

      - Look for sediment, debris, cracks, sags, and missing or broken pieces in the pipe.

      - Clean pipe using a vacuum truck or other appropriate equipment.

      - Clean inlets and outlets.

   c. Repair

      - Any needed repairs are to be documented in the appropriate inspection forms. Once repairs are performed, they are to be documented within the maintenance forms.

   d. Clean-up

      - When cleaning operation is complete or the vacuum truck is full, empty vacuum truck into the City's drying beds. The liquids discharge to the sanitary sewer.

      - Once the material in the dewatering area has dried, the solids are to be disposed of in a landfill.

2. DOCUMENTATION

   a. City projects to be documented through ArcGIS Field Maps and the City's work order management software if appropriate.

STORM DRAIN STRUCTURE MAINTENANCE

1. PURPOSE

   a. Develop standard operating procedures for maintaining storm drain structures (inlet boxes, combo boxes, junction boxes, and manholes).

2. PROCESS

   a. Schedule

      - City structures are to be cleaned and inspected at least once every five years.
      - Private structures are to be maintained per Maintenance Agreement.

   b. Inspection and Cleaning

      - Visually inspect outside of structure including grate, hood, collar, and lid to identify any cleaning or repairs needed.
      - Visually inspect inside of structure to identify any cleaning or repairs needed.

        1. Look for sediment, debris, cracks, and missing or broken pieces in the walls of the structure.

      - Remove sediment and trash from grate, hood, and lid as required, placing in a truck for disposal.
      - Clean inside of structure using a vacuum truck by cleaning the walls and sucking out sediment on the bottom.
      - Use a high pressure washer to break up any remaining material while capturing the slurry with the vacuum.
      - After structure is clean, remove any sediment that might have entered the pipe.

   c. Repair

      - Any needed repairs are to be documented in the appropriate inspection forms. Once repairs are performed they are to be documented within the maintenance forms.

   d. Clean-up

      - When cleaning operation is complete or the vacuum truck is full, empty vacuum truck into the City's drying beds. The liquids discharge to the sanitary sewer.
      - Once the material in the dewatering area has dried, the solids are to be disposed of in a landfill.

3. DOCUMENTATION

   a. City projects to be documented through ArcGIS Field Maps and the City's work order management software if appropriate.

SUMPS MAINTENANCE

1. PURPOSE

   a. Develop standard operating procedures for maintaining sumps and other underground retention structures.

2. PROCESS

   a. Schedule

      - City sumps are to be maintained per the Storm Drain Maintenance Plan schedule.
      - Private sumps are to be maintained per Maintenance Agreement.

   b. Inspection and Cleaning

      - Do visual inspection on outside of structure including grate, hood, collar, and lid to identify any cleaning or repairs needed.
      - Determine how water is supposed to drain from the structure and assess the ability of the structure to allow water to drain as designed.
      - If possible, do visual inspection of inside of sump/injection well to identify any cleaning or repairs needed.

        1. Look for sediment, debris, cracks, and missing or broken pieces in the walls of the structure.

      - Clean sediment and trash off inlet to sump/injection well as required.
      - Clean inside of structure using a high powered vacuum truck by cleaning the wall of the structure and sides of the pipe and sucking out sediment on the bottom.
      - Use a high pressure washer to break up any remaining material while capturing the slurry with the vacuum.
      - Remove fine sediments that might inhibit the drainage of water if the structure is designed such that the water drains out the bottom.
      - Clean those places where the water drains if the structure is designed to drain out the sides of the sump/injection well.
      - Clean inlets and overflow outlets.

   c. Repair

      - Any needed repairs will be documented in the appropriate inspection forms. Once repairs are performed they will be documented within the maintenance forms.

3. CLEAN-UP

    a. When cleaning operation is complete or the vacuum truck is full, take sediment to an approved dewatering area. The liquids are to be discharged to the sanitary sewer.

    b. Once the material in the dewatering area has dried, the solids are to be disposed of in a landfill.

4. DOCUMENTATION

    a. City projects to be documented through GIS and Utility Work Order Tracking Software

    b. Private facilities to provide documentation of structure maintenance to City annually.

STORM WATER SYSTEM MAINTENANCE PRIORITIZATION

1. PURPOSE

    a. Develop standard operating procedures for prioritizing maintenance of the storm water system.

2. PRIORITY CONSIDERATIONS

    a. Storm drain infrastructure actively failing during a storm event.

    b. Older storm drain infrastructure not built to current standard.

    c. Storm drain infrastructure with a history of increased maintenance requirements.

    d. Storm drain outfalls.

    e. Storm drain infrastructure that handles large storm water flows.

    f. Damaged storm drain infrastructure.

    g. Storm drain infrastructure that could benefit from retrofitting in the area of other improvements projects.

    h. Storm drain infrastructure without any known concerns.

3. PRIORITIZATION PROCESS

    a. Storm event inspection and cleaning.

        - Inspection and cleaning for the express purpose of causing the storm drain infrastructure to function as designed before the end of an ongoing storm event.

    b. Scheduled inspection and cleaning.

        - Inspections and cleaning for improved water quality and flood control performance. Includes inspection and cleaning to the nearest upstream structure (manhole typically).

    c. Repair of damaged storm drain infrastructure.

        - When damage to storm drain infrastructure reduces its treatment and/or carrying capacity below necessary volume, repairs are undertaken to restore capacity.

    d. Retrofit of below standard infrastructure in the work area of another improvement project.

        - Retrofit of existing storm drain infrastructure when other city projects or development offer opportunities for partnering.

e. Retrofit of existing infrastructure as a stand-alone project.

- City projects for the express purpose of retrofitting existing storm drain infrastructure.

4. STORM DRAIN INFRASTRUCTURE WITH A HISTORY OF INCREASED MAINTENANCE REQUIREMENTS

   a. Canterbury Circle

   b. 6400 W 10400 N

   c. 9600 N 6050 W

   d. Woodshire Lane 6000 W

   e. 10154 N 5230 W

   f. Canterbury Lane & Canterbury Way

   g. 6263 W Bull River Road

   h. 6680 W 10250 N

5. DOCUMENTATION

   a. The storm water system maintenance plan shall be updated annually at a minimum with updated prioritization.

Assess Water Quality Impacts from Flood Management Controls

1. PURPOSE

    a. Maintain a process to assess water quality impacts of new and existing flood management controls.

2. PROCESS

    a. New flood management controls are reviewed by the City Engineer or assignee prior to final approval.

        - Review includes storm water calculations, 80th percentile storm retention calculation and design, flood management infrastructure design.

        - Review comments will be responded to by the design engineer.

    b. Existing flood management controls are reviewed by the Storm Water Supervisor and City Engineer or assignee.

        - Review includes onsite inspection of existing infrastructure with a special focus on storm water treatment, 80th percentile storm retention, and downstream connections.

        - Review will be triggered by the City retrofit plan or as incidents or data become available to suggest a need for review.

        - Internal review will factor into the City's stormwater retrofit plan.

        - Storm water infrastructure retrofit designs will be reviewed by City Engineer or assignee. Retrofit design reviews will mirror new flood management controls review.

STORM DRAIN RETROFIT PLAN 2026

1. PURPOSE
    a. Develop a plan to mitigate possible adverse water quality impacts from City owned and operated sites through retrofitting storm drain infrastructure.
2. PERMIT REQUIREMENTS
    a. Permit part 4.2.6.9 requires a ranking of retrofit sites based on five criteria:
        i. Proximity to a waterbody,
        ii. Current assessment of the waterbody with the goal to improve impaired waterbodies and protect unimpaired waterbodies,
        iii. Hydrologic condition of the receiving waterbody,
        iv. Proximity to a sensitive ecosystem or protected area,
        v. Any sites that could be further enhanced by retrofitting storm water controls.
    b. The retrofit plan shall be developed to emphasize controls that infiltrate, have evapotranspiration, or harvest and use, storm water discharges.
3. ADDITIONAL CONSIDERATIONS
    a. The City has chosen to include public right-of-way storm drain infrastructure in this storm drain retrofit plan in addition to City owned and operated sites.
    b. Additional criteria:
        i. Size of drainage,
        ii. Level of storm drain pretreatment,
        iii. Excessive ponding or flooding.
4. PRIORITY RANKING
    a. Mitchell Hollow Crossing Canal Blvd
    b. Mitchell Hollow Crossing 9600 N
    c. Salt Shed
    d. Highland Glen Park American Fork River
    e. Creek Crossing Dry Creek Rd & River Bend Rd
    f. Creek Crossing 6000 W & Dry Creek Rd
    g. Dry Creek Lift Station Inlet/Outlet
    h. Creek Crossing Bull River Rd & Saltaire
    i. Highland Glen Pond North Outfall
    j. 10154 N 5230 W
    k. 6400 W 10400 N
    l. Canterbury Ln & Canterbury Wy
    m. Canterbury Circle
    n. 6680 W 10250 N

o. Highland Glen Pond Roundabout Outfall
p. Highland Glen Trailhead Bioretention Basin
q. Beacon Hills Park

Other City owned or operated sites are not understood to be a significant risk to water quality. Detailed criteria evaluation of each potential site is maintained in the City's Stormwater electronic files.

CHEMICAL APPLICATION PESTICIDES, HERBICIDES, AND FERTILIZERS

1. PREPARATION

    a. Make sure your state Pesticide License is complete and up to date before handling any chemicals.

    b. Check calibration for pesticides, herbicides, and fertilizer (solution or granules) application equipment to avoid excessive application.

    c. Positively identify pest/weed prior to application.

    d. Use pesticides only if there is an actual pest problem.

    e. Time and apply the application of solutions or granules to coincide with the manufacturer's recommendation for best results ("Read the Label").

    f. Know the weather conditions. Do not apply solutions or granules if rain is expected within label recommendations.

2. PROCESS

    a. Follow the manufacturer's recommendations for mixing, application, and disposal ("Read the Label").

    b. Pour Rinsate into tank mix.

    c. Mix and fill tanks/dispensers outdoors away from storm drains and surface waters.

    d. Employ techniques to minimize off-target application (e.g. spray drift, over broadcasting) of pesticides and fertilizers.

    e. Alert park patrons present in the area of your intentions.

3. ACTIONS

    a. Sweep or blow pavements or sidewalks where granules have fallen, back onto grassy areas before applying irrigation water.

    b. Safely store unused solutions and granules for the next use. Ensure the unused products are stored away from storm drains and are not leaking.

    c. Triple rinse empty pesticide and herbicide containers, and dispose of rinse water as product label directs. Punch holes in the side and bottom of container and place within lidded trash can or dumpster.

    d. Always follow all federal and state regulations governing use, storage and disposal of fertilizers, herbicides or pesticides and their containers ("Read the Label").

4. DOCUMENTATION

   a. Documentation through Parks Department.

   b. Keep copies of SDS sheets for all pesticide, herbicide, and fertilizer products used.

   c. Record fertilizing and pesticide application activities, including date, individual who did the application, amount of product used and approximate area covered.

GRAFFITI REMOVAL

1. PREPARATION

    a. When possible, graffiti removal activities are to be scheduled during dry weather.

    b. Whenever there is a ditch or waterway underneath the graffiti, always paint over instead of removing.

    c. When possible, waterless and non-toxic chemical cleaning methods (i.e. gels or spray compounds) should be used.

2. PROCESS

    a. Clean using City provided products and equipment.

    b. Cover affected storm drain inlet grates to keep pollutants out.

    c. Allow wash water to dry naturally if possible before next storm event.

    d. Never wash graffiti or graffiti removal products into the storm drain or surface waters.

3. DOCUMENTATION

    a. Report areas of repeat graffiti to the Police Department.

MOWING AND TRIMMING

1. PREPARATION

    a. Perform preventative maintenance check on equipment with particular focus on detecting leaks.

    b. Familiarize the personnel with storm drain facilities in their immediate facilities.

2. PROCESS

    a. Protect catch basins where applicable.

    b. After mowing and trimming, sweep or blow clippings to grass areas.

3. ACTIONS

    a. Wash equipment in approved wash station.

    b. See equipment transportation SOP.

PET WASTE

1. PROCESS

    a. If crews encounter pet waste bags, throw them away as other garbage encountered.

    b. Inspect and clear pet waste from the splash pad and splash pad park.

    c. If crews encounter pet waste on hard surfaces, remove with tools or equipment for sanitation.

2. DOCUMENTATION

    a. Document problem areas for possible increased code enforcement and/or public education signs.

PLANTING VEGETATION - TURF

1. PURPOSE

    a. Maintaining storm water and surface water quality while installing and maintaining turf grass with overseed, hydroseed, and sod patch repair.

2. PREPARATION

    a. Determine the application rate, method, water source, and ensure adequate materials are on hand.

    b. Grade and prepare the soil to receive the seed. Place any extra soil in a convenient location to collect. Do not place excess soil on hard surfaces.

3. PROCESS

    a. Place the seed or patch and cover using the pre-determined application method (and rate).

    b. Sweep or blow all dirt, seed, cover and other loose materials off of hard surfaces prior to watering.

    c. Water the applied turf per industry standard to ensure planting is successful.

    d. Ensure that the regular watering method is working properly and limit amount of over spray on paved areas.

    e. Provide erosion control on slopes where necessary using tackifiers, erosion mats, soil stabilizers or other appropriate methods.

PLANTING VEGETATION – NON-TURF

1. PREPARATION

    a. Call the Blue Stakes Center of Utah at 811 or 1-800-662-4111 at least 2 working days before any digging will be begun, to identify the location of any underground utilities.

2. PROCESS

    a. When holes are dug, place spoils temporarily on landscape surfaces or on tarps if spoils must be placed on hard surfaces.

    b. Remove pot or burlap minimizing spills onto hard surfaces.

    c. Backfill the hole while minimizing spills onto hard surfaces.

    d. Remove excess spoils. See Transporting Excavated Materials and Spoils.

    e. Sweep dirt from surrounding hard surfaces into landscaped areas.

SHOULDERING AND MOWING

1. PREPARATION

    a. Set up temporary traffic control devices as necessary according to part VI of the Manual on Uniform Traffic Control Devices (MUTCD).

2. PROCESS

    a. Place import material as needed and perform grading to achieve proper drainage.

    b. Mulch clippings to help reduce the amount of supplemental fertilizer required.

3. ACTIONS

    a. Clean any loose material off asphalt or gutter.

4. DOCUMENTATION

    a. Record location and date on the maintenance database and map.

ASPHALT SEAL TREATMENTS

1. PURPOSE

    a. Instruct personnel on protecting storm water and surface water quality while applying asphalt seal treatments including chip seal, crack seal, slurry seal, asphalt overlays, and asphalt patches.

2. PREPARATION

    a. Clean areas where materials are to be applied without allowing wash water or debris into the storm drain system. Use sweeping or air-blasting as preferred cleaning methods.

    b. Apply temporary covers to manholes and catch basins not in the curb line to prevent oil and materials from getting inside of them.

3. ACTIONS

    a. Apply product and/or material at recommended rate and temperature to limit loose material.

    b. Prevent overspray or other excess from entering the gutter or storm drain inlets.

    c. Remove all loose aggregate from the roadway by sweeping. Prevent loose aggregate from entering the storm drain system or remaining in the gutter.

    d. Remove excessive asphalt applications and spills with shovels and scraping tools.

    e. Remove the temporary covers from manholes and catch basins. If it appears that any materials have gotten into the inlet boxes, remove the material according to the SOP – Storm Drain Structure Maintenance.

    f. Dispose of the waste material that has been swept and scraped up by taking it to the landfill.

4. DOCUMENTATION

    a. Documentation through the Streets Department.

    b. Record location and date on the maintenance database and map.

CURB AND PAVEMENT MARKINGS

1. PREPARATION

    a. Calculate the amount of paint required for the job.

    b. Designate the proper disposal location of the waste created by the job.

    c. Cover storm drain inlets to prevent paint from entering the storm drain system.

    d. Clean and prepare surfaces to be painted without allowing debris or waste into the storm drain system.

    e. If wash water or wastewater will be generated, use dams, dikes, or other techniques to catch the water for later collection and disposal.

2. PROCESS

    a. Paint curb/pavement.

    b. Prevent over-spraying of paints and/or excessive sandblasting.

    c. Use drip pans and drop clothes in areas of mixing paints and painting.

    d. Have available absorbent material and other BMPs ready for an accidental paint spill.

3. ACTIONS

    a. Dispose of the waste (paint, clothes, etc.) according to the recommendations on the paint being used.

    b. Rinse water-based paint brushes in the sink after pre-cleaning. Never pour excess paint or wastewater from cleanup of paint in the storm drain.

    c. Clean paint sprayer in a manor that allows easy disposal according to the recommendations on the paint. Never clean a paint sprayer into the storm drain system.

SNOW REMOVAL AND DE-ICING

1. PREPARATION

    a. Store de-icing material (salt) under a covered storage area.

    b. Wash out vehicles (if necessary) in approved washout area before preparing them for snow removal.

    c. Calibrate spreaders to minimize amount of de-icing material used and still be effective.

    d. Use spill cleanup kits in case of hydraulic line rupture or other spills.

    e. Train employees in spill cleanup procedures and proper handling and storage of de-icing materials.

2. PROCESS

    a. Load material into trucks carefully to minimize spillage.

    b. Periodically dry sweep loading area to reduce the amount of de-icing materials exposed to runoff.

    c. Distribute the minimum amount of de-icing material to be effective on roads.

    d. Turn spreader off while loading and any other time the vehicle is not moving in the forward position.

    e. Park trucks with de-icing material inside when possible.

3. ACTIONS

    a. Sweep up all spilled de-icing material around loading area.

    b. Clean out trucks after snow removal and before using trucks for other tasks in approved washout area.

    c. Provide maintenance for vehicles in covered area.

STREET SWEEPING

1. PREPARATION

    a. Prioritize cleaning routes in areas with the highest potential pollutant loading.

    b. Streets are to be swept twice a year or as needed. Special sweeping requests from citizens and other city departments are handled on a case-by-case basis.

2. PROCESS

    a. Drive street sweeper safely and pick up debris.

    b. If any spills or illicit discharges going into the storm drain system are observed, contact Public Works dispatch so that it can be investigated by the Stormwater Department.

    c. When full, take the sweeper to the drying beds next to the city's salt shed.

3. ACTIONS

    a. Street sweeper hoppers will be emptied at the drying beds next to the city's salt shed and cleaned at the Public Works vehicle wash bay.

    b. Once solids have dried out, they will be hauled to the landfill.

    c. Decant water will flow into the sanitary sewer system through the drying beds.

4. DOCUMENTATION

    a. Contract sweeper will keep accurate logs to track streets swept and streets still requiring sweeping.

PLANNED UTILITY EXCAVATION REPAIR AND REPLACEMENT

1. PREPARATION

   a. Prepare a Storm Water Pollution Prevention Plan (SWPPP), if disturbance will be greater than an acre or if City determines the project will be near any high impact areas.

      Items that should be considered when preparing the SWPPP include the following:

      - What is the source of discharge and where will the discharge flow go?
      - What Best Management Practices (BMPs) should be used:
      - What Good Housekeeping Practices should be used during the project?
      - Is there potential for spilling of a polluting substance and if so what precautions and control measures will be taken to prevent release?

2. PROCESS

   a. If a SWPPP was submitted, follow the approved SWPPP throughout construction.

   b. If no SWPP was required, follow the Best Management Practices and Good Housekeeping Practices identified during planning.

3. ACTIONS

   a. Make changes to storm drain protections and site as needed during construction.

4. DOCUMENTATION

   a. Complete all SWPPP paperwork if required.

   b. Document project on City GIS

UNPLANNED UTILITY EXCAVATION REPAIR AND REPLACEMENT

1. PREPARATION

    a. Maintain sufficient inlet protection on the Leak Trailer.

2. PROCESS

    a. Slow the discharge.

    b. Inspect flow path of discharged water.

    c. Protect water inlet areas by placing inlet protection devices around or up stream of inlet.

    d. Follow planned repair procedures.

    e. Haul off spoils of excavation.

    f. Use dewatering bags or pumps and check hourly for effectiveness.

3. ACTIONS

    a. Repair eroded areas as needed.

    b. Follow planned repair procedures.

    c. Remove any inlet protection and dewatering bags and discard appropriately.

    d. Clean up excavation area and the travel path of trucked excavated material as needed. Do not wash materials into storm drains.

4. DOCUMENTATION

    a. Document project on City GIS.

WATERLINE FLUSHING AFTER CONSTRUCTION OR SYSTEM DISINFECTION

1. WATERLINE FLUSHING WITH DISCHARGE HAUL OFF

   a. Preparation

      - Determine chlorine content of discharged water.
      - Determine appropriate construction activity for treatment.

   b. Process

      - Flush to tanker for disposal on unpaved construction activity for dust control or compaction. Use this method whenever possible.
      - Conform that application of water is in appropriate location.

   c. Actions

      - Remove equipment from flush point.

2. WATERLINE FLUSHING WITH DISCHARGE TO STORM DRAIN

   a. Preparation

      - Determine chlorine content of discharged water and select de-chlorination equipment to be used.
      - Determine flow path of discharge.

   b. Process

      - Sweep flow path clean before discharge.
      - Install de-chlorination equipment.
      - Use diffuser to reduce velocities.

   c. Actions

      - Clean flow paths.
      - Remove equipment from flush point.

FUELING

1. PREPARATION

    a. Train employees on proper fueling methods and spill cleanup techniques.

    b. Install a canopy or roof over aboveground storage tanks and fuel transfer areas.

    c. Absorbent spill cleanup materials and spill kits shall be available in fueling areas and on mobile fueling vehicles and shall be disposed of properly after use.

2. PROCESS

    a. Shut off the engine.

    b. Ensure that the fuel is the proper type of fuel for the vehicle.

    c. Nozzles used in vehicle and equipment fueling shall be equipped with an automatic shut off to prevent overfill.

    d. Fuel vehicle carefully to minimize drips to the ground.

    e. Fuel tanks shall not be “topped off”.

    f. Mobile fueling shall be minimized. Whenever practical, vehicles and equipment shall be transported to the designated fueling area in the facilities area.

    g. When fueling small equipment from portable containers, fuel in an area away from storm drains and water bodies.

3. ACTIONS

    a. Immediately clean up spills using dry absorbent (e.g. kitty litter, sawdust, etc.) sweep up absorbent material and properly dispose of contaminated clean up materials.

    b. Large spills shall be contained as best as possible and the fire department should be notified ASAP.

4. DOCUMENTATION

    a. Document training of employees.

TRANSPORTING DRY EXCAVATED MATERIALS AND SPOILS

1. PREPARATION
    a. Utilize truck with proper containment of materials.
    b. Determine disposal site of excavated materials.
    c. Determine the path of travel to and from disposal site.
2. PROCESS
    a. Check truck after loading for possible spillage.
    b. Transport in a manner to eliminate spillage and tracking.
    c. Utilize one route for transporting.
3. ACTIONS
    a. Clean loading area.
    b. As needed, sweep transport route to remove spillage.
    c. Wash off truck and other equipment in a designated vehicle wash area.

TRANSPORTING EQUIPMENT

1. PREPARATION

    a. Determine equipment needed for transport and method (trailer, truck bed) needed to transport equipment.

    b. Conduct pre-trip inspection of equipment to ensure any loose material is removed, that there are no leaking fluids, and all equipment is secure.

    c. Make sure dirt and debris that may fall from equipment is removed before transport.

2. PROCESS

    a. Load and secure equipment on trailer or truck.

    b. Load and secure fuel containers for equipment usage.

3. ACTIONS

    a. Off load equipment.

    b. Store equipment and trailer in proper location.

    c. Conduct post-trip inspection of equipment.

    d. Wash equipment, if needed, according to the SOP for that equipment.

4. DOCUMENTATION

    a. Report any leaks, defects or other problems to immediate supervisor that are noticed during pre- or post-trip inspections.

STORING SOIL, GRAVEL, AND LOOSE MATERIALS

1. PURPOSE

    a. Proper storage of soil, sand, gravel, landscaping materials, and other loose materials without harming storm water quality.

2. ACTIONS

    a. Store all loose materials away from storm drain inlets.

    b. Prevent storm water from leaving the site or treat storm water with vegetated BMPs prior to discharging from the site.

    c. Make sure not to overfill materials when loading trucks.

    d. Cover truck bed with a secured tarp before transporting large quantities.

    e. Use sweeper to clean up any materials tracked out on the roads from site.

    f. Wash out truck and other equipment when needed in properly designated areas.

TRANSPORTING WET EXCAVATED MATERIALS AND SPOILS

1. PREPARATION

    a. Utilize truck with proper containment for wet material.

    b. Determine disposal site of excavated material.

    c. Determine the path of travel to and from disposal site.

2. PROCESS

    a. Load and transport in manner to minimize spillage and tracking of material.

    b. Check truck for spillage.

    c. Utilize one route of transport.

3. ACTIONS

    a. As needed, clean the route of transport to pick up spilled material. Do not wash materials into storm drains.

    b. Wash out equipment truck and other equipment in designated vehicle wash area.

VEHICLE AND EQUIPMENT STORAGE

1. PREPARATION

    a. Inspect parking areas for stains/leaks on a regular basis.

    b. Provide drip pans or absorbents for leaking vehicles.

2. PROCESS

    a. Whenever possible, store vehicles inside where floor drains have been connected to sanitary sewer system.

    b. When inside storage is not available, vehicles and equipment will be parked in the approved designated areas and away from storm drain inlets as much as possible.

    c. Maintain vehicles to prevent leaks as much as possible.

    d. Address any known leaks or drips as soon as possible. When a leak is detected a drip pan will be placed under the leaking vehicle to collect the drip.

    e. If any leaks are discovered, a drip pan will be used to collect the fluids and vehicle will be scheduled for repairs.

    f. Clean up all spills using dry methods.

    g. The shop will maintain a labeled location to empty and store drip pans.

    h. Never store leaking vehicles over a storm drain.

3. ACTIONS

    a. Any leaks that are spilled on the asphalt will be cleaned up with dry absorbent. The dry absorbent will be swept up and disposed of in the garbage.

    b. The paved surfaces around the building will be swept as needed, weather permitting.

VEHICLE WASHING

1. PREPARATION

    a. Maintain truck, vehicle, and equipment wash bay with a drainage system which is attached to the sanitary sewer system at the Parks building.

    b. Maintain truck, vehicle, and equipment wash bay with a drainage system connected to a holding tank at the Public Works building.

    c. No vehicle washing will be done where the drain system is connected to the storm drain system.

2. PROCESS

    a. Minimize water and soap use when washing vehicles inside the Truck Wash area.

    b. Use hose with automatic shut off nozzles to minimize water usage.

    c. Never wash vehicles over a storm drain.

3. ACTIONS

    a. Clean solids from the settling pits on an as needed basis.

CLEANUP FROM CITY SPONSORED EVENTS

1. PURPOSE

    a. Minimize trash or other pollutants from entering into the storm drain system by careful cleanup after City sponsored events such as large outdoor festivals, parades, or street fairs.

2. PREPARATION

    a. Map event boundaries.

    b. Verify installation of permanent or temporary trash and debris protections in every storm drain inlet within the event boundaries. Snouts may be insufficient trash and debris protection for large outdoor City sponsored events. Inlet filter bags should be added as temporary trash and debris protection for all impacted inlets not having sufficient permanent protection.

    c. Convey storm water quality concerns to the event organizers during the planning phase of the event, so that the organizers can include those concerns in their plan.

    d. Schedule street sweeping for directly after the event.

3. PROCESS

    a. Remove trash and debris from the streets, parking lots, or any area that impacts water quality.

        i. Use volunteers and/or staff to hand pick or sweep trash and debris as needed to prepare for the scheduled street sweeper.

        ii. Never use water to wash trash from the street unless appropriate storm drain protections are in place to catch and filter the wash water.

    b. Remove temporary trash inlet protections.

    c. Clean trash and debris from storm drain inlets.

    d. Hold after action review with public works and event organizers.

4. DOCUMENTATION

a. Document after action review of what went well, what went poorly, and other lessons learned from the preparation and cleanup as to the effectiveness and efficiency of keeping the pollutants out of the storm drain system.

GREEN WASTE DEPOSITED IN THE STREET

1. PURPOSE

    a. Minimize sediment, nutrients, bacteria, and pesticide pollutions from entering into the storm drain system by keeping green waste out of the streets.

2. PROCESS

    a. Green waste is identified in a street within Highland City.

    b. City crews determine who is responsible for the green waste deposited in the street.

    c. City crews contact the responsible party for swift removal.

        i. If the responsible party is the City, the City crews will remove the green waste on schedule before the end of the working day.

        ii. If the responsible party cannot be found, the City crews will remove the green waste before the end of the working day.

    d. Documentation of green waste deposited in the street for the purpose of identifying repeated illegal dumping.

3. ACTIONS

    a. All green waste is removed from the street before end of day.

    b. Ensure that no green waste ends up in the storm drain system during clean up.

    c. Dispose green waste in an appropriate location.

4. DOCUMENTATION

    a. Simple documentation within the City's servers will provide the capability to identify repeated illegal dumping.

SPILL PREVENTION PLAN

1. PURPOSE

    a. Prevent or minimize stormwater pollution from spills that involve emergency response.

2. PREPARATION

    a. Lone Peak Fire Department, which services Highland City, carries dam and dike equipment and resources to prevent spills from entering storm drains and water bodies.

    b. Lone Peak Fire Department maintains an interlocal agreement with the Utah County Fire Department, which includes access to the Utah County Fire Department Special Response Team (SRT). The SRT includes a HAZMAT team with additional equipment, resources, and training for hazardous spills larger than the ready capabilities of the Lone Peak Fire Department.

    c. The State of Utah provides a resource available to all Fire Departments for major hazardous spill events including the Utah Army National Guard 85th Weapons of Mass Destruction - Civil Support Team, a full-time unit that specializes in HAZMAT operations.

3. ACTIONS

    a. Lone Peak Fire Department responds to all emergency calls within their service area, including the entire jurisdiction of Highland City as their SOPs dictate.

    b. Responding Fire Department staff request assistance from Utah County SRT, 85th Weapons of Mass Destruction – Civil Support Team, and/or additional resources as necessary and as their SOPs dictate.

4. DOCUMENTATION

    a. Lone Peak Fire Department documents incidents as their SOPs dictate.

Appendix G:

- List of City owned & operated facilities
- Assessment of Facilities

Inventory of Highland City Owned Facilities

BMP 6.3 – 2026 Inventory

- Public Works Facilities
  - Public Works Shops and Salt Shed*
  - Parks Shops*
  - Storage Compound
- City Offices
  - City Hall
  - Lone Peak Fire Station
  - Lone Peak Criminal Justice Building
  - Community/Arts Building
- Well, Pump & Lift Station Sites
  - DW Well 1
  - DW Well 2
  - DW Well 3
  - Well 4 DW and PI
  - DW Well 5
  - View Pointe DW Booster Station
  - Beacon Hills DW Pump Station
  - 11800 N PI Booster Station and Well 6
  - Upper PI Booster Station and Granite Well
  - 4800 W PI Booster Station
  - 6000 W PI Booster Station
  - 10700 N PI Well
  - Dry Creek Lift Station
  - Highland Hollow Lift Station
  - Pheasant Hollow Lift Station
  - Greens on Highland Lift Station
- Water Tanks & PI Ponds
  - Upper View Pointe Tank
  - Lower View Pointe Tank
  - Upper Beacon Hills Tank
  - Lower Beacon Hills Tank
  - Upper PI Pond
  - Hogs Hollow PI Pond and Booster
  - Kidney PI Pond and Booster
- Parks and Cemetery
  - City Cemetery
  - Highland Glen Park

- Beacon Hills Park
- View Pointe Park
- Dry Creek Park
- Mitchell Hollow Park
- Heritage Park
- Highland Hills Park
- North Canterbury Park
- South Canterbury Park
- Windsor Park
- Spring Creek Park
- Highland Family Park
- Bike Park
- Town Center Splash Pad Park

*Assessed as High Priority Site.

All other sites assessed as NOT High Priority due to low potential to discharge pollutants to stormwater.

Appendix H:

- Highland City Ordinance

2018-1

ORDINANCE NO. O-2018-01

STORM WATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE. AN ORDINANCE CREATING A NEW SECTION OF THE HIGHLAND CITY CODE REGULATING STORM WATER DRAINAGE AND DISCHARGE; ALSO PROVIDING A SAVINGS CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the General Plan of Highland City and the Highland City Development Code empowers the City Council with the authority to enact ordinances that promote the health, safety, morals, convenience, order, prosperity, and general welfare of Highland City;

WHEREAS, Utah Code Annotated Section 10-8-84 authorizes the City Council to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, welfare, peace and good order, comfort, and convenience of the City and its residents;

WHEREAS, Utah Code Ann 19-5-107 prohibits the discharge of pollutants into the waters of the state of Utah; and

WHEREAS, the Highland City Council finds and determines that it operates a storm water utility system which carries storm water runoff from roadways, and private properties into the waters of the state of Utah; and

WHEREAS, the Utah Pollution Discharge Elimination System permit (UPDES) and applicable regulations, 40 CFR Section 122.26, require Highland City to manage storm water discharge;

WHEREAS, The Utah Code provides that, among other powers municipalities have with respect to storm water facilities, municipalities have the power by ordinance or resolution to:

i. Exercise general regulation over the planning, location, construction, and operation and maintenance of storm water facilities in the municipality, whether or not owned and operated by the municipality;

ii. Adopt any rules and regulations deemed necessary to accomplish the purposes of this statute, including the adoption of a system of fees for services and permits;

iii. Establish standards to regulate the quantity of storm water discharged and to regulate storm water contaminants as may be necessary to protect water quality;

iv. Review and approve plans and plats for storm water management in proposed subdivisions or commercial developments;

v. Issue permits for storm water discharges or for the construction, alteration, extension, or repair of storm water facilities;

vi. Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, resolution, or condition of the permit;

vii. Regulate and prohibit discharges into storm water facilities of sanitary, industrial, or commercial

sewage or waters that have otherwise been contaminated; and

viii. Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of storm water contamination, whether public or private.

WHEREAS, the City Council has determined that the public interest, convenience, health, welfare and safety requires that all water generated from individual construction, commercial, industrial, and public use developments and subdivisions be confined and disposed of in a flood control storm drain system;

WHEREAS, the City Council has determined that each area which is proposed to be subdivided, developed, or built upon does in fact generate additional runoff water that needs to be disposed of in a safe manner, avoiding damage and hazards to the inhabitants of Highland City;

WHEREAS, the welfare of the City will be promoted by regulating storm water discharge and drainage;

NOW THEREFORE, be it ordained by the Municipal Council of Highland, Utah, as follows:

Section 1. Adoption. The Storm Water Management and Discharge Control Ordinance attached hereto, is hereby adopted and the Storm Water Management Ordinance No. 2006-027 is hereby repealed.

Section 2. Effective Date. This ordinance shall take effect immediately upon its passage and publication as prescribed by law.

PASSED AND ADOPTED by the City Council of Highland City, Utah, this 9th day of January, 2018.

HIGHLAND CITY, UTAH

_____

Rodney W. Mann

Highland City Mayor

ATTEST:

_____

Cindy Quick, CMC
City Recorder

COUNCILMEMBER

	YES	NO
Brian Braithwaite	□	□

Ed Dennis □ □
Tim Irwin □ □
Kurt Ostler □ □
Scott L. Smith □ □

HIGHLAND CITY STORM WATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE

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HIGHLAND CITY STORM WATER MANAGEMENT AND DISCHARGE CONTROL ORDINANCE

SECTION 1: GENERAL PROVISIONS

(1) Purpose

It is the purpose of this ordinance to:

a. Protect, maintain, and enhance the environment of Highland City (“the City”),

b. Establish responsibilities for controlling and managing storm water runoff.

c. Protect the public health, safety, and the general welfare of the citizens of the City by controlling discharges of pollutants to the City’s storm water system and to maintain and improve the quality of the receiving waters into which the storm water outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the City.

d. Enable the City to comply with state and federal laws and regulations.

(2) Administering Entity

The City’s Public Works Department shall administer the provisions of this ordinance. Nothing in this ordinance shall relieve any person from responsibility for damage to other persons or property, nor impose upon Highland City, its officers, agents or employees, any liability for damage to other persons or property.

SECTION 2: DEFINITIONS

For the purpose of this chapter, the following definitions shall apply. Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word “shall” is mandatory and not discretionary. The word “may” is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the most recent edition of Webster’s Dictionary.

(1) “Highland City Storm Water Management Program” means those certain manuals, ordinances,

practices, and policies set in place by Highland City to regulate, permit, manage, and otherwise oversee the discharge of storm water within the corporate boundaries and influence area of the City. This includes both of those manuals and practices which are in place at the time of the passage of this ordinance and those which will yet be put in place or adopted in this ordinance or future actions.

(2) “As-built plans” means drawings depicting conditions as they were actually constructed.

(3) “Best management practices” or “BMPs” are physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water that have been approved by Highland City and that have been incorporated by reference into this ordinance as if fully set out therein. For purposes of this Title, the relevant BMPs are more particularly defined in the Highland City Storm Water Management Program.

(4) “Best Management Practices Manual” means the most recent documentation adopted by Highland which accepts specific Best Management Practices for use in Highland City.

(5) “Channel” means a natural or artificial watercourse with a definite bed and banks that conducts flowing water continuously, or periodically.

(6) “City Engineer” means the City Engineer of Highland, or authorized designee.

(7) “City Storm Drain Inspector” means the Regulatory Compliance Coordinator or the City Storm Drain Division Superintendent and his authorized designees.

(8) “City Storm Water System” means the storm system that receives runoff from public right-of-way, natural waterways, and systems identified in a City easement.

(9) “Community water” means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wetlands, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of Highland City.

(10) “Contaminant” means any physical, chemical, biological, or radiological substance or matter in the water.

(11) “Design storm event” means a hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a storm water facility.

(12) “Discharge” means dispose, deposit, spill, pour, inject, seep, dump, leak, or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means, including any direct or indirect entry of any solid or liquid matter, into the municipal separate storm sewer system.

(13) “Easement” means a non-possessory interest acquired by a person, party, firm, corporation, municipality, or other legal entity that entitles the holder only to the right to the use of the owner’s land in the manner specified.

(14) “Erosion” means the removal of soil particles by the action of water, wind, ice, or other geological agents; whether naturally occurring or acting in conjunction with or promoted by anthropogenic activities or effects.

(15) “Erosion and sediment control plan” means a written plan (including drawings or other graphic representations) that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

(16) “General Construction Storm Water Permit” means a permit required by the Utah Department of Environmental Quality, Division of Water Quality.

(17) “Hotspot” (“priority area”) means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in storm water.

(18) “Illicit connections” means either of the following:

a. Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system. Examples include, but are not limited to, any conveyances which allow non-storm water discharge, such as sewage, process wastewater, or wash water to enter the storm drain system and any connections to the storm drain system from indoor drains or sinks; regardless of whether said drain or connection had been previously allowed, permitted, or approved by government agency; or

b. Any drain or conveyance connected to or discharging to the storm drain system, which has not been (1) documented in plans, maps, or equivalent records submitted to the City, and (2) approved in writing by the City. Minor discharges as described in Section 8 (2) of this ordinance are allowed and not considered illicit connections.

(19) “Illicit discharge” means any discharge to the municipal separate storm sewer system that is not composed entirely of storm water and not specifically exempted under Section 3 (4) of this ordinance. Illicit discharges include both direct connections (e.g., wastewater piping either mistakenly or deliberately connected to the storm water system) and indirect connections (e.g., infiltration into the storm water system or spills collected by drain inlets).

(20) “Irrigation ditches” means gravity irrigation ditches used by irrigation shareowners having a right of water passageway by ROW, easement, or prescription.

(21) “Land Disturbance Permit” means Highland City Land Disturbance Permit as adopted by the City.

(22) “Land disturbing activity” means an activity on property that results in a significant change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, developing, redeveloping, demolishing, constructing, reconstructing, clearing, grading, filling, grubbing, paving, and excavating. A resident doing landscape maintenance, home gardening, etc. would not be considered a land disturbance activity.

(23) “Maintenance” means any activity that is necessary to keep a storm water facility in good working order so as to function as designed. Maintenance shall include complete reconstruction of a storm water facility if reconstruction is needed in order to restore the facility to its original operational design parameters. Maintenance shall also include the correction of any problem on the site property that may directly impair the functions of the storm water facility.

(24) “Maintenance agreement” means a document recorded in the land records that acts as a property deed restriction, and which provides for long-term maintenance of storm water management practices.

(25) “Municipal separate storm sewer system (MS4)” means the conveyances owned or operated by the municipality for the collection and transportation of storm water, including the roads and streets and their drainage systems, catch basins, detention basins, sumps, curbs, gutters, ditches, man-made channels, and storm drains.

(26) “Notice of Violation (NOV)” means whenever the City Storm Water Inspector finds that a person is in noncompliance with this ordinance, the Inspector will

order compliance by written notice of violation to the responsible person. Requirements in this Notice are at the discretion of the City Storm Water Inspector and may include monitoring, payment to cover costs relating to the noncompliance, and the implementation of Best Management Practices (BMPs).

(27) “Off-site facility” means a structural BMP located outside the subject property boundary described in the permit application for land development activity.

(28) “On-site facility” means a structural BMP located within the subject property boundary described in the permit application for land development activity.

(29) “Peak flow” means the maximum instantaneous rate of flow of water at a particular point resulting from a storm event.

(30) “Person” means any individual, corporation, partnership, association, company, or body politic, including any agency of the State of Utah and the United States government.

(31) “Pre-existing conditions” means conditions of property in its native state or changed under approval by the City or changed property that is grandfathered.

(32) “Priority area” means “hot spot” as defined in Section 2 (15).

(33) “Property owner” means the owner of record of property within the boundary of Highland City.

(34) “Runoff” means that portion of the precipitation on a drainage area that is discharged from the area into the municipal separate storm water system. Also, water produced by storms, surface drainage, snow and ice melt, and other water handled by the storm sewer drainage system.

(35) “Sediment” means solid material, both mineral and organic, that is in
suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth’s surface either above or below sea level.

(36) “Sedimentation” means soil particles suspended in storm water that can settle in stream beds and disrupt the natural flow of the stream.

(37) “Soils Report” means a study of soils on a subject property with the primary purpose of characterizing and describing the soils. The soils report shall be prepared by a qualified soils engineer, who shall be directly involved in the soil characterization either by performing the investigation or by directly supervising employees.

(38) “Stabilization” means providing adequate measures, vegetative and/or structural, that will prevent erosion from occurring.

(39) “Storm Drain Division Superintendent” means the City Storm Drain Division Superintendent, or authorized designee.

(40) “Storm water” means storm water runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration, and drainage.

(41) “Storm Water Design Standards and Regulation” means current Highland City storm water standards and regulations as adopted by the City.

(42) “Storm Water Master Plan” means current Highland City Storm Water Master Plan as adopted by the City.

(43) “Storm water management” means the programs to maintain quality and quantity of storm water runoff to pre-development levels.

(44) “Storm water management facilities system” means the drainage structures, conduits, ditches, combined sewers, sewers, and all device appurtenances by means of which storm water is collected, transported, pumped, treated, or disposed of.

(45) “Storm Water Management Plan (SWMP)” means the set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts, and techniques intended to maintain or restore quality and quantity of storm water runoff to pre-development levels.

(46) “Storm Water Pollution Prevention Plan (SWPPP)” means a set of plans showing the location of the BMPs during the different phases of construction.

(47) “Storm Water Management Program (SWMP)” means a Technical Report including a copy of the Land Disturbance Permit, Notice of Intent (if applicable), Storm Water Pollution Prevention Plan, Best Management Practices from, during, and post construction, spill prevention and countermeasure information, inspection records, and a signed and dated Certification Statement from the site operator and the consultant preparing the report.
(48) “Storm water runoff” means flow on the surface of the ground, resulting from precipitation.

(49) “Storm water utility” means the storm water utility created by ordinance of the City to administer the storm water management ordinance and other storm water rules and regulations adopted by the municipality.

(50) “Structural BMPs” means devices that are constructed to provide control of storm water runoff.

(51) “Surface water” includes waters upon the surface of the earth inbounds created naturally or artificially including, but not limited to, streams, other water courses, lakes, and reservoirs.

(52) “SWPPP” means Storm Water Pollution Prevention Plan. A set of plans showing the location of the BMPs during the different phases of construction and system management.

(53) “SWMP” means Storm Water Management Program. A Technical Report including a copy of the Land Disturbance Permit, Notice of Intent (NOI) (if applicable), Storm Water Pollution Prevention Plan during construction and post construction, storm water pollution prevention BMPs, spill prevention control and countermeasure information, inspection records and signed and dated Certification Statement from the Site Operator and the responsible person preparing the report.

(54) “Watercourse” means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

(55) “Watershed” means all the land area that contributes runoff to a particular point along a waterway.

(56) “UPDES” means the Utah Pollution Discharge Elimination System.

SECTION 3: LAND DISTURBANCE PERMITS

(1) When Required

Every person will be required to obtain a land disturbance permit from the City in the following cases:

a. Land disturbing activity that generally disturbs one (1) or more acres of land.

b. Land disturbing activity of less than one (1) acre of land if such activity is part of a larger common plan of development that affects one (1) or more acre of land;

c. Land disturbing activity of less than one (1) acre of land, if, in the discretion of the City Engineer, such activity poses a unique threat to water, or public health or safety. A unique threat may be conditions of steep slopes, poor draining soils, or adjacent to waterways;

d. Development of a single-family home;

e. Commercially processing of earthen materials such as top soil and gravel screening;

f. Construction of parking lots;

g. Creation of an impervious area (0.25 acres/10,890 square feet) constructed with compacted gravel, asphalt, or concrete pavement;

h. Creation or alteration of storm drain works or systems;

i. Excavation or disturbance of more than 1,000 cubic yards of material in any non – agricultural earth moving activity.

(2) Drainage Channels, Waterways, and Sensitive Areas

a. Property owners shall not alter or restrict natural channels and waterways without proper federal, state, and city permits.

b. Modifications of sensitive areas will require a Land Disturbance Permit and approval from all applicable governing agencies (Army Corps of Engineers, etc.).

c. Property owners proposing to redirect runoff, surface and/or channelized pipe flow to properties or facilities outside Highland City boundaries must provide written approval from the federal (if applicable), state, county or municipality or their agents.

d. Property owners are responsible for the protection of channels per the relevant sections of this ordinance.

e. Discharges or modifications to the channels require written approval from the canal owners and applicable governing agencies.

(3) Building Permit

No building permit shall be issued until the applicant has obtained a Land Disturbance Permit where the same is required by this ordinance.

(4) Exemptions

The following activities are exempt from the permit requirement:

a. Any emergency activity that is immediately necessary for the protection of life, property, or natural

resources including activities required to promote public safety, repairs to water lines and/ or other City infrastructure repairs.

b. Existing nursery and agricultural operations conducted as a predominant land use.

c. Any agricultural activity that is consistent with an approved farm conservation plan or a management plan prepared or approved by the appropriate federal, state, or city agency.

d. Additions or modifications to existing single family structures.

e. Landscape modifications resulting in disturbances below the limits identified in Section 3 (1).

f. Excavation activities necessary for public purposes approved through the City approval process.

(5) Applications for a Land Disturbance Permit

a. Each application shall include the following:

1. Name of applicant;

2. Business or residence address of applicant;

3. Name, address, and telephone number of the owner of the property of record in the office of the Utah County Assessor;

4. Address and legal description of subject property, including the tax reference number and parcel number of the subject property;

5. Name, address, and telephone number of the contractor and any subcontractor(s) who shall perform the land disturbing activity and who shall implement the erosion and sediment control plan;

6. A statement indicating the nature, extent, and purpose of the land disturbing activity including the size of the area for which the permit shall be applicable and a schedule for the starting and completion dates of the land disturbing activity.

b. The applicant shall obtain, from any other state or federal agency, any other appropriate environmental permits that pertain to the property. However, the inclusion of those permits in the application shall not foreclose the City Engineer from imposing additional development requirements and conditions, commensurate with this ordinance, on the development of property covered by those permits.

c. Each application shall be accompanied by:

1. A sediment and erosion control plan; and

2. A Storm Water Pollution Prevention Plan (SWPPP); and

3. A storm water management plan providing for storm water management during the land disturbing activity and after the activity has been completed sufficient to handle the design storm events.

d. Each application for a land disturbance permit shall be accompanied by payment of the land disturbance permit and other storm water management fees, as adopted by resolution and found in the City Fee Schedule.

(6) Review and Approval of Application

a. The City Engineer will review each application for a land disturbance permit to determine its conformance with the provisions of this
ordinance. Within fifteen (15) days after receiving an application, the City Engineer shall provide one of the following responses in writing:

1. Approval of the permit application;

2. Approval of the permit application, subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the permit subject to these conditions; or

3. Denial of the permit application, indicating the reason(s) for the denial.

b. If the City Engineer has granted conditional approval of the permit, the applicant shall submit a revised plan that conforms to the conditions established by the City Engineer. However, the applicant shall be allowed to proceed with his land disturbing activity so long as it conforms to conditions established by the City Engineer.

No development plans will be released until the land disturbance permit has been approved and all plan review fees are paid in full.

(7) Permit Duration

Every land disturbance permit shall expire and become null and void if substantial work authorized by such permit has not commenced within one hundred eighty (180) calendar days of issuance, or is not complete within eighteen (18) months from the date of the commencement of construction.

(8) Notice of Construction

a. The applicant must notify the City Public Works Department ten (10) working days in advance of the commencement of construction. Regular inspections of the storm water management system construction shall be conducted by a City Storm Drain Inspector. All inspections shall be documented and written reports shall be prepared that contain the following information:

1. The date and location of the inspection;

2. Whether construction is in compliance with the approved storm water management plan;

3. Variations from the approved construction specifications;

4. Any violations that exist and remedies the applicant is required to perform.

(9) Performance Bonds

a. The City Engineer shall require the submittal of a performance security or performance guarantee bond prior to issuance of a permit in order to ensure that the storm water pollution prevention practices are installed by the permit holder as required by the approved Storm Water Pollution Prevention Plan (SWPPP).

1. The amount of the installation performance security or performance guarantee bond shall be the total estimated construction cost of the structural BMPs approved under the permit, plus any reasonably foreseeable additional related costs.

2. The performance security shall contain forfeiture provisions for failure to complete work specified in the Storm Water Pollution Prevention Plan (SWPPP).

3. The applicant shall provide an itemized construction cost estimate, complete with unit prices, which shall be subject to acceptance, amendment or rejection by the City Engineer.

4. Alternatively, the City Engineer shall have the right to calculate the estimates for the cost of construction and review the Opinion of Probable Cost accordingly.

b. The performance security or performance guarantee bond shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed to practice in the State of Utah that the structural BMP has been installed in accordance with the approved plan and other applicable provisions of this ordinance. Completion of all final inspection punch list items and removal of all temporary control measures are also required prerequisites for release of guarantee funds.

c. A City Storm Drain Inspector will make a final inspection of the structural BMP to ensure that it is in compliance with the approved plan and the provision of this ordinance. Provisions for a partial pro-rata release of the performance security or performance guarantee bond based on the completion of various development stages may be made at the discretion of the City Engineer.

SECTION 4: STORM WATER SYSTEM DESIGN AND MANAGEMENT STANDARDS

(1) Irrigation Ditches

a. All existing irrigation ditches located within a development site or straddling a development site boundary shall be piped with a sufficiently-sized pipe and shall be coordinated with the water user, and approved by the Irrigation Company and City Engineer.

b. Storm drain discharges to private ditches require written approval from the ditch owners and design shall comply with the terms of approvals and the Storm Water Design Standards and Regulations and the Land Disturbance Permit.

c. Piping of ditches and modification to the diversion boxes require documented coordination with ditch owners or representative(s) and should receive written approval of ditch owners. Design and coordination requirements shall comply with the Storm Water Design Standards and Regulations and the Land Disturbance Permit documents.

(2) Storm Water Design and BMP Manuals

a. Adoption

The municipality adopts as its storm water design and best management practices (BMPs) manuals the following publications, which are incorporated by reference in this ordinance as if fully set out herein:

1. Highland City Storm Water Design Standards and Regulations

2. Highland City Storm Water Master Plan

3. Other guidance document for Storm used in the administration of the Highland City Storm Water

Management Program.

b. These manuals include a list of acceptable BMPs and include specific design performance criteria and operation and maintenance requirements for each storm water practice. The manuals may be updated and expanded from time to time at the discretion of the

governing body of the City, upon the recommendation of the City Engineer, based on improvements in engineering, science, monitory and local maintenance experience. Storm water facilities that are designed, constructed, and maintained in accordance with these BMP criteria will be presumed to meet the minimum water quality performance standards.

(3) General Performance Criteria for Storm Water Management

Unless granted a waiver or judged by the City Engineer to be exempt, the following post construction performance criteria shall be addressed for storm water management at all sites:

a. Design of storm drain systems in boundaries and discharges into a Highland City storm drain system require direct supervision of a Utah Registered Professional Engineer, and shall carry the seal of the same supervising professional engineer.

b. All site designs shall control the peak flow rates of storm water discharge associated with design storms specified in this ordinance or in the BMP manuals and reduce the generation of post construction storm water runoff to preconstruction levels or 100-year historical runoff flow rates. These practices should seek to utilize pervious areas for storm water treatment and to infiltrate storm water runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity.

c. The design of detention ponds shall also include the UPDES requirements for retention. If the requirements cannot be fulfilled, due to soil conditions, the property owner must request an exception to the City engineer and provide detailed soils information.

d. To protect stream channels from degradation, specific channel protection criteria shall be provided as prescribed in the BMP manuals.

e. Storm water discharges to critical areas with sensitive resources (i.e., cold water fisheries, swimming beaches, recharge areas, water supply reservoirs) may be subject to additional performance criteria, or may need to utilize or restrict certain storm water management practices.

f. Storm water discharges from “hot spots” may require the application of specific structural BMPs and pollution prevention practices.
g. Prior to or during the site design process, applicants for land disturbance permits shall consult with the City Engineer to determine if they are subject to additional storm water design requirements.

h. The calculations for determining peak flows as found in the BMP manuals shall be used for sizing all storm water facilities.

(4) Minimum Control Requirements

a. Storm water discharge during all construction activities shall comply with the terms of the Land Disturbance Permit, the Storm Water Design Standards and Regulations, and/or requirements set forth by the International Building Code and the State of Utah UPDES requirements.

b. Storm water designs shall meet the multi-stage storm frequency storage requirements as identified in the BMP manuals unless the City Engineer has granted the applicant a full or partial waiver for a

particular BMP pursuant to Section 6 of this ordinance.

c. Runoff rates from one lot to another shall not exceed pre-existing conditions, per the City Design Standards, or increase in such a manner that may unreasonably and unnecessarily cause greater harm than before.

d. If hydrologic or topographic conditions warrant greater control than that provided by the minimum control requirements, the City Engineer may impose any and all additional requirements deemed necessary to control the volume, flow velocity, timing, and rate of runoff.

(5) Storm Water Management Plan (SWMP) Requirements

Property owners are responsible to manage storm water runoff and sediment, whether in conduit systems or on the surface, that traverse or originate on their property, unless this responsibility is relinquished through the terms and conditions of an easement. The Storm Water Management Plan (SWMP) shall include sufficient information to allow the City Engineer to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing storm water generated at the project site. To accomplish this goal, the Storm Water Management Plan (SWMP) shall include the following:

a. Topographic Base Map

A 1” = 100’ feet topographic base map of the site which extends a minimum of two hundred fifty (250) feet beyond the limits of the proposed development and indicates:

1. Existing surface water drainage, including stream, ponds, culverts, ditches, sink holes, wetlands; and the type, size, elevation, etc., of nearest upstream and downstream drainage structures;

2. Current land use, including all existing structures, locations of utilities, roads, and easements;

3. All other existing significant natural and artificial features;

4. Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns, locations of utilities, roads, and easements; and the limits of clearing and grading;

5. Proposed structural BMPs;

6. A written description of the site plan and justification of proposed changes in natural conditions may also be required.

7. Tabulations shall be provided for both existing and proposed land use and surface coverage materials, with specific types of permeability characteristics.

8. When deemed necessary by the City Engineer, the Topographic Base Map and Survey shall conform to the minimum levels established by the American Land and Title Association (A.L.T.A. Survey).

b. Calculations

Hydrologic and hydraulic design calculations for the pre- development, during construction, and post-development conditions for the design storms specified in the BMP manuals. These calculations must show that the proposed storm water management measures are capable of controlling runoff from the site in compliance with this ordinance and the guidelines of the BMP manuals. Such calculations shall include:

1. A description of the design storm frequency, duration, and intensity where applicable;

2. Time of concentration;

3. Curve numbers or runoff coefficients, including assumed soil moisture conditions;

4. Peak runoff rates and total runoff volumes for each watershed area;

5. Infiltration rates verified by percolation tests or geotechnical reports, where applicable;

6. Culvert, storm water sewer, ditch, and/or other storm water conveyance capacities;

7. Flow velocities;

8. Data on the increase in rate and volume of runoff for the design storms referenced in the BMP manuals; and

9. Documentation of sources for all computation methods and field test results.

c. Soils Information

If a storm water management control measure depends on the hydrologic properties of soils (e.g., infiltration basins), then a soils report shall be submitted. The soils report shall be based upon on-site boring logs or soil pit profiles survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure.

d. Maintenance and Repair Plan

The design and planning of all storm water management facilities shall include detailed maintenance and repair procedures to
ensure their continued performance. These plans will identify the parts or components of a storm water management facility that need to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan. A permanent elevation benchmark shall be identified in the plans to assist in the periodic inspection of the facility.

e. Landscaping Plan

The applicant must present a detailed plan for management of vegetation at the site after construction is finished, including who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. Where it is required by the BMP, this plan must be prepared by a registered landscape architect licensed in the State of Utah.

(6) Maintenance Easements

The applicant must ensure access to the site for the purpose of inspection and repair by securing all the maintenance easements needed. These easements must be binding on the current property owner and all subsequent owners of the property and must be properly recorded in the land record.

(7) Maintenance Agreement

The owner of the property to be served by an on-site storm water management facility must execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners. The maintenance agreement shall:

a. Assign responsibility for the maintenance and repair of the storm water facility to the owner of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation.

b. Provide for a periodic inspection for the purpose of documenting maintenance and repair needs and ensure compliance with the purpose and requirements of this ordinance. The property owner will arrange for this inspection to be conducted by a Registered
Storm Water Inspector in the State of Utah who will submit a sealed report of the inspection to the City Public Works Department. It shall also grant permission to the City to enter the property at reasonable times and to inspect the storm water facility to ensure that it is being properly maintained.

c. Provide that the minimum maintenance and repair needs include, but are not limited to: the removal of silt, litter, and other debris, the cutting of grass, grass cuttings and vegetation removal, and the replacement of landscape vegetation, in detention and retention basins, and inlets and drainage pipes and any other storm water facilities. It shall also provide that the property owner shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the BMP manuals.

d. Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the City Engineer.

e. Provide that, if the property is not maintained or repaired within the prescribed schedule, the City Public Works Department shall perform the maintenance and repair at its expense, and bill the same to the property owner. The maintenance agreement shall also provide that the City Public Works Department's cost of performing the maintenance may be filed as a lien against the property.

(8) Dedication

The municipality shall have the discretion to accept the dedication of any existing or future storm water management facility, provided such facility meets the requirements of this ordinance, and includes adequate and perpetual access and sufficient areas, by easement or otherwise, for inspection and regular maintenance.

Any storm water facility accepted by the municipality must also meet the municipality's construction standards and any other standards and specifications that apply to the particular storm water facility in question.

(9) Sediment and Erosion Control Plans

The applicant must prepare a sediment and erosion control plan for all construction activities that complies with Section 4 (9) below.
The sediment and erosion control plan shall accurately describe the potential for soil erosion and sedimentation problems resulting from land disturbing activity and shall explain and illustrate the measures that are to be taken to control these problems. The length and complexity of the plan is to be commensurate with the size of the project, the severity of the site condition, and the potential for off-site drainage. The plan shall be sealed by a registered professional engineer licensed in the State of Utah. The plan shall also conform to the requirements found in the BMP manuals and shall include at least the following:

a. Project Description – Briefly describe the intended project and proposed land disturbing activity,

including the number of units and structures to be constructed and infrastructures required.

b. A topographic map with contour intervals of two (2) feet or less showing present conditions and proposed contours resulting from land disturbing activity.

c. All existing drainage ways, including intermittent and wet- weather. Include any designated floodways or flood plains.

d. A general description of existing land cover. Individual trees and shrubs do not need to be identified.

e. Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed, and proposed planted trees. Tree protection measures must be identified and the diameter of the area involved must also be identified on the plan and shown to scale. Information shall be supplied concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans may be submitted separately. The plan must include the sequence of implementation for tree protection measures.

f. Approximate limits of proposed clearing, grading, and filling.

g. Approximate flows of existing storm water leaving any portion of the site.

h. A general description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics.

i. Location, size, and layout of proposed storm water and sedimentation control improvements.
j. Proposed drainage network.

k. Proposed sizing for storm system piping, dewatering facilities, or other waterways.

l. Approximate flows leaving site after construction and incorporating water run-off mitigation measures. The evaluation must include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan must address the adequacy of outfalls from the development: When water is concentrated, what is the capacity of waterways, if any, accepting storm water offsite; and what measures, including infiltration, sheeting into buffers, etc., are going to be used to prevent the scouring of waterways and drainage areas off-site, etc.

m. The projected sequence of work represented by the grading, drainage, and sedimentation and erosion control plans as related to other major items of construction; beginning with the initiation of excavation and including the construction of any sediment basins or retention facilities or any other structural BMPs.

n. Specific remediation measures to prevent erosion and sedimentation run-off.

Plans shall include detailed drawings of all control measures used. Stabilization measures, including vegetation and non-vegetation measures, both temporary and permanent, will be detailed.
Detailed construction notes and a maintenance schedule shall be included for all control measures in the plan.

o. Specific details for the construction of rock pads, wash-down pads, and settling basins for controlling erosion; road access points; eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the City Engineer. Soil, sediment, and debris brought onto streets and public ways must be removed by the end of the work day by machine, broom, or shovel to the

satisfaction of the City Engineer. Failure to remove the sediment, soil, or debris shall be deemed a violation of this ordinance.

p. Proposed Structures – Location (to the extent possible) and identification of any proposed additional buildings, structures, or development on the site.

q. A description of on-site measures to be taken to recharge surface water into the ground water system through infiltration.

r. Future phasing plans and impervious areas if applicable.

SECTION 5: POST CONSTRUCTION

(1) As-Built Plans

All applicants are required to submit actual as-built plans for any structures located on-site after final construction is completed. The plan must show the final design specifications for all storm water management facilities and must be sealed by a Registered Storm Water Inspector licensed to practice in the State of Utah. A final inspection by a City Storm Drain Inspector is required before any performance security or performance guarantee bond will be released. The City Engineer shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance guarantee bond on the completion of various stages of development.

In addition, occupation permits shall not be granted until corrections to all BMPs have been implemented and accepted by the City Engineer.

(2) Landscaping and Stabilization Requirements

Any area of land from which the natural vegetative cover has been either partially or wholly cleared by development activities shall be revegetated according to a schedule approved by the City Engineer. The following criteria shall apply to revegetation efforts:

a. Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch, or its equivalent, of sufficient coverage to control erosion until such time as the cover crop is established over ninety percent (90%) of the reseeded area.

b. Replanting with native woody and herbaceous vegetation must be accompanied by placement of straw mulch, or its equivalent, of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion.

c. Any area of revegetation must exhibit survival of a minimum of seventy- five percent (75%) of the cover crop throughout the year immediately following revegetation. Revegetation must be repeated in successive years until the minimum seventy-five percent (75%) survival for one (1) year is achieved.

d. In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.

(3) Inspection of Storm Water Management Facilities

Periodic inspections of facilities shall be performed as provided for in Section 5 of this ordinance.

(4) Records of Installation and Maintenance Activities

Parties responsible for the operation and maintenance of a storm water management facility shall make records of the installation of the storm water facility, and of all maintenance and repairs to the facility, and shall retain the records for at least five (5) years. These records shall be made available to the City Storm Water Inspector during inspection of the facility and to the City Public Works Department at other reasonable times, upon request.

(5) Failure to Meet or Maintain Design or Maintenance Standards

If a responsible party fails or refuses to meet the design or maintenance standards required for storm water facilities under this ordinance, the City Public Works Department, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the storm water management facility becomes a danger to public safety or public health, the City Public Works Department shall notify, in writing, the party responsible for maintenance of the storm water management facility. Upon receipt of that notice, the responsible person shall have fifteen (15) days to effect maintenance and repair of the facility in an approved manner.

In the event that corrective action is not undertaken within that time, the City Public Works Department may take necessary corrective action. The cost of any action by the City under this section shall be charged to the responsible party.

SECTION 6: WAIVERS

(1) General

Every applicant shall provide for post construction storm water management as required by this ordinance, unless a written request is filed to waive this requirement. Request to waive the storm water management plan requirements shall be submitted to the City Public Works Department for approval.

(2) Conditions for Waiver

The minimum requirement for storm water management may be waived, in whole or in part, upon written request of the applicant; provided that at least one (1) of the following conditions applies:

a. It can be demonstrated that the proposed development is not likely to impair attainment of the objectives of this ordinance.

b. Alternative minimum requirements for on-site management of storm water discharges have been established in a storm water management plan that has been approved by the City Engineer.

c. Provisions are made to manage storm water by an off-site facility. The off-site facility must be in place and must be designed to provide the level of storm water control that is equal to, or greater than, that which would be afforded by on-site practices. Further, the facility must be operated and maintained by an entity that is legally obligated to continue the operation and maintenance of the facility.

(3) Downstream Damage, Etc. is Prohibited

In order to receive a waiver, the applicant must demonstrate to the satisfaction of the City Engineer that the waiver will not lead to any of the following conditions downstream:

a. Deterioration of existing culverts, bridges, dams, and other structures;

b. Degradation of biological functions or habitat;

c. Accelerated streambank or streambed erosion or siltation;

d. Increased threat of flood damage to public health, life, or property.

(4) Land Disturbance Permit Not to Be Issued Where Waiver Requested

No land disturbance permit shall be issued where a waiver has been requested until the waiver is granted. If no waiver is granted, the plans must be resubmitted with a storm water management plan.

SECTION 7: EXISTING LOCATIONS AND DEVELOPMENTS

(1) Requirements for All Existing Locations and Developments

The following storm water and erosion requirements shall apply to all locations and developments at which land disturbing activities have occurred previous to the enactment of this ordinance:

a. Denuded areas must be vegetated or covered under the standards and guidelines specified in the BMP manuals and on a schedule acceptable to the City Engineer.

b. Cuts and slopes must be properly covered with appropriate vegetation and/or retaining walls constructed.

c. Drainage ways shall be properly covered in vegetation or secured with rip-rap, channel lining, etc. to prevent erosion.

d. Trash, junk, rubbish, etc. shall be cleared from drainage ways.

e. Storm water runoff shall be controlled to the extent reasonable to prevent pollution of local waters. Such control measures may include, but are not limited to, the following:

1. Ponds
2. Detention pond
3. Extended detention pond
4. Wet pond
5. Alternative storage measures
6. Constructed wetlands
7. Infiltration systems
8. Infiltration/percolation trench
9. Infiltration basin.
10. Catch basin inserts/media filter
11. Sand filter
12. Filter/absorption bed
13. Filter and buffer strips

14. Open channel
15. Swale

(2) Requirements for Existing Problem Locations

The City Engineer shall, in writing, notify the owners of existing locations and developments of specific drainage, erosion, or sediment problems affecting such locations and developments, and the specific actions required to correct those problems. The notice shall also specify a reasonable time for compliance.

(3) Inspection of Existing Facilities

The City Public Works Department may, to the extent authorized by state and federal law, establish inspection programs to verify that all storm water management facilities, including those built before, as well as after the adoption of this ordinance, are functioning within design limits. These inspection programs may be established on any reasonable basis, including, but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of the municipalities UPDES storm water permit; and joint inspections with other agencies inspecting under environmental or safety laws.

Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs.

(4) Upon application for a business license, the City SD Inspector shall inspect the proposed occupation site for compliance with provisions of this ordinance. The City SD Inspector may also conduct a review or inspection of storm water compliance upon annual business license renewal application.

(5) Corrections of Problems Subject to Appeal

Corrective measures imposed by the City Storm Drain Inspector under this section are subject to appeal under Section 11 of this ordinance.

SECTION 8: ILLICIT DISCHARGES

(1) Scope

This section shall apply to all water generated on developed or undeveloped land entering the municipality’s separate storm sewer system.

(2) Prohibition of Illicit Discharges

No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of storm water. The commencement, conduct, or continuance of any non-storm water discharge to the municipal separate storm sewer system is prohibited except as described as follows:

a. Uncontaminated discharges from the following sources:

1. Water line flushing or other potable water sources,
2. Landscape irrigation or lawn watering with potable water,
3. Diverted stream flows,
4. Rising ground water,
5. Uncontaminated groundwater infiltration,
6. Uncontaminated pumped groundwater,

7. Discharges from potable water sources,
8. Foundation drains,
9. Air conditioning condensate,
10. Irrigation and secondary water,
11. Springs,
12. Water from crawl space pumps,
13. Footing drains,
14. Lawn watering runoff,
15. Individual residential car washing,
16. Flows from riparian habitats and wetlands,
17. Dechlorinated swimming pool discharges,
18. Residential street wash water,
19. Dechlorinated water reservoir discharges,
20. Discharges or flows from emergency fire-fighting activities.

(3) Prohibition of Illicit Connections

a. The construction, use, maintenance, or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.

b. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(4) Reduction of Storm Water Pollutants by the Use of Best Management Practices

Any person responsible for a property or premises which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid UPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section.

(5) Notification of Spills

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into storm water, or the municipal separate storm sewer system, shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, the person shall notify the City Public Works Department, in person or by telephone or facsimile, no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the City Public Works Department within three (3) business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least five (5) years.

SECTION 9: ENFORCEMENT

(1) Civil Enforcement Authority

The City Storm Drain Inspector shall have the authority to issue Corrective Action Notices, Notices of

Violation, and Stop Work Orders and to impose the civil penalties provided in this section.

With the approval of the Storm Water Pollution Prevention Plan and the issuance of a Land Disturbance Permit, the City Storm Drain inspector shall be permitted to enter and inspect facilities subject to this ordinance at all reasonable times and as often as necessary to determine compliance. Failure to comply with the terms of this ordinance may result in punitive actions by Highland City pursuant to Section 9 (2) of this ordinance.

(2) Notification of Civil Violation

a. Corrective Action Notice

Whenever the City Storm Drain Inspector finds that any permittee or any other person discharging storm water has violated or is violating this ordinance or a permit or order issued hereunder, the City Storm Drain Inspector may serve upon such person a Corrective Action Notice. Within seven (7) days from the issuance of the Corrective Action Notice, the site must be brought into full compliance with the Storm Water Pollution Prevention Plan (SWPPP). Failure to comply with the Corrective Action Notice within seven (7) days will result in the issuance of a Notice of Violation. Additionally, the site operator will be subject to fines and penalties as specified in Section 10.

b. Notice of Violation

When the City Storm Drain Inspector finds that any person has violated or continues to violate this ordinance or a permit or a Corrective Action Notice, he may issue an order to the violator directing that, following a specified time period, Best Management Practices (BMPs) be installed or procedures implemented and properly operated. Failure to comply with the Notice of Violation by the Site Operator may result in additional fines and issuance of a Stop Work Order.

c. Stop Work Orders

When the City Storm Drain Inspector finds that any person has violated or continues to violate this ordinance or any permit or order issued hereunder, the City Storm Drain Inspector may issue a Stop Work Order for all such violations and direct those persons in noncompliance to:

1. Comply forthwith: or

2. Take such appropriate remedial or preventative action as may be
needed to properly address a continuing or threatened violation, including halting operating and terminating the discharge.

(3) Conflicting Standards

Whenever there is a conflict between any standard contained in this ordinance and in the BMP manuals adopted by the municipality under this ordinance, the strictest standard shall prevail.

SECTION 10: PENALTIES

(1) Criminal Penalties

Under the authority provided in the Utah Code, any person violating the provisions of this ordinance is guilty of a Class "B" and may be subject to the penalties associated with a Class "B" pursuant to state law. Criminal action may be initiated without prior notice or warning to violator. Each day of violation

shall constitute a separate criminal violation.

(2) Civil Penalties

In assessing a civil penalty, the City Public Works Department may consider:

a. The harm done to the public health or the environment;

b. Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;

c. The economic benefit gained by the violator;

d. The amount of effort put forth by the violator to remedy this violation;

e. Any unusual or extraordinary enforcement costs incurred by the municipality;

f. The amount of penalty established by ordinance or resolution for specific categories of violations; and

g. Any equities of the situation which outweigh the benefits of imposing any penalty or damage assessment.

(3) Recovery of Damages and Costs

In addition to the civil penalty in subsection (2) above, the municipality may recover:

a. All damages proximately caused by the violator to the municipality, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this ordinance; or any other actual damages caused by the violation.

b. The costs of the municipality's maintenance of storm water facilities when the user of such facilities fails to maintain them as required by this ordinance.

(4) Other Remedies

The municipality may bring legal action to enjoin the continuing violation of this ordinance; and the existence of any other remedy, at law or equity, shall be no defense to any such actions. In addition to the penalties established in this ordinance, the City may refuse to renew business licenses or other permits while such a violation continues.

(5) Remedies Cumulative

The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one (1) or more of the remedies set forth herein has been sought or granted.

SECTION 11: APPEALS

Pursuant to Utah Code Annotated, Title 10 Chapter 9a, any person aggrieved by the imposition of a civil penalty or damage assessment as provided by this ordinance, may appeal said penalty or damage assessment to the municipality's governing body, as provided by the ordinances of Highland City.

SECTION 12: SEVERABILITY

If any provision or clause of this chapter, or its application thereof to any person or circumstance, is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications which can be implemented without the invalid provision, clause, or application. To this end, the provisions of this chapter are declared to be severable.

PLANNING COMMISSION AGENDA REPORT ITEM #3b

DATE:	October 27, 2026
TO:	Planning Commission
PREPARED BY:	Rob Patterson, City Attorney/Planning & Zoning Administrator
SPONSORED BY:	City Staff
SUBJECT:	Ridgeview PD Amendment - Street-Side Fencing
TYPE:	Land Use (Legislative)

PURPOSE:
The Planning Commission will hold a public hearing to consider whether to amend the Ridgeview Planned Development to allow street-side privacy fencing for corner property in the Townhome, Carriage, and Cottage pods to be on property line, rather than 14 feet from curb.

STAFF RECOMMENDATION:
Staff recommends that the Planning Commission consider the proposed amendments to the Ridgeview PD, hold a public hearing, and recommend whether to maintain current fencing requirements or to adjust street-side fencing requirements for the smaller properties in Ridgeview.

PRIOR REVIEW:
The Ridgeview Planned Development was approved in 2019. In reviewing the PD narrative and history of the development, it does not appear that the Planning Commission or City Council specifically addressed the applicability of the City's fencing code to Ridgeview.

BACKGROUND & SUMMARY OF REQUEST:
The Ridgeview PD contains numerous regulations governing the master-planned development (e.g., density, recreation areas, building size and setback requirements). However, the Ridgeview PD does not specifically address individual lot or common area fencing requirements. Without something more specific in the Ridgeview PD, fencing in Ridgeview is governed by the City's generally applicable fence code. This means, for example, that corner lots are required to set back privacy fences along street side property lines a minimum of 14 feet from top back of curb, which generally means 5 feet from the property line/sidewalk.

City staff have been working with several residents in Ridgeview regarding permitted and prohibited fencing. Like many areas in Highland, some residents have obtained fence permits for their fencing prior to installation, while others have not. Some of the fences installed without a permit are not allowed under City code due to setbacks. Staff have received complaints about the fence privacy street-side setback requirement, both from those that have complied with the requirement as part of a fence permit, and from those who did not obtain a fence permit but will be required to relocate and reinstall their fences. It appears the HOA allows privacy fencing to be along the street-side property line. While that does not limit the City's ability to set different standards, many residents speak to their HOA and receive permission without knowing that the City has stricter requirements.

In reviewing the history of the development, it does not appear that the City specifically considered the impact of the City's general fence regulation on the smaller lots allowed in Ridgeview to confirm whether the City would want to modify the normal fence regulations for Ridgeview due to its unique development plan. As staff have been working with residents in Ridgeview, staff wanted to ensure that City officials intend for the City's general fence regulations to apply to all areas of Ridgeview. If this is not the intent, staff would propose amending the Ridgeview PD narrative to reflect City officials' intent.

The Ridgeview PD delineates the development into different "pods" where different types of development and density are allowed. For the residential pods, these include "Residential Flex" pods that allow townhomes and clustered development, and Carriage, Cottage, and Estate pods. Estate pods contain the largest lots, and are allowed 2-4 units per acre, resulting in ~1/4 acre single-family lots. This puts estate pods at a similar density as some of the City's open space subdivisions.

The other types of pods and housing products are higher density. Cottage pods allow detached, single-family development on lots with a minimum size of 3,500 square feet, with a minimum street-side setback of 15 feet. Carriage pods allow detached, single-family development on lots with no minimum lot size, subject to maximum density and setback requirements, including a minimum street-side setback of 10 feet. Cluster/townhome products in Flex pods allow for attached units at up to 12 units per acre, with a minimum street-side setback of 10 feet.

With the smaller cottage and carriage lots and the cluster/townhome areas, the privacy fence street-side setback requirement has the effect of significantly decreasing the usable side yard of these properties. For a carriage lot with a 15-foot street-side setback, the normal 5-foot privacy fence setback means up to 1/3 of the side yard (5 out of 15 feet) is outside of the fence. For the townhomes and carriage products with a 10-foot street-side setback, the normal 5-foot privacy fence setback means up to 1/2 of the side yard (5 out of 10 feet) is outside of the fence. In either scenario, the property owner can opt to install open-style fencing along the street-side property line, but many would prefer to have privacy fencing. In comparison, Highland's normal residential areas have a minimum 30-foot street side setback for all homes. The normal 5-foot privacy fence setback means up to 1/6 of the side yard (5 out of 30 feet) is outside of the fence.

STAFF REVIEW & PROPOSED FINDINGS:
Under City Code, the City may amend a planned development by following the same process as required for a zone change, including a Planning Commission public hearing and recommendation. Public notice for the hearing on this item was published on October 15. No written comments have been recieved.

Staff is amenable to either keeping the current regulations and imposing the privacy fence setback on all Ridgeview lots or amending the Ridgeview PD to allow privacy fencing to be on the street-side property line for cottage, carriage, and townhome pods. Staff is not proposing to change the street-side setbacks for estate lots, because the estate lots are similar in size and density to open space subdivisions, which are subject to the street-side setback requirement. Ultimately, staff is asking for the Planning Commission and Council's confirmation as to how the City should approach fencing regulations in Ridgeview.

MOTION:
I move that the Planning Commission recommend [pick one of the following]

- maintaining current City fencing regulations for Ridgeview (no amendment)

- amending the Ridgeview Planned Development to allow street-side privacy fencing in townhome, carriage, cluster, and cottage pods to be located on the street-side property line, subject to all other applicable Highland City fencing regulations

ATTACHMENTS:

1. Residential Bulk_Proposed Revisions_8.19.21
2. Ridgeview PD - Home Site Examples
3. Ridgeview Pod Exhibit 082621
4. Ridgeview PD Fencing Amendment Proposal

Residential Bulk & Intensity Requirements

	Townhomes Pods (Pods 2, 5)	Carriage (Pods 1,6, 9, 10)			Cottage (7,11,12)	Estate (Pods 13, 14)
		Cluster/ Townhomes/ Age Targeted	Front Load	Rear Load		
Min. Lot Size	Attached, Stacked, or Clustered Units with Density Controlling Number of Units	Attached, Stacked, or Clustered Units with Density Controlling Number of Units	Attached, Stacked, or Clustered Units with Density Controlling Number of Units	Attached, Stacked, or Clustered Units with Density Controlling Number of Units	3,500 sq ft.	7,000 sq ft.
Max Units/ Acre	12	12	12	12	10	4
Min. Lot Width	NA	NA	30’	30’	35’	60’
Min. Front Yard	12’	12’ to any public ROW, 5’ to adjacent building, 2’ to adjacent shared driveways or private ROWs	15’	10’	15’ to home, 18’ to garage	20’
Min. Rear Yard (Interior Lots)	NA	12’ to any public ROW, 5’ to adjacent building, 2’ to adjacent shared driveways or private ROWs	10'	5’	15’	25’
Min. Rear Yard (Corner Lots)	NA	12’ to any public ROW, 5’ to adjacent building, 2’ to adjacent shared driveways or private ROWs	10’	10’	15’	25’
Min. Side Yard (Interior Lots)	Residential Uses 0 ft. Total Side Yards Not Less than 5’ All buildings to be a minimum of 5 ft between homes	Residential Uses 0 ft. Total Side Yards Not Less than 5’ All buildings to be a minimum of 5 ft between homes	Residential Uses 0 ft. Total Side Yards Not Less than 5’ All buildings to be a minimum of 5 ft between homes	Residential Uses 0 ft. Total Side Yards Not Less than 5’ All buildings to be a minimum of 5 ft between homes	5'	7’ on one side, 8’ on the opposite side (Total of 15’ combined)
Min. Side Yard (Corner Lots)	10’	10’	10’	10’	15'	20'
Height*	Shall not exceed 40’	Shall not exceed 40’	Shall not exceed 40’	Shall not exceed 40’	Shall not exceed 40’	Shall not exceed 35'

Deleted: 2, 5,

Deleted: 1

Deleted: Pods 2, 5, 10

Deleted: 2

Deleted: homes

Deleted: homes

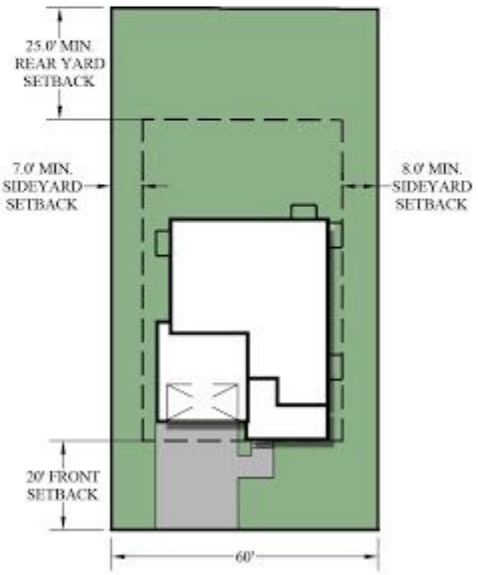
Deleted: homes

Max. Lot Coverage	NA	NA	70%	70%	65%	50%

** As measured from the highest point on the top back of curb along the lot frontage*

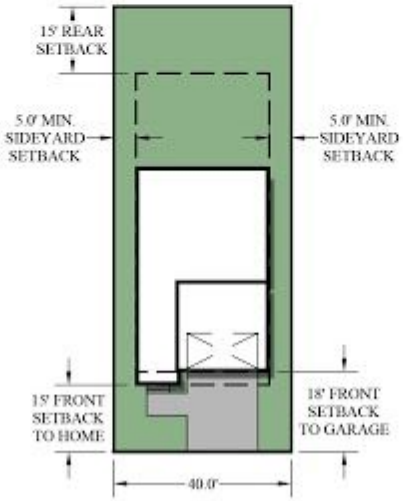
Home Site Examples

ESTATE LOT



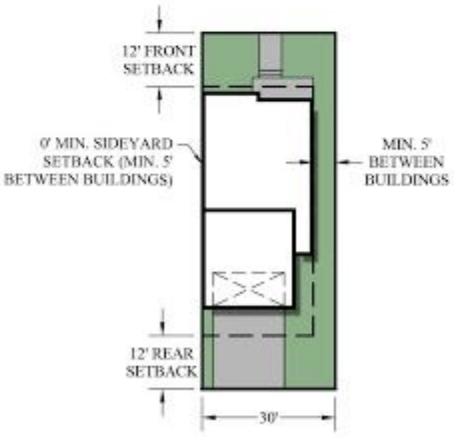
- Lot Dimensions: 60’x117’
- Area: 7,020 ft²
- Building Coverage: ±27%

COTTAGE LOT



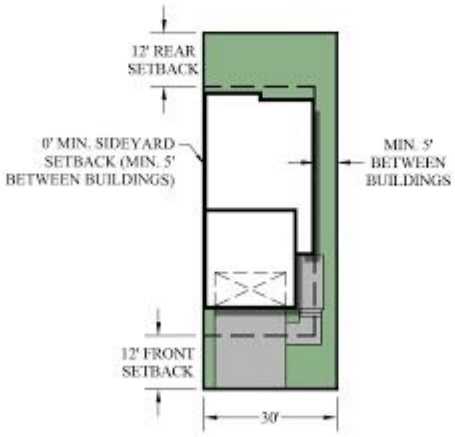
- Lot Dimensions: 40’x100’
- Area: 4,000 ft²
- Building Coverage: ±35%

CARRIAGE LOT (REAR LOAD)

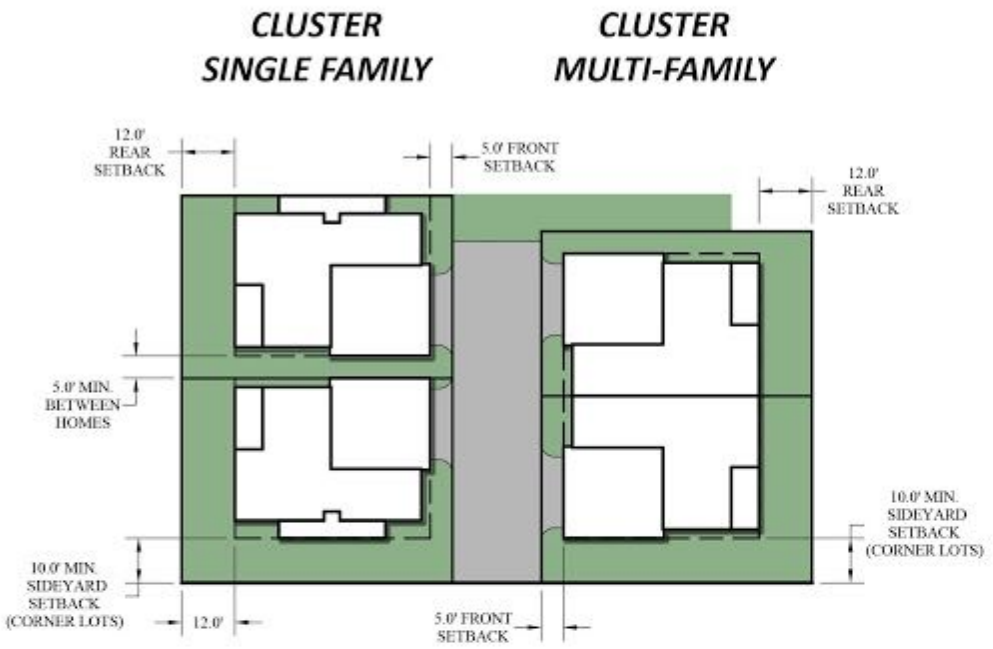


- Lot Dimensions: 30’x80’
- Lot Area: 2,400 ft²
- Building Coverage: ±50%

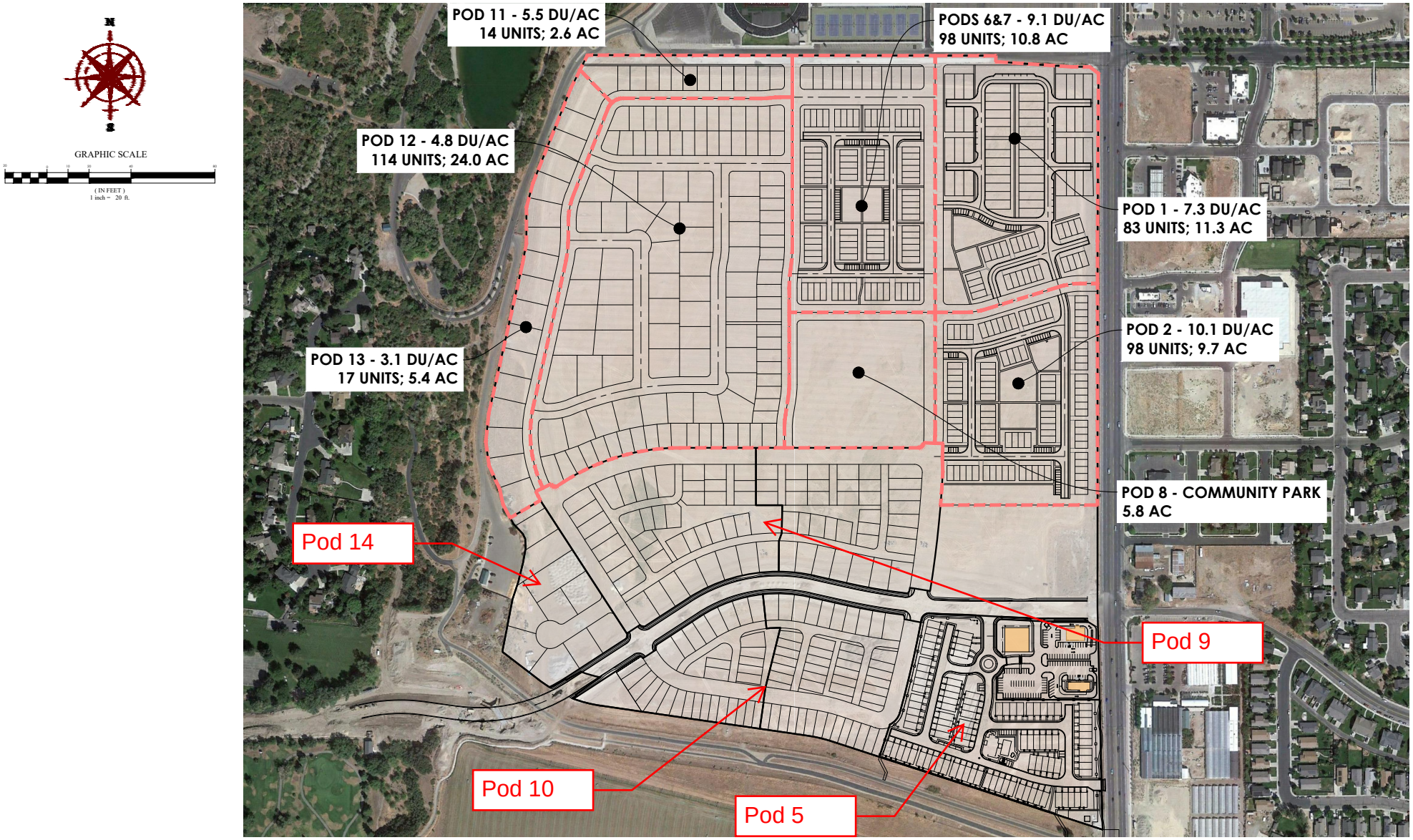
CARRIAGE LOT (FRONT LOAD)



- Lot Dimensions: 30’x80’
- Area: 2,400 ft²
- Building Coverage: ±51%



- Lot Dimensions: 41’x61’
- Lot Area: 2,806 ft²
- Building Coverage: ±58%



RIDGEVIEW pod exhibit

HIGHLAND CITY, UTAH COUNTY
8/26/2021
19-0084

Note: This plan is for illustrative purposes only. Boundaries may be based on parcels obtained through public GIS data. It is recommended that a survey be performed to determine actual boundary size and dimensions as well as other potential boundary conflicts.

FOCUS ENGINEERING AND SURVEYING, LLC

Proposed Amendment to Ridgeview PD

Street-Side Privacy Fencing

	Townhomes Pods (Pods 2, 5)	Carriage (Pods 1, 6, 9, 10)			Cottage (Pods 7,11, 12)	Estate (Pods 13, 14)
		Cluster/ Townhomes /Age Targeted	Front Load	Rear Load		
Lot or Common Area Fencing	As set forth in HDC 3-612 with the following changes: Side property line privacy fencing adjacent to a street may be installed on property line, subject to all other applicable fencing, setback, and sight triangle regulations.					As set forth in HDC 3-612