



Scope of the Storm Water Utility

I. **Transfer Agreements.** Pursuant to the Transfer Agreements SD1 has a responsibility to maintain assets “owned or maintained by the city” as a public system within the SD1 Storm Water Service Area, as evidenced by “documented ongoing maintenance”:

A. SD1 shall review maps and make revisions based upon actual knowledge (e.g., easements of record, dedicated plats, etc.) and circulate to co-permittees for review and acceptance.

B. Options for determining “documented ongoing maintenance” shall include work tickets, receipts or maintenance logs, or other documented evidence of contemporaneous maintenance.

II. **Existing Infrastructure within the SD1 Storm Water Service Area.** SD1 has duty to repair, maintain, monitor and operate the existing SD1 infrastructure and make improvements to that infrastructure as it deems necessary. Standard shall be to ensure that storm water flow stays in pipe or other infrastructure or leaves pipe and discharges to swales or waterways and does not cause significant downstream impacts (e.g., flooding or erosion).

III. **New Infrastructure within the SD1 Storm Water Service Area.** SD1 projects or projects requested by co-permittees:

A. **Standard:** Projects shall strive to meet all regulations governing development, including Q-critical and provide a level of service to the maximum extent practicable based upon existing conditions, spatial limitations and costs.

B. **Public Infrastructure Cost-share Program:** New storm water projects that will increase a level of service, using the Standard defined in “III. A.” above, may be requested by co-permittees and performed under a Board approved cost-share policy (based on budgetary funds being available) provided that the requested project will address a drainage issue that is associated with a dedicated and accepted right-of-way, impacting a right-of-way or caused by or related to public infrastructure drainage. Upon satisfactory completion of the storm water project, SD1 shall assume ownership of the new infrastructure pursuant to the terms of the Transfer Agreements.

IV. **Co-permittee Assistance within the SD1 Storm Water Service Area.** SD1 shall provide the following assistance to co-permittees, based on resource availability:

A. **Technical Assistance Program:** SD1 shall provide engineering and planning assistance (e.g., concept level studies) to co-permittees when communities need assistance identifying problems and potential solutions to storm water-related issues.

B. Culvert Cost-share Program: Per the asset transfer agreements, public culverts remain with the co-permittees, however, co-permittees shall be eligible for a cost-share program (program is for capital improvement, not maintenance) for publicly owned culverts within the storm water service area.

C. Storm Water Assistance Cost-share Program: Storm water assistance projects that will address a non-public drainage issue or non-public infrastructure maintenance, that may or may not meet the Standard defined in "III. A." above, may be requested by co-permittees and performed under a Board approved cost-share policy (based on budgetary funds being available). Upon satisfactory completion of the storm water assistance project, SD1 shall not own or maintain the infrastructure after completion of the project.