

POLICY INTENT

The Southeast Metro Stormwater Authority (SEMSWA) Board has adopted a Credit Policy (*Resolution 09-22, adopted June 24, 2009*) that could reduce the Annual Fee and/or System Development Fee (SDF) some properties pay. One of the features of the Credit Policy is to provide a mechanism by which an existing property owner or other responsible party can apply for technical assistance and grant funds for retrofits of existing stormwater management facilities. Benefits of a retrofitted stormwater facility include improved functionality, reduced maintenance operations, and enhanced water quality. This Credit Policy grant funding program for retrofits promotes a partnership with SEMSWA to strategically meet common environmental goals. The purpose of this Implementation Procedure document is to clarify the process of obtaining grant funds, including determination of eligibility, program standards, application process, funding criteria, and program administration.

STATEMENT OF PURPOSE

The **Credit Policy- Grant Fund Program for Retrofit of Stormwater Facilities** (Grant Program) is defined as a technical assistance and funding program for retrofitting existing stormwater management facilities. The Grant Program will use budgeted funds each year to assist property owners or other responsible parties with the costs of upgrading stormwater facilities that have the potential to provide a benefit to SEMSWA ratepayers, including pre-treatment, treatment, overland conveyance, maintenance and landscaping enhancements to provide additional water quality controls. Altering or retrofitting an existing stormwater facility can provide better water quantity control and water quality treatment, which helps the entire stormwater system to function more effectively.

Under the direction of the Executive Director, the Grant Program is administered by the staff of the Water Quality (WQ) Program. WQ Program staff make recommendations for grant funding to the Executive Director, who evaluates the projects and presents recommendations to the SEMSWA Board, which has final approval authority.

BACKGROUND

Water quality capture volume and flow control detention have been required for all new development and redevelopment since 2007 in the City of Centennial and Arapahoe County. This requirement includes the use of such features as integrated micropools and forebays, allowing for a higher functionality, ease of maintenance, and generally helps the entire stormwater system to function more effectively. Prior to 2007, these features were not routinely incorporated in designs of stormwater facilities, leading to sedimentation, erosion, lack of vegetation, and lack of extended detention capability.

Typical upgrades to existing facilities may include the installation of forebays at inflow points, low flow channels, integrated micropools at outlet structures, additional volume capacity and water quality outlet structure upgrades. Typical retrofit projects can include the following:

- Construction of sediment collection/removal basins at inflow points to a stormwater facility

- Creating a wetland low flow channel in a detention facility to assist in uptake of nutrients
- Retrofitting an outlet structure to control release for the Water Quality Capture Volume (WQCV) or the Excess Urban Runoff Volume (EURV)
- Modifications to the detention pond volume to allow for WQCV or Full Spectrum Detention
- Retrofitting a conveyance swale to a Water Quality Enhancement (WQE) through engineered subsurface layer.
- Construction of a concrete trickle channel or construction of a hard surfaced maintenance access to allow for ease in maintenance.

As an example, a fairly straightforward retrofit might be the modification of an existing flood control only pond outlet structure to create a multi-stage outlet that incorporates water quality through restricting the outflow to encourage the extended detention of water and allowing sediments to settle out. This sediment is then removed during maintenance activities and disposed, mitigating the transport of pollutants associated with that sediment, and enhancing water quality. The Grant Program will give property owners incentive to upgrade their existing stormwater facilities which may help to lessen channel degradation in the long term, and will enhance water quality and allow for easier maintenance over time. Typical retrofit scenarios are provided in additional detail in a later section of this Implementation Procedure document to assist the Grant Program applicant to assess the enhancement benefit for their particular stormwater facility.

PROGRAM FUNDING

The Grant Program uses budgeted funds each year to assist property owners or other responsible parties with the costs of upgrading or retrofitting existing stormwater facilities. The budgeted funds are determined during each budget cycle. The annual approval of the budget and the Grant Program does not guarantee funding to all projects that meet the minimum criteria.

Funds will initially be allocated on a first come, first serve basis, but may need to be part of a priority system if the need exceeds the Grant Program funds. SEMSWA will work with the property owner or other responsible party to properly design the stormwater facility and will estimate the cost of the construction of the stormwater facility as part of the design process. The Grant Program selection process will be based on the enhanced water quality created by the retrofit, as well as the overall benefit to the regional system. The Grant Program funding will be based on the costs associated with the required site improvements. SEMSWA will be responsible for constructing and permitting the stormwater facility and will coordinate the construction with the property owner or other responsible party. The eligible costs for design and construction will be established through a Grant Agreement. A minimum of a 15% match must be provided by the Grant Program applicant. The Grant Program funding cycle will be once per calendar year.

If requests for Grant Program funds do not utilize the budgeted amount allotted, the remaining allocated funds may be used on other water quality enhancement projects at SEMSWA's discretion.

IDENTIFICATION OF POTENTIAL PROJECTS

SEMSWA will identify and select projects through the evaluation of Grant Program proposals submitted for program funding. Initially, SEMSWA will contact owners of those stormwater facilities that are known by staff as potential retrofit candidates, based on the detention pond inventory, annual inspections, and other means. SEMSWA staff will provide an overview of the Grant Program funding and offer technical assistance with the Grant Program proposal. In subsequent years, SEMSWA may consider solicitation of proposals through public meetings and selected mailings with a fact sheet describing the program and direction for contact.

ELIGIBLE PROJECTS

Homeowners Associations (HOAs), Business Owner Associations (BOAs), Metropolitan Districts, owners of non-single family residential properties, and owners of commercial or mixed use properties who are responsible for maintenance and improvement of stormwater management facilities, and who desire to retrofit facilities that would benefit the regional stormwater system, may be eligible. To qualify for the Grant Program funds, property owners need to own an existing private or sub-regional stormwater facility that can be upgraded to meet SEMSWA's goal of enhancing the stormwater system, and the retrofit must address an existing or future need for water quality treatment. SEMSWA is unable to fund projects through the Credit Policy Grant Program that do not substantially improve and enhance water quality for ratepayers.

Ineligible projects include those projects without water quality benefits, or those regional improvements identified in a Master Plan. Master Plan improvements are managed by the Capital Improvements Program (CIP) and are not eligible for Grant Program Funds. Master Plan projects may be eligible for other Credit Policy components, explained in detail in the Credit Policy document.

SELECTION OF PROJECTS

In determining selection, SEMSWA will consider the costs of the project relative to the water quality benefits achieved. The benefit analysis will be based on published pollutant removals in a qualitative fashion through adopted water quality means and methods, rather than quantitative measurements from monitoring. The extent to which the project enhances a stormwater facility that previously had no water quality benefits can be qualitatively assessed during the proposal review process for a retrofit project.

All proposals will be evaluated on the information provided in the Grant Program Application. All applications will be evaluated by the SEMSWA WQ Program, with recommendations provided to the Executive Director. Criteria will be used to guide the Board's consideration of the Executive Director's recommendations for use of grant funds. SEMSWA will also develop a project implementation procedure that will outline the standard process for constructing the selected stormwater facilities.

Project Considerations

The following are considerations for self-evaluating projects to assess applicability for funding as part of the Grant Program:

1. **Priority Watershed(s) Consideration:** *Are there additional regulatory water quality requirements for the watershed the project is located in? For example, Cherry Creek Basin has additional water quality requirements that would benefit from enhanced stormwater facilities.*
2. **Regional System Considerations:** *Is the stormwater facility part of a regional water quality system; is the detention pond a sub-regional pond or does it provide only localized detention? Generally, watershed basins west of I-25 are not part of a regional system and implementing regional water quality would have far reaching benefit to a larger tributary area.*
3. **Discharge Consideration:** *Does the facility discharge directly to state water's, e.g. to a reservoir, to a stream, or to a tributary? SEMSWA's MS4 Permit focuses efforts on protecting the water quality of receiving waters.*
4. **Ownership Consideration:** *Is the stormwater system in private ownership, public ownership, or part of private or publically owned open space? SEMSWA cannot spend public dollars on private facilities without a public easement in place.*
5. **Easement Dedication:** *Is the property owner willing to provide SEMSWA a dedicated, standard SEMSWA easement for the retrofit facility at no cost to SEMSWA? SEMSWA cannot spend public dollars on private facilities without a public easement in place.*
6. **WQ Enhancement Benefit Ratio Consideration:** *Does the proposed enhancement provide a water quality benefit that matches the construction costs? SEMSWA funds must provide a water quality benefit that meets SEMSWA service goals, specifically in that the cost of a project should provide a proportionate benefit.*
7. **Maintenance Consideration:** *Does the retrofit facility require ongoing maintenance in order to maintain the benefit associated with the retrofit?. Is the property owner willing to enter into SEMSWA's standard Maintenance Agreement and prepare an Operations and Maintenance Manual (O&M) for the retrofit facility? On-going maintenance costs and responsibilities need to be factored in to the project's total cost, as SEMSWA will evaluate the project based on not only the design and construction costs, but also the life-cycle costs.*
8. **Matching Funds Consideration:** *Is the property owner able to provide a 15% match? Applicants will be required to show a contribution of at least 15% of the project capital costs (not including operation and maintenance costs), which may consist of in-kind services, as approved by SEMSWA. Added consideration may be given to applicants contributing a greater portion of the cost. SEMSWA may elect to reduce the amount of contribution required due to demonstrated economic hardship or committed use of innovative engineering practices that further the science of retrofits, such as a pilot water quality project.*

Funding Conditions

The following conditions must be met to receive funding as part of the Grant Program:

1. The proposed retrofitted facility is in public ownership or is within a drainage easement. If the facility is not within a drainage easement, a drainage easement shall be dedicated utilizing SEMSWA's standard Drainage Easement template.

2. The owner will sign a Maintenance Agreement meeting SEMSWA's standard for maintenance.
3. The owner will enter into a Grant Agreement which outlines the terms and conditions of the grant.
4. The proposed retrofit improves or enhances water quality in a manner beneficial to SEMSWA.
5. The proposed improvements are not regional Master Plan-identified projects.
6. The facility must have received final acceptance by Arapahoe County or the City of Centennial with no time remaining on the warranty period.
7. The owner will allow SEMSWA to manage the design and construction of the proposed upgrade or retrofit.

RETROFIT DESIGN OPTIONS

Some potential retrofit options are detailed below. This is not a complete list, but can provide examples of what enhancements will be considered for the Grant Program funding. These retrofit design options can be divided into five basic categories that have the potential to provide a benefit to SEMSWA ratepayers:

- Pre-treatment
- Treatment
- Overland Conveyance
- Maintenance reduction
- Landscaping

Pre-treatment

Pre-treatment is intended to capture and remove coarse sediment and other materials before it enters the stormwater facility. Pre-treatment on site can reduce the amount of sediment and other undesirable materials that travel to the waterways. Pre-treatment can also reduce maintenance in both the water quality facility and the receiving drainageway, and can be achieved with the addition of a forebay or engineered grass buffer. Some retrofit examples include:

Add or modify Forebay: A pre-treatment retrofit might be a sediment forebay, typically concrete bottomed, utilized to hold and slowly release flows allowing for sediment to drop. Adding a forebay that is sized for a portion of the volume of water that will eventually be treated for pollutant removal reduces the maintenance burden of the detention pond by removing sediment in a smaller centralized area.

Add Minimized Disconnected Impervious Area (MDCIA) or disconnect downspouts to grassy areas and planters: Any enhancement that provides a volume reduction in stormwater runoff protects downstream channels, reduces flooding, and meets the pre-development hydrology mission of low impact development (LID). A typical pre-treatment facility might be a grass buffer utilized to route flows from an impervious area through a vegetated strip for the purpose of removing sediment.

Treatment

Treatment features enhance the ability of a pond to remove pollutants. Retrofit design considerations include maximizing the flow path to increase time of detention in the system and settling out of pollutants, and eliminating any short circuiting of the inflow. Other treatment features include shallow side slopes that have the potential for lengthening the flow path and sizing the outfall orifice to detain stormwater for a longer treatment time. A typical retrofit scenario would be to convert a simple outlet pipe to a multi-stage outlet with a low flow orifice to extend detention.

Add or modify a trickle channel: This feature can provide treatment enhancements (see *Landscaping* section) and improve maintenance capabilities, in addition to improving the conveyance properties of the detention pond. The formal channel allows for ease in removal of sediment, as it defines a low flow path for flow from the inflow point to the outflow point.

Add volume to the detention pond: A detention pond should be sized to detain the volume of stormwater runoff in the pond for a time period of 40 to 72 hours. A modification to the pond design, to increase the time that the stormwater runoff can remain in the pond, can increase the settling out of pollutants for enhanced pollutant removal.

Add or modify outlet structure orifice plate for WQCV, EURV: The addition of an outlet feature that allows sediment particles and associated pollutants to settle out can greatly enhance the functionality of a detention pond for water quality.

Stabilize side slopes to mitigate erosion: Re-grading side slopes to a shallow profile with relatively flat side slopes, generally flatter than 4:1, promotes healthy native grass growth (no bare areas that could erode), lengthens the flow path, and allows typical mowing and more feasible maintenance operations.

Overland Conveyance

Conveyance retrofit design options include stabilizing the conveyance channels to and from the pond, stabilizing the outfall, optimizing the trickle channel conveying flows within the pond, and stabilizing the emergency overflow. Typical retrofit scenarios would be the stabilizing of a rundown with geotextile and plantings, riprap, or open concrete pavers that vegetation could grow through, or separating a pond's inlet and outlet by day-lighting pipes farther from one another and/or modifying the outlet structure to prevent direct flow from the inlet to the outlet.

Stabilize outlet structure: Stormwater should be conveyed from the detention pond via a stabilized outfall that minimizes erosion potential.

Add or modify a trickle channel: This surface channel conveys flows through a detention pond in a formal manner, that minimizes short circuiting of the flow path. This provides greater contact time with either vegetation (see *Landscaping* section) for filtering of pollutants, or conveying the flows directly to the treatment micropool. It also minimizes erosion in the bottom of the pond with a defined low flow channel.

Stabilize rundown and/or emergency spillway: In order to safely convey flows into and out of the pond with a minimum of erosion, the conveyance features should be stabilized. Flows should also be

appropriately routed in an emergency overflow condition, including adequate sizing, material, stability, location, etc. of the overflow facility.

Maintenance Reduction

Several design features may ease the maintenance burden associated with a detention pond, including micropools, modified trash rack or outlet structure, and appropriate maintenance access. Sediment and debris removal performed on a routine basis is critical to the functionality of the pond and is the obligation of the property owner. Routine maintenance is mandatory for retrofit design and Grant Program funding. A typical retrofit scenario would be the replacement of a loose gravel access path with either a geotextile fabric and appropriate vegetation; turf re-enforced material placed on the maintenance access surface for stabilization; concrete; or similar stable material.

Add or modify a micropool: A micropool at the outlet structure can prevent re-suspension of sediment and outlet clogging, resulting in enhanced pollutant removal and a better functioning pond.

Add or modify an outlet structure: A modification in design of the outlet structure, allowing for interplay between the outlet structure and micropool, has the potential to minimize clogging that can be caused by floating debris.

Add or modify a trash rack or well screen: A trash rack protects the orifices of the outlet structure from clogging, and allows for easier maintenance through raking debris off the trash rack or well screen.

Add or modify maintenance access: Appropriate and functioning access to the forebay and micropool is critical to ease the maintenance burden of the detention pond.

Landscaping

A vegetated buffer adjacent to a treatment facility or drainageway, and along the side slopes of a pond, assists in attenuating and filtering stormwater runoff and reduces erosion potential. A typical retrofit scenario would be enhanced vegetation along the edge of a pond to slow and reduce overland runoff into the pond, as well as re-contouring of the bottom of the pond with a meandering wetland low flow channel with a diverse mix of plants to promote filtration and infiltration in the pond.

Vegetated swale to increase flow path: A swale is a naturalized depression area planned to intercept stormwater and infiltrate it along its flow path, which can provide further stormwater treatment.

Enhance vegetation for filtering and pollutant uptake: Incorporating native plantings to 1) extend the basin's trickle channel flow path contoured to the natural surroundings to increase flow path and provide further filtration and uptake of pollutants, 2) stabilize side slopes and minimize erosion, and/or 3) enhance uptake with vegetation in the shallow depressions or settling areas of the basin. These enhancements involve native species typical to the level of moisture expected to be encountered in the detention pond. Plant selection within the portion of the pond up to the elevation where stormwater runoff will be detained needs to withstand both wet and dry periods.

APPLICATION PROCESS

SEMSWA requires that potential retrofit projects apply for Grant Program funding through a formal Credit Policy - Grant Program Application process. The Grant Program is extended only to properties with stormwater facilities that apply for and demonstrate that they qualify for retrofit. This means that property owners must make an investment of time and money in order to obtain Grant Program funds.

The Applicant must initially complete the Application process. The Application process forms are contained in **Appendix C**, including an example application letter, the Application Form, and the application checklist. The Right-of-Entry form is contained in **Appendix D**.

Funding cycles

The grant funding cycle will be once per calendar year, with applications to be received by January 15th.

Directions

- Submit only one application form per project.
- Application must be in original format and typewritten; no handwritten applications will be accepted.
- All sections must be completed; incomplete applications will be returned.
- Applications must be signed and dated. Please include a map of the project location and photographs of the proposed project site.
- Include either the Construction Documents for the stormwater facility or the as-builts for the facility. These documents are generally available at the City of Centennial or Arapahoe County public records division. If no plans available, a survey of the facility will be required, at the applicant's cost.
- Applicants must include a letter from their sponsoring organization's governing body supporting the application and committing matching funds or resources (i.e. HOA Board Chair, company official, or other entity with power to commit funds).
- A completed Right of Entry Form to allow SEMSWA to access the property to verify the information included on the application.
- A completed Checklist to ensure that all requirements have been met.
- Send 3 originals of the Application to:
 - Electronically: AByerley@semswa.org
 - By mail: Ashley Byerley, SEMSWA, 76 Inverness Drive East, Suite A, Centennial, CO 80112
- Must be received by March 15th for consideration of funding for that calendar year.

COORDINATION WITH PLANNING AGENCIES

SEMSWA staff will coordinate the design plans with the City of Centennial or Arapahoe County for review and comment. The submittal will contain the project location, describe the enhancement to water quality with the project, and the project design and construction specifications. The review will alert SEMSWA to any Land Use Code problem or planning inconsistency.

CRITERIA FOR RANKING PROPOSALS

A matrix of the Grant Program proposal criteria has been prepared (**Appendix B**). Points will be awarded based on the following considerations:

1. **Scope of work and overall quality of project proposed:** Does the proposal provide a clear, complete and well-thought out scope that directly addresses a retrofit project that enhances the stormwater system, and an understanding of work required to fully implement and complete the project? Must include supporting maps and any relevant diagrams and/or pictures. (15%)
2. **Project effort relative to project benefits:** How is this project cost-effective; are the cost outlays in line with the probable benefit for the improvement? Is there substantial land disturbance and earthwork activities and re-configuring of the pond layout (high cost); does the increased volume and estimated benefits of the WQ pond components match the outlay? Does it demonstrate innovation and productivity? Does it advance LID principles? Is there additional match funding available? (20%)
3. **Water quality enhancement, improved hydrology:** Is this a location that benefits the regional system? Is the location up-gradient of an impaired water body or stream segment? Does the project have the potential to result in a reduction in pollutant loading? Does the project enhance the significant natural resources, including wetlands, riparian area, and wildlife habitat? Does it provide a reduction in erosion and sediment control? Does it provide for reduction in flows as it relates to LID? Does the project promote infiltration (LID) whenever feasible? Does the project ease the maintenance burden of the facility or on the regional system? (50%)
4. **Local Support:** Does the project leverage limited funds? Does it provide for efficient and cost-effective use of public infrastructure investment? Does it have broad sector support? Does it enhance education and outreach to community? Has adequate maintenance of the facility been demonstrated? Are there other partners involved (community organizations)? (5%)
5. **Readiness to proceed:** Are the ownership/easement issues documented? Is the property in public ownership or an easement? Is the owner legally able to convey to SEMSWA Permanent Drainage Easement? (5%)
6. **Ratepayer impact/Public Value:** Does it enhance community character and quality of life? Does it advance intergovernmental efforts to resolve shared problems? Does it enhance open space and scenic areas? Does the retrofit have a design life of 20 years? (5%)

SEMSWA is also awarding points based on the following additional benefit consideration:

- **Additional Considerations (Bonus):** Is this an innovative project that can be used as a pilot project for evaluating future retrofit technology? Are there additional benefits to the stormwater system (e.g. floodplain management)? (5%)

IMPLEMENTATION PROCEDURES

In general, the implementation procedure for authorizing Grant Program funds will include:

- ✓ A completed Credit Policy - Grant Program Application Form (**Appendix C**)
- ✓ A completed Right-of-Entry Form for the mandatory SEMSWA inspection of the property (**Appendix D**)
- ✓ Approved Permanent Drainage Easement (**Appendix E**)

When all requirements and conditions are met and funding is available, the Grant Program funds will be authorized upon successful completion of the project design. SEMSWA will be responsible for constructing and permitting the stormwater facility and will coordinate the construction with the property owner or other responsible party. SEMSWA will also develop a project implementation procedure that will outline the standard process for constructing the selected stormwater facilities.

PROGRAM ADMINISTRATION

Under the direction of the Executive Director, the Grant Program is administered by the staff of the WQ Program. WQ Program staff make recommendations for grant funding to the Executive Director, who evaluates the projects and presents recommendations to the SEMSWA Board, which has final approval authority.

APPENDIX A: DEFINITIONS

Credits are conditional reductions in the fee assessment to an individual property owner based on the provisions of this Credit Policy.

Development is any change in the use of land that creates additional demand or a change in demand on the stormwater system and need for public facilities.

Detention Facility is a facility constructed for the purpose of mitigating stormwater runoff from a developed site to control the peak discharge rates (normally maintained as a dry basin); flood control facility.

Full Spectrum Detention is the detention approach based on capturing the Excess Urban Runoff Volume and then releasing that volume slowly resulting in hydrograph shapes that approximates pre-development conditions.

Maintenance is cleaning, spraying, removing obstructions from and making repairs to a drainage facility so that it will perform the functions for which it was designed and constructed. Maintenance expectations are included in the Maintenance Agreement for the facility.

Maintenance Agreement is a legal agreement between the owner of a quantity or quality facility and SEMSWA, utilizing SEMSWA's standard template.

Master Plan improvement is a project designed to take into consideration the impacts of urbanization and increased impervious area on a watershed basis; formal Master Plans are conducted by Urban Drainage and Flood Control District (UDFCD).

Regional Detention Facility is a facility that serves several developments, has a tributary area greater than 130 acres, is typically online, and is part of a stormwater system that is master planned for optimization of quantity and quality controls.

Requirements are the minimum standards as established by SEMSWA through the Stormwater Management Manual, other applicable adopted criteria, policies, and standard procedures.

Stormwater Facilities are all ditches, channels, conduits, retention/detention systems, swales, sewers, and associated appurtenances, and other natural or artificial means of managing stormwater to include the purposes of conveyance, control, quantity, and quality.

Stormwater Improvements are site improvements and facilities that are planned and designed to provide service for development resulting from a development activity and are necessary for the use and convenience of the occupants or users of development and to meet regulatory requirements.

Sub-regional Detention Facility is a facility that serves more than 1 parcel and is not part of a regional master-planned system.

Water Quality Capture Volume is a storage capacity released slowly, over 12 to 40 hours, and is based roughly on the 80th percentile runoff.

Water Quality Enhancement is a formal water quality facility engineered for treatment without volume control considerations.

Water Quality Facility is a facility constructed for the purpose of treating stormwater runoff from a developed site in accordance with the Stormwater Management Manual, UDFCD, or other accepted water quality practice.

Appendix B – Grant Program Proposal Ranking Matrix

Criteria	Description	Points
Quality of Proposal (15%)		(15)
	Clear, complete scope	(5)
	Addresses WQ issues	(5)
	Understanding of project	(3)
	Support material	(2)
Project Benefit and Cost (20%)		(20)
	Cost Effectiveness	(5)
	Benefit to watershed	(5)
	Additional match funding	(5)
	Cost vs. Benefit Ratio	(5)
Water Quality Enhancement and Improved Hydrology considerations (50%)		(50)
	Cherry Creek Basin	(10)
	Tributary to Cherry Creek	(5)
	Other Identified Watershed	(2)
	LID Impact	(10)
	Adjacent to Waters of State	(5)
	Pre-treatment fulfillment	(5)
	Treatment fulfillment	(5)
	Provided MS4 enhancement	(3)
	Eases maintenance	(5)
Local Support (5%)		(5)
	Broad Support	(1)
	Enhance education	(1)
	Routine Maintenance	(2)
	Community Support	(1)
Readiness to Proceed (5%)		(5)
Impact/Value (5%)		(5)
	Resolve Defined Problem	(3)
	Enhance Open Space	(1)
	Life Cycle Analyzed	(1)
100%		100 points
Additional Considerations (5%)(BONUS)		(5)
	Innovative/Pilot Project	(4)
	Additional Benefit	(1)

Appendix C – Application Process Forms

SAMPLE APPLICATION LETTER

Insert Applicant Name

Insert Applicant Address

Insert Applicant City, State, Zip

Insert Date

Southeast Metro Stormwater Authority (SEMSWA) 76 Inverness Drive East, Suite A
Englewood, Colorado 80111

Re: *Application for Grant Funding*
 Insert Location of Stormwater Facility

Dear Grant Program Coordinator,

I represent the *insert organization you represent*, and we hereby request that you consider our application for the SEMSWA Grant Fund Program for the Retrofit of Stormwater Facilities. *Discuss the stormwater facility that you are interested in receiving the retrofit funds for, why you believe it needs to be retrofitted, and which retrofit design option you'd like to pursue for your stormwater facility.*

We've reviewed the Grant Fund Program, and believe we meet the seven criterion that will be utilized to rank the proposals by *generally discuss how the criterion have been met.*

We've attached the following for your consideration:

- A completed application form, signed and dated
- A map of the project location
- Photographs of the proposed project site
- Construction Documents OR As-Built for the stormwater facility OR a survey of the property
- Letter from sponsoring organization's governing body supporting the application and committing matching funds or resources
- A completed Checklist

Thank you for your consideration of this proposal.

Sincerely,

Insert Name

GRANT FUND APPLICATION FORM*PAGE 1 OF 3*

Name of Applicant Agency or Organization

Mailing Address

City

Zip

Contact Person

Title

Phone

Email Address

Applicant Status: (check one)

- ☐ Local Government, School District or other political subdivision
- ☐ Homeowners Association
- ☐ Commercial Property Owner
- ☐ Business Association
- ☐ Other: Define _____

Name of Project: _____

Location of Project: City

Street Address/Intersection

Drainage Basin

Parcel Number (if known): _____

Who owns the property with the stormwater facility? _____

Signature of Responsible Agent:

"I hereby certify that the information in this application is true and correct to the best of my knowledge. I understand this application will be rated on the basis of information submitted and that incorrect data can result in this application being withdrawn for consideration for funding. If the organization is awarded grant funding, we hereby agree to forward the matching funds in a timely manner and will abide by all terms and conditions. I certify that I can guarantee that funding is available, and that we are willing to dedicated a drainage easement and enter into a Maintenance Agreement for the facility submitted herein.

Signature

Title/Organization

Date

1. Project Identification: Please identify the basic elements of your proposed project. Include a statement identifying the needs to be addressed and how the project addresses those needs.

Scope of Work and Overall quality of project proposed: Does the proposal provide a clear, complete and well-thought out scope that directly addresses a retrofit project that enhances the stormwater system, and an understanding of work required to fully implement and complete the project? Must include supporting maps and any relevant diagrams and/or pictures. (15%)

Project effort relative to project benefits: How is this project cost-effective; are the cost outlays in line with the probable benefit for the improvement? Is there is a lot of grading and re-configuring of the pond layout (high cost); does the increased volume and estimated benefits of the WQ pond components match the outlay? Does it demonstrate innovation and productivity? Does it advance LID principles? Is there additional match funding available? (20%)

Water quality enhancement, improved hydrology: Is this a location that benefits the regional system? Is the location up-gradient of an impaired water body or stream segment? Does the project result in a reduction in pollutant loading (how figure this out)? Does the project enhance the significant natural resources, including wetlands, riparian area, and wildlife habitat? Does it provide a reduction in erosion control and sedimentation? Does it provide for reduction in flows as it relates to LID? Does the project promote infiltration (LID) whenever feasible? (50%)

Local Support: Does the project leverage limited funds? Does it provide for efficient and cost-effective use of public infrastructure investment? Does it have broad sector support? Does it enhance education and outreach to community? Has adequate maintenance of the facility been demonstrated? Are there other partners involved (community organizations)? (5%)

Readiness to proceed: Are the ownership/easement issues documented? Is the property in public ownership or an easement? (5%)

Ratepayer impact/Public Value: Does it enhance community character and quality of life? Does it advance intergovernmental efforts to resolve shared problems? Does it enhance open space and scenic areas? Does the retrofit have a design life of 20 years? (5%)

Additional Consideration (Bonus): Is this an innovative project that can be used as a pilot project for evaluating future retrofit technology? Are there additional benefits to the stormwater system (floodplain management)? (5%)

2. **Operation and Maintenance:** Identify the responsible party/agency and source of funding that will support maintenance of the project once it is complete.

3. **Partnership Involvement:** Describe the partnerships established between your organization and other local governments, public citizens, community organizations and or other HOAs and the roles of each .

4. **Matching Contributions:** Identify the contribution in terms of type, quantity or value and source.

APPLICATION SUBMITTAL CHECKLIST

- ☐ Completed Application Form, one project only, typewritten
- ☐ Completed Project Description
- ☐ Owner/Governing party letter of support
- ☐ Application signed and dated
- ☐ Maps and diagrams attached
- ☐ Construction documents, As-Built, photos attached to application
- ☐ Completed Checklist
- ☐ 3 originals of Application
- ☐ Mailed to abyerley@semswa.org or Ashley Byerley, SEMSWA, 76 Inverness Drive East, Suite A, Centennial, CO 80112

APPENDIX D - RIGHT-OF-ENTRY FORM

_____ Hereinafter "Owner" and Southeast Metro Stormwater Authority, hereinafter "SEMSWA" in consideration of the mutual promises of the Owner and SEMSWA hereinafter contained, agree upon the following terms for the entry of SEMSWA and its representatives as set forth herein upon the real estate hereinafter described:

Owner hereby grants SEMSWA, its employees, agents, consulting engineers, contractors and other representatives the right to enter upon the above described real estate on and after _____, _____, _____, for the purpose of inspection of an on-site stormwater improvement.

Owner hereby covenants with SEMSWA that it/he/she/they are the true and lawful owner of the above described real estate and are lawfully seized of the same in fee simple and has/have the right and full power to grant this right of entry, which right of entry shall automatically terminate on completion of the above described inspections.

Owner will not charge SEMSWA rent or other compensation during the period of time SEMSWA utilizes the said real estate for purposes aforesaid under the provisions of this Right of Entry.

IN WITNESS WHEREOF, the parties have caused their respective names to be signed hereto on the ____ day of _____, 20____.

Owner

SEMSWA Representative

APPENDIX E - PERMANENT DRAINAGE EASEMENT**PERMANENT DRAINAGE EASEMENT**

This PERMANENT DRAINAGE EASEMENT ("Easement") is granted this _____ day of _____, 2010, by _____, whose legal address is _____ ("The Grantor"), to the Southeast Metro Stormwater Authority, whose legal address is 76 Inverness Drive East, Suite. A, Centennial, CO, 80112 ("The Grantee").

- A. Grantor is the owner of the property referred to as _____, Arapahoe County, Colorado.
- B. Presently Tract ____ is for _____ pursuant to the terms of the plat for _____ filed in the office of the County Clerk and Recorder of Arapahoe County on (date), in Book____, Page____, at Reception No. _____.

For and in consideration of the sum of One Dollars (\$1.00) and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged by the Grantor, the Grantor hereby grants, bargains, sells and conveys to the Grantee, its transferees and successors in title or assigns, a Permanent Drainage Easement to construct, reconstruct, install, operate, use, maintain, repair, replace and/or remove drainage improvements, in, on, to, through, over, under and across a certain parcel of real property located in the Arapahoe County, Colorado, as more particularly described as _____ (the "Easement Parcel") pursuant to the following terms and conditions:

1. The Grantee, its contractors, agents, successors and permitted assigns shall have and exercise the right of perpetual ingress and egress in, to, through, over, under and across the Easement Parcel for any purpose necessary and, at any and all times necessary or convenient, for the full enjoyment of the rights granted it in the Easement.
2. The Grantee, its contractors, agents, successors and permitted assigns, shall have the right to enter upon the Easement Parcel and to survey, construct, reconstruct, operate, use, maintain, repair, upgrade, replace and remove the improvements made within the Easement, and to remove objects interfering therewith.
3. The Grantee shall have and exercise the right of subjacent and lateral support to whatever extent is necessary or desirable for the operation and maintenance of the drainage improvements. The Grantor shall not take any action which would impair the lateral or subjacent support for the drainage improvements.

4. The Grantee shall have the right and authority to assign to any appropriate local governmental entity, or to any public utility provider, any and all rights to use, and all rights and obligations associated with, the Easement as are granted to and accepted by the Grantee herein.
5. The Grantee agrees that at such time and in the event that the Easement described herein be abandoned by the Grantee and any assignee, such Easement shall terminate and the real property interest represented by such Easement shall revert to the Grantor, its heirs, successors and/or assigns. Because of the potentially infrequent nature of the allowed use of the Easement, mere non-use of the Easement Parcel notwithstanding, the length of time of such non-use shall not constitute abandonment.
6. The Grantor warrants, covenants, grants, bargains and agrees that, to the best of its knowledge, the Grantor is well seized of the Easement Parcel above conveyed and has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restriction of whatever kind or nature so ever, except matters of record.
7. Each and every one of the benefits and burdens of the Easement shall inure to and be binding upon the respective legal representatives, administrators, successors and permitted assigns of the Grantor and the Grantee.
8. The consideration set forth above includes full and just compensation.
9. In further consideration hereof, Grantor, for itself and its transferees and successors in title or assigns, covenants and agrees that no building, structure, fill of soils or other materials, or other above or below ground obstruction that will interfere with the established drainage or the purposes of this Easement, will be placed, erected, or installed on behalf of the Grantor on the Easement Parcel or permitted by Grantor without written authorization of Grantee, which will not be unreasonably withheld. Nothing in this Paragraph shall prohibit Grantor from maintaining, repairing and replacing existing buildings, structures, fill of soils or other materials, or other above or below ground obstructions in its normal course of business as long as the same does not interfere with the purposes of this Easement. Grantor covenants and agrees that in the event the terms of this paragraph are violated by Grantor, its transferees and successors in title or assigns, such violation shall be corrected and eliminated within ninety (90) calendar days after the receipt of notice from Grantee. If such corrections are not made or diligently pursued by Grantor, its transferees and successors in title or assigns, or whoever is the current owner of the fee title to the Easement Parcel, if different from Grantor, within said ninety day period, Grantee, after written notice to Grantor, shall have the right to correct and eliminate such violation, and Grantor, its transferees and successors in title or assigns, or whoever

is the current owner of the fee title to the real property described as the Easement Parcel, if different from Grantor shall promptly pay the actual costs thereof.

10. Although Grantee is granted herein the authority to maintain drainage improvements on Grantor's property, that grant shall in no way be construed to require Grantee to perform any maintenance on such drainage improvements. It is specifically understood and agreed to by and between Grantor and Grantee that any such maintenance of drainage improvements is contingent upon the approval of and budgeting for such maintenance by the Board of Directors of Grantee, neither of which can be guaranteed. Notwithstanding anything herein, all rights and obligations as set forth on the plats for _____, recorded on _____, _____, at Reception No. _____, Arapahoe County records, shall remain in full force and effect.

[SIGNATURE ON FOLLOWING PAGE]

GRANTOR:

By _____
President

STATE OF COLORADO)
) **ss.**
County of Arapahoe)

The foregoing Permanent Drainage Easement was acknowledged before me this _____ day of _____, 2010, by _____ as President of _____
Witness my hand and official seal:

Notary Public _____

My commission expires: _____