

# CPAC Meeting Comments on Elements 1 and 3 of the City's Initial Stormwater Management Plan

July 12, 2010



**Meeting Date:** July 6, 2010

## Comments about Element 1 – Structural Controls and Storm Water Collection System Operation

1. A participant asked if the City is currently authorized to inspect structural controls on private property.
2. City staff responded that we do have that authority.
3. A participant added that the limitation for that authority is that it must be within City limits. This authority does not extend out of the City as it might relate to other City services such as water distribution or sanitary sewer.
4. City staff responded that yes, our jurisdiction for this authority is just within City limits.
5. A participant asked what happens if a property owner is told to fix something but does not have the resources.
6. City staff responded that we cannot say for sure what might happen. As a last resort, the City can do the work and charge the owner for the cost of repair. However, staff would do their best to work with the owner in such a situation first.
7. A participant asked about change in ownership and if that restarted the clock for the deadline to fix any problems.
8. City staff responded that responsibility for the problem would depend on the type of property transaction. It might be part of the property transaction where a new owner would assume responsibility for the problem or it may staff with the original owner.
9. A participant asked about the reporting line.
10. City staff responded that the webform is currently up and can be found on the City's stormwater website. The Stormwater Section has decided to delay releasing a phone line for reporting concerns until several issues have been resolved. The Stormwater Section is continuing to look into coordinating with 311.
11. A participant asked if there were a statutory timeline for repair.
12. City staff responded that they do not believe a timeline for structural control repair is explicitly spelled out in the permit. Staff will look for a reasonable time based on the type of project. Examples were given where smaller projects might not require as much time whereas larger projects that require construction would need to take more time.  
*Note: Upon review of the "Structural Controls and Storm Water Collection System Operation" portion of the permit, no timeline is specified.*
13. A participant asked if the guidelines specified whether the responsible party was the owner or the operator.
14. City staff responded that this would be on a case-by-case basis based on who the problem could be reasonably assigned to. Examples were given where a structural problem (i.e. inadequate storm drain system) might be an owner's responsibility whereas a behavioral problem (i.e. dumping trash down a storm drain) might be a tenant's responsibility.

15. A participant suggested that issues of property transfer might require a closer look. City Zoning has historically dealt with problems where they were following up on a code or other enforcement, and the property was transferred just before legal resolution, which delayed the process. City Stormwater might want to work with the City attorney.
16. City staff responded that we will be working with the City legal department. Some issues Stormwater may not be able to anticipate, and we will need case-by-case legal consultation. Other issues, we will need to work with our legal staff to develop ways to deal with them.
17. A participant asked what the timeline procedure is to see that corrections have been made.
18. City staff responded that the inspection report would spell out the timeline for correction. Any Notice of Violation (NOV) needs to be met to be out of violation. The NOV would include procedures and a timeline. There cannot be a more specific timeline because it needs to be done on a case-by-case basis depending on the problem and how difficult it will be to address it.
19. A participant asked what the response time was for an NOV – for those receiving the complaint to make comment.
20. City staff responded that the NOV will include contact information if the person receiving it needs to set up alternative approaches for handling the problem.
21. A participant asked what would happen in the case of big structural repairs with unknown owners.
22. City staff responded that the complaint would probably go to legal to address who is responsible after the inspection.
23. A participant noted that the City will likely see a lot of these problems with all the old infrastructure.
24. City staff responded that identifying the responsible party would need to go through legal.
25. A participant noted that a Richland County ordinance says if a structural control with unknown ownership or no ownership is within the County easement, the County owns it; otherwise, someone else does.
26. A participant noted that the City has alleyways where literally nobody owns them and there is no City easement, so a City easement rule may not work in that situation.
27. City staff responded that if the problem were seriously impacting water quality, the City would come up with a solution and work to fix the problem even before the owner was identified.
28. A participant asked if the City has identified all of its stormwater structure.
29. City staff responded that some have already been identified, but we have four years to identify all the reasonably identifiable structures based on a watershed schedule. The City is broken up into four watersheds, where the City needs to identify structures within one watershed each year until it has covered all parts of the City.
30. A participant noted that this will be challenging due to the intense existing development.

### **Comments about Element 3 – Existing Roadways**

1. A participant asked if there are any privately owned roads within City limits.
2. City staff responded that there were a few.
3. A participant asked if the City is required to monitor road runoff.
4. City staff responded that the permit is not that specific.
5. A participant asked how many dirt roads are within the City.
6. City staff responded that we only have about two dirt roads within the City.

7. A participant asked if there were plans to change behavior about bagging trash.
8. City staff responded that it is being worked on but there are no plans as of yet.
9. A participant asked if the City does street sweeping and how often.
10. City staff responded that the City does daily street sweeping. The City also has considered a bagging ordinance, but there are a lot of issues around one.
11. City staff also mentioned that the City is watching Richland County's pilot project for bagging yard waste.
12. A participant mentioned that it was off Harbison.
13. City staff said there are roll carts for yard waste off Broad River Rd.
14. A participant mentioned that Richland County has bags and bins for yard waste. It is a voluntary effort, but it has come across as the County mandating bagging.
15. Another participant mentioned that the County is supplying carts for one neighborhood.
16. Another participant mentioned that the County may need to keep in mind promoting them after a big rain if yard waste causes flooding.
17. Another participant mentioned street sweeping.
18. City staff responded that the City sweeps daily.
19. A participant asked if the City currently has to meet State design criteria for roadways.
20. City staff responded that yes, designers need to use those criteria now.
21. A participant suggested that the City coordinate with other entities that own roads (SCDOT) on road regulations. The participant also mentioned Richland County owned roads within City limits
22. City staff responded that there used to be a County owned road within City limits, but the City took it over. Now, whenever a portion of County is annexed by the City, the City takes ownership of County roads.
23. A participant said someone needs to make sure SCDOT is following the rules.
24. City staff responded that we already work with them and keep an eye on their projects. The City also needs to make sure our projects do not affect their roads from a stormwater perspective.