

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

(property owner)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAINTENANCE NOTIFICATION AGREEMENT FOR CATEGORY 1 STORMWATER STRUCTURAL BMPs

☐ This Maintenance Notification Agreement rescinds and replaces Doc# _____

THIS AGREEMENT is made on the _____ day of _____, 20____.

_____, the Owner(s) of the hereinafter described real property:

Address _____ Post Office Box _____ Zip Code _____.

Assessor Parcel No.(s) _____

List each Structural Best Management Practice (BMP) for the property as follows: BMP ID, Type, Permit #, Sheet #.

_____ *Attach BMP sheets and details as Exhibit A.*

Owner(s) of the above property acknowledge the existence of the stormwater Structural BMP(s) on the said property. Perpetual maintenance of the Structural BMP(s) is the requirement of the State NPDES Permit, Order No. R9-2013-0001 and subsequent amendments, Section E.3.e. and the County of San Diego Watershed Protection Ordinance (WPO) Ordinance No. 10410 Section 67.812 through Section 67.814, and County BMP Design Manual Chapters 7 & 8. In consideration of the requirement to construct and maintain Structural BMP(s), as conditioned by Discretionary Permit, Grading Permit, and/or Building Permit (as may be applicable), I/we hereby covenant and agree that:

1. I/We are the owner(s) of the existing (or to be constructed concurrently) premises located on the above described property.
2. I/We shall take the responsibility for the perpetual maintenance of the Structural BMP(s) as listed above in accordance with the maintenance plan(s) attached in *Exhibit B* and in compliance with County's self-inspection reporting and verification for as long as I/we have ownership of said property(ies).
3. I/We shall cooperate with and allow the County staff to come onto said property(ies) and perform inspection duties as prescribed by local and state regulators.
4. I/We shall inform future buyer(s) or successors of said property(ies) of the existence and perpetual maintenance requirement responsibilities for Structural BMP(s) as listed above and to ensure that such responsibility shall transfer to the future owner(s).
5. I/We will abide by all the requirements and standards of Section 67.812 through Section 67.814 of the WPO (or renumbering thereof) as it exists on the date of this Agreement, and which hereby is incorporated herein by reference.

This Agreement shall run with the land. If the subject property is conveyed to any other person, firm, or corporation, the instrument that conveys title or any interest in or to said property, or any portion thereof, shall contain a provision transferring maintenance responsibility for Structural BMP(s) to the successive owner according to the terms of this Agreement. Any violation of this Agreement is grounds for the County to impose penalties upon the property owner as prescribed in County Code of Regulatory Ordinances, Title 1, Division 8, Chapter 1 Administrative Citations §§18.101-18.116.

Owner Signature(s)

Print Owner Name(s) and Title

INSTRUCTIONS

Maintenance Notification Agreements for Category 1 Stormwater Structural BMPs should be recorded prior to request for occupancy and after the PDP SWQMP and any amendments or BMP related plan changes have been approved.

Prior to notarizing and recording the Maintenance Notification Agreement, prepare Exhibits A and B using 8.5 x 11 sheets. Maintenance Notification Agreements will **not** be accepted by the County without the exhibits attached.

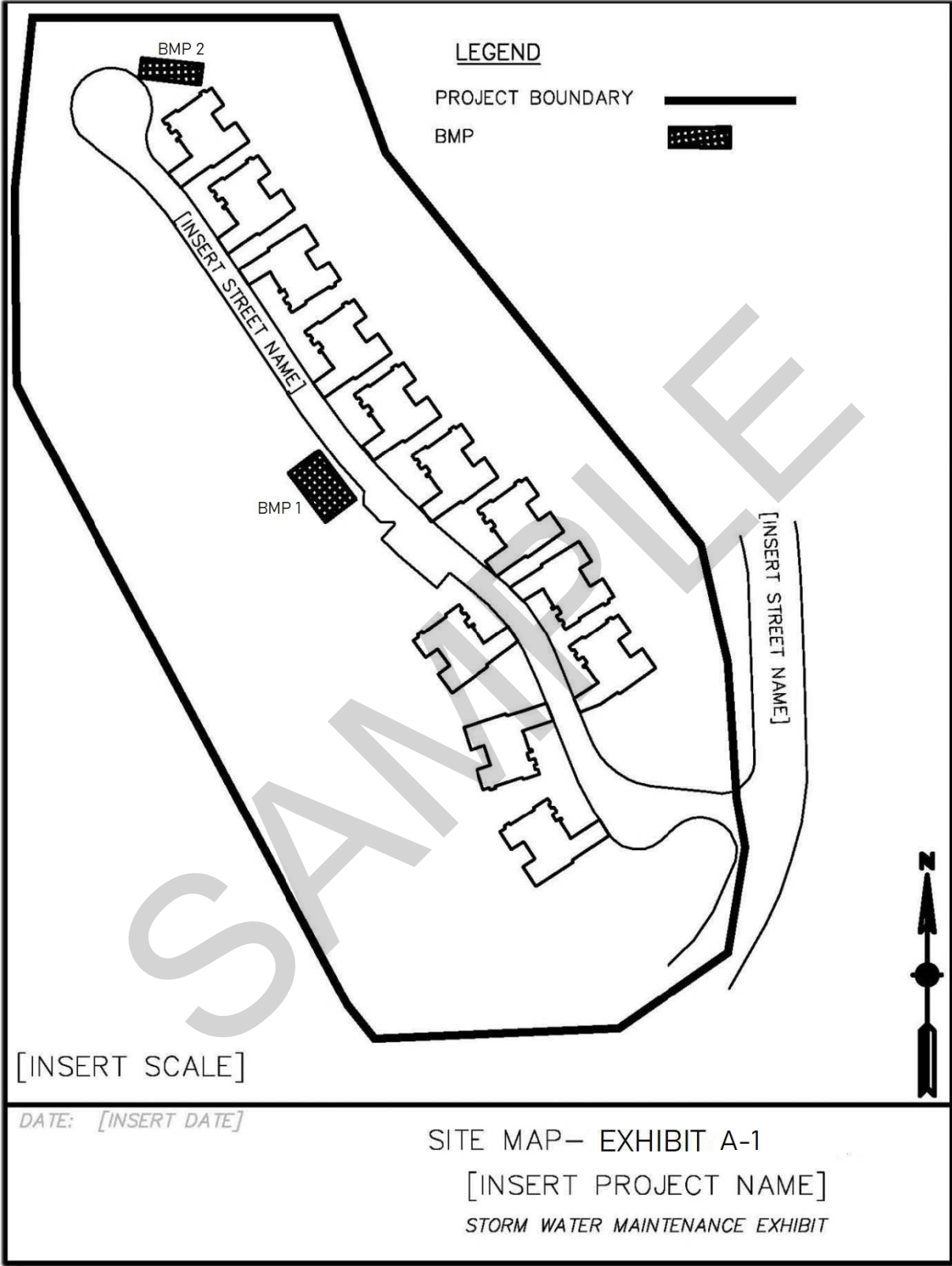
Exhibit A: Include an overall project site map and a map for each BMP and its respective Drainage Management Area (DMA). Include a BMP cross-section detail if applicable. Samples of these map types are shown in “Exhibits A-1 through A-4”.

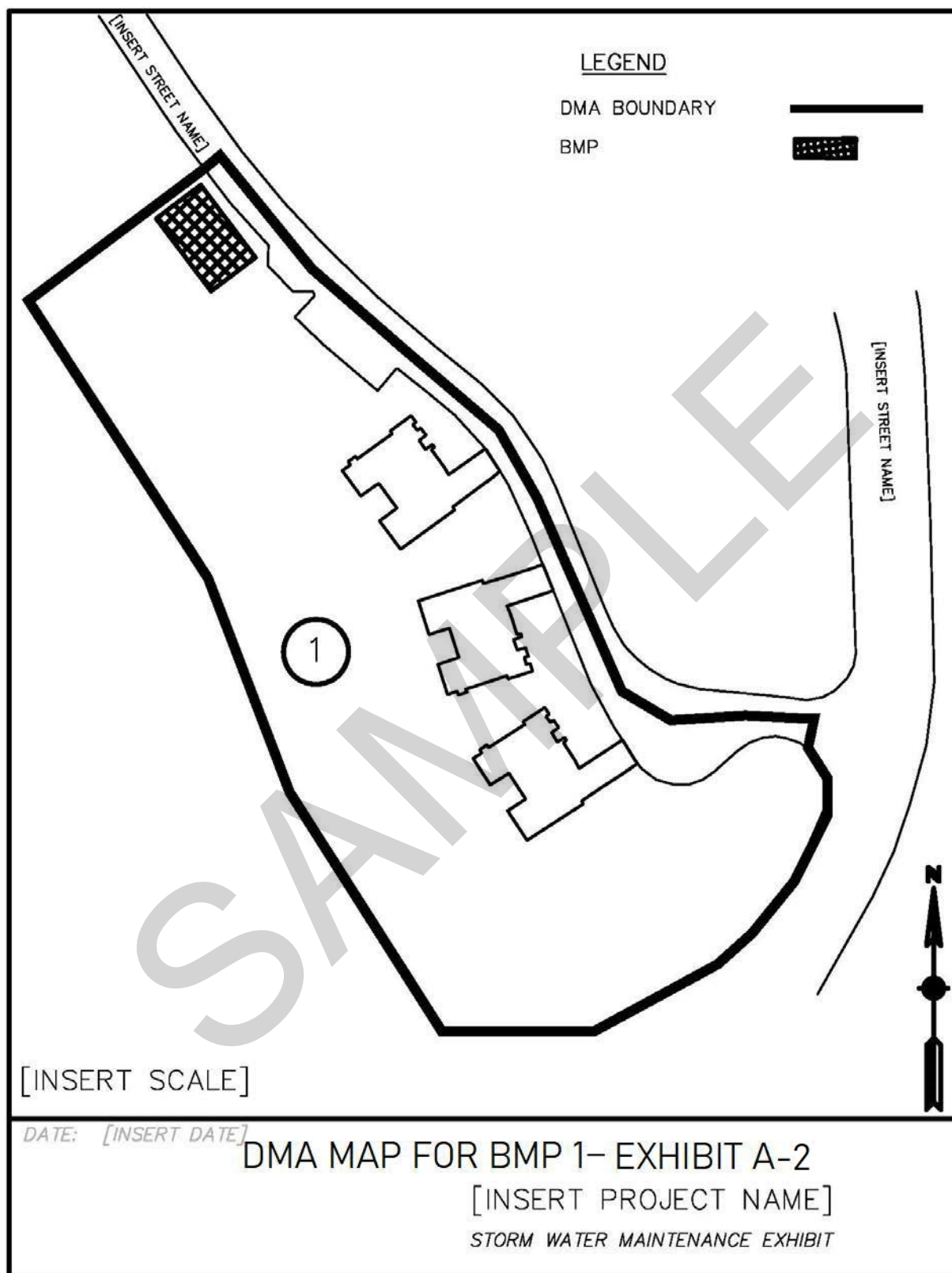
Exhibit B: Attach the maintenance plan for each BMP type as “Exhibit B”. The plans must be based on maintenance indicators presented in the BMP Design Manual Fact Sheets in Appendix E and enhanced to reflect actual proposed components of the structural BMP(s). Proprietary BMPs should include maintenance information specific to the BMP from the manufacturer. An example of a maintenance plan for a Biofiltration Basin is shown in “Exhibit B”.

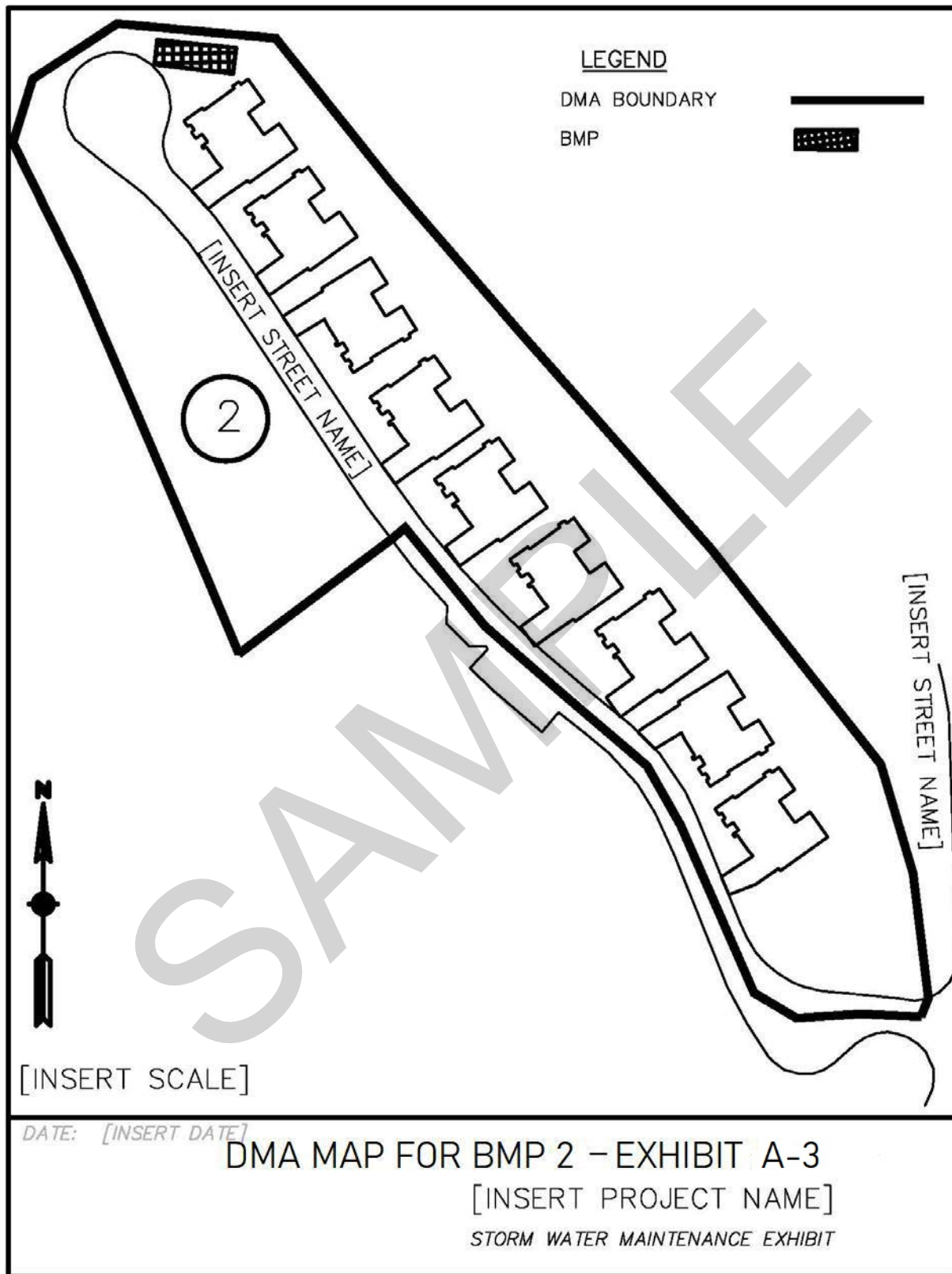
Submit the Maintenance Notification Agreement to the County inspector for your project along with SWQMP Attachment 10, the BMP Installation Verification package.

NOTE ABOUT RECORDATION:

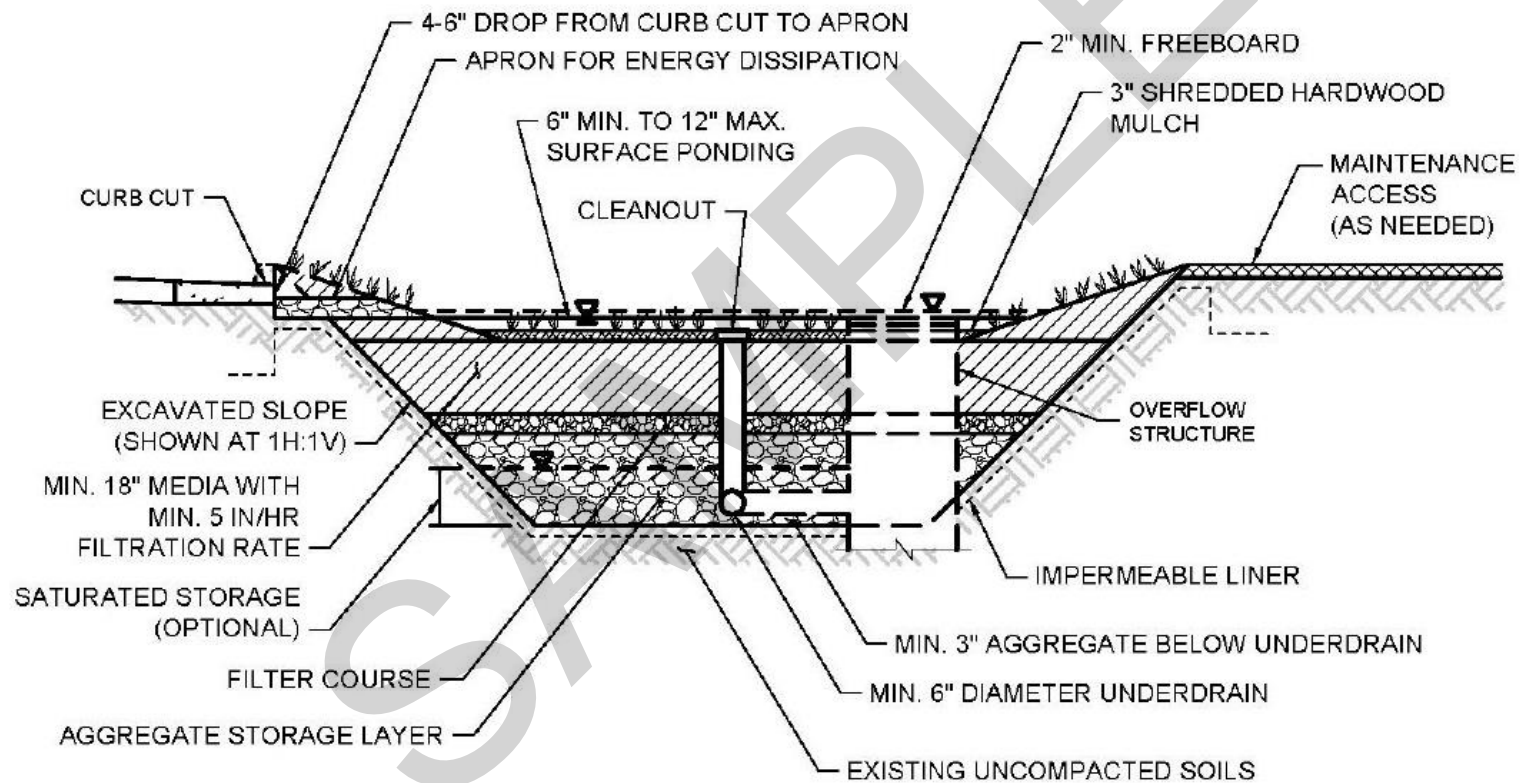
Please visit the Assessor/Recorder/County Clerk (ARCC) website <https://arcc.sdcounty.ca.gov> to schedule an appointment to have your agreement recorded. General Recording Requirements can be found here: <https://arcc.sdcounty.ca.gov/Pages/document-general.aspx>







BMP DETAILS – EXHIBIT A-4



SECTION A-A'

NOT TO SCALE

EXHIBIT B

MAINTENANCE PLAN

SUMMARY OF STANDARD INSPECTION AND MAINTENANCE FOR BF-1 BIOFILTRATION

The property owner is responsible to ensure inspection, operation and maintenance of permanent BMPs on their property unless responsibility has been formally transferred to an agency, community facilities district, homeowners association, property owners association, or other special district.

Maintenance frequencies listed in this table are average/typical frequencies. Actual maintenance needs are site-specific, and maintenance may be required more frequently. Maintenance must be performed whenever needed, based on maintenance indicators presented in this table. The BMP owner is responsible for conducting regular inspections to see when maintenance is needed based on the maintenance indicators. During the first year of operation of a structural BMP, inspection is recommended at least once prior to August 31 and then monthly from September through May. Inspection during a storm event is also recommended. After the initial period of frequent inspections, the minimum inspection and maintenance frequency can be determined based on the results of the first year inspections.

Threshold/Indicator	Maintenance Action	Typical Maintenance Frequency
Accumulation of sediment, litter, or debris	Remove and properly dispose of accumulated materials, without damage to the vegetation or compaction of the media layer.	<ul style="list-style-type: none"> Inspect monthly. If the BMP is 25% full* or more in one month, increase inspection frequency to monthly plus after every 0.1-inch or larger storm event. Remove any accumulated materials found at each inspection.
Obstructed inlet or outlet structure	Clear blockage.	<ul style="list-style-type: none"> Inspect monthly and after every 0.5-inch or larger storm event. Remove any accumulated materials found at each inspection.
Damage to structural components such as weirs, inlet or outlet structures	Repair or replace as applicable	<ul style="list-style-type: none"> Inspect annually. Maintenance when needed.
Poor vegetation establishment	Re-seed, re-plant, or re-establish vegetation per original plans.	<ul style="list-style-type: none"> Inspect monthly. Maintenance when needed.
Dead or diseased vegetation	Remove dead or diseased vegetation, re-seed, re-plant, or re-establish vegetation per original plans.	<ul style="list-style-type: none"> Inspect monthly. Maintenance when needed.
Overgrown vegetation	Mow or trim as appropriate.	<ul style="list-style-type: none"> Inspect monthly. Maintenance when needed.
2/3 of mulch has decomposed, or mulch has been removed	Remove decomposed fraction and top off with fresh mulch to a total depth of 3 inches.	<ul style="list-style-type: none"> Inspect monthly. Replenish mulch annually, or more frequently when needed based on inspection.

*"25% full" is defined as $\frac{1}{4}$ of the depth from the design bottom elevation to the crest of the outflow structure (e.g., if the height to the outflow opening is 12 inches from the bottom elevation, then the materials must be removed when there is 3 inches of accumulation – this should be marked on the outflow structure).

SUMMARY OF STANDARD INSPECTION AND MAINTENANCE FOR BF-1 BIOFILTRATION (Continued from previous page)		
Threshold/Indicator	Maintenance Action	Typical Maintenance Frequency
Erosion due to concentrated irrigation flow	Repair/re-seed/re-plant eroded areas and adjust the irrigation system.	<ul style="list-style-type: none"> • Inspect monthly. • Maintenance when needed.
Erosion due to concentrated storm water runoff flow	Repair/re-seed/re-plant eroded areas, and make appropriate corrective measures such as adding erosion control blankets, adding stone at flow entry points, or minor re-grading to restore proper drainage according to the original plan. If the issue is not corrected by restoring the BMP to the original plan and grade, the County reviewer shall be contacted prior to any additional repairs or reconstruction.	<ul style="list-style-type: none"> • Inspect after every 0.5-inch or larger storm event. If erosion due to storm water flow has been observed, increase inspection frequency to after every 0.1-inch or larger storm event. • Maintenance when needed. If the issue is not corrected by restoring the BMP to the original plan and grade, the County reviewer shall be contacted prior to any additional repairs or reconstruction.
<p>Standing water in BMP for longer than 24 hours following a storm event</p> <p>Surface ponding longer than approximately 24 hours following a storm event may be detrimental to vegetation health</p>	Make appropriate corrective measures such as adjusting irrigation system, removing obstructions of debris or invasive vegetation, clearing underdrains, or repairing/replacing clogged or compacted soils.	<ul style="list-style-type: none"> • Inspect monthly and after every 0.5-inch or larger storm event. If standing water is observed, increase inspection frequency to after every 0.1-inch or larger storm event. • Maintenance when needed.
<p>Presence of mosquitos/larvae</p> <p>For images of egg rafts, larva, pupa, and adult mosquitos, see http://www.mosquito.org/biology</p>	<p>If mosquitos/larvae are observed: first, immediately remove any standing water by dispersing to nearby landscaping; second, make corrective measures as applicable to restore BMP drainage to prevent standing water.</p> <p>If mosquitos persist following corrective measures to remove standing water, or if the BMP design does not meet the 96-hour drawdown criteria due to release rates controlled by an orifice installed on the underdrain, the County reviewer shall be contacted to determine a solution. A different BMP type, or a Vector Management Plan prepared with concurrence from the County of San Diego Department of Environmental Health, may be required.</p>	<ul style="list-style-type: none"> • Inspect monthly and after every 0.5-inch or larger storm event. If mosquitos are observed, increase inspection frequency to after every 0.1-inch or larger storm event. • Maintenance when needed.
Underdrain clogged	Clear blockage.	<ul style="list-style-type: none"> • Inspect if standing water is observed for longer than 24-96 hours following a storm event. • Maintenance when needed.