



Say hello to a great place to live, work and play.



Northwood Drive Storm Improvements



ARRO Senior Apartments Detention Basin



Buresh Construction Detention Basin

NPDES Permit #57-35-0-00 2024 Annual Report

City of Hiawatha
101 Emmons Street
Hiawatha, Iowa 52233

October 2024

Chris Gelner
NPDES Section
Environmental Specialist Senior
Field Services & Compliance Bureau
1101 Commercial Ct Ste 10
Manchester, Iowa

RE: NPDES MS4 Permit No. 57-35-0-00

Dear Mr. Gelner:

The City of Hiawatha is pleased to submit the 2024 Annual Report for the above NPDES permit issued February of 2021. This annual report summarizes the activities during the 12-month period of July 2023 to June 2024. The annual report is coordinated and prepared by the City Engineering Department and the Hiawatha Community Development Department in conformance with the reporting requirements in the City's discharge permit. The current permit was approved and made effective February 1, 2021 and will expire on January 31, 2026.

Hiawatha is located in Linn County with a current population of just over 7,500 within an area of approximately 5 square miles. Storm water from the City of Hiawatha discharges directly to Dry Creek, Otter Creek, Ushers Ferry Creek, and other major creeks that drain to the Cedar River. The six control measures as defined in our NPDES permit are:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Management
- Post-Construction Storm Water Management
- Pollution Prevention and Good Housekeeping

The objective of the City of Hiawatha's various storm water ordinances is to protect the taxpayer's health, safety and welfare through an economically viable storm water quality and quantity programs. We attempt to diminish threats to the public caused by runoff of excessive storm water and reducing possibilities of hydraulic overloading of the storm sewer system. These ordinances provide regulations for subdivision layout and construction, regulations for excavating and grading, regulations for erosion control, and regulations for building construction. Before starting construction, applicants must submit preliminary plans and specifications to show compliance with the provisions set forth in these ordinances.

The City of Hiawatha uses a server-based application and documentation reporting software, Citizenserve. Citizenserve is a fully customized on-line program for permitting and inspection data collection and filing for SWPPP, detention basin, and GP#2 tracking. A sample of the quarterly GP#2 inspection report is attached.

The City ordinance Chapter 101 was enacted to establish a storm water drainage district system and provides a means of funding the operation and maintenance of the storm water facilities. The ordinance imposes a monthly fee on all water meters in every residence, apartment, dwelling unit, commercial or industrial business. The fees are adjusted yearly, but do not provide enough revenue to fund a full-time storm water coordinator and all the operations required of staff. Storm water monitoring duties are shared by existing staff. A copy of Chapter 101 is attached.

Although it is difficult to list all the City's activities during this 2024 year, this report attempts to identity some of our major activities. We have organized the report according to the outline developed in Part II of the permit:

A. Public Education and Outreach

- The City participated in several seminars held to provide training for City personnel and other local contractors. Training attended:
 - Indian Creek Watershed Management Authority Board of Directors Meeting - July 2023, January 2024, March 2024 & April 2024
 - ISWEP Conference – September 2023 & November 2023
 - ISWEP Virtual and In-Person Member Meeting – September 2023, April 2024, May 2024 & June 2024
- Staff for the City of Hiawatha maintain the following certifications pertaining to storm water management and pollution prevention:
 - IDOT Erosion Control Basic: 1 Staff
 - IDOT Certified Erosion Control Technician: 1 Staff
 - Iowa Certified Construction Site Pollution Prevention Inspector: 5 Staff
 - Work Zone Safety: 9 Staff
 - ICIMPSP: 1 Staff
- We placed articles in the City's newsletter to provide information on improving urban water quality. A copy of the Hiawatha Insights newsletter is attached
- The City has developed and upgraded general informational brochures regarding control of storm water. Copies of handouts are available to contractors or citizens at our Community Development Department. Samples are:

- Rainscaping Urban Landscapes
 - Construction Site Runoff Control
 - Conservation Strategies for Growing Communities
 - Storm Water Regulations and the Construction Industry
 - Drainage in Your Neighborhood
 - Soil Quality Restoration (SQR)
 - Managing Storm Water in Iowa Communities
 - Minor Erosion and Sediment Control (Residential)
 - Rainwater Harvesting
 - Green Roofs
 - Permeable Pavers
 - Bioretention Cells
- The City of Hiawatha provides education and contact information for reporting problems and or concerns through the City's web site. The web site of Hiawatha has been redeveloped and has a new look and layout. Copies of the storm water information and ways to report nuisances are included in the City of Hiawatha's Community Development page. The telephone hotline number is 319-393-1515.

B. Public Involvement and Participation

- A Storm Water Advisory Committee has been organized and is meeting on a quarterly basis. The committee currently has 3 members and is made up of a local citizen, a local contractor, and a mechanical engineer. The committee has been reviewing many of the City's ordinances and department procedures that include the storm water regulations. Updated ordinances will be adopted by the City Council. A copy of the May 2021 meeting minutes is attached.
- The City is a partner in the Indian Creek Watershed Management Authority. The Watershed Management Authority uses a cooperative, multi-jurisdictional for:
 - Water Shed Characterization and Quality
 - Hydrology and Stream Health
 - Watershed Action Plan
 - Funding Sources
 - Education and Outreach
 - Water Monitoring Plan
 - Soil Health Partnership

- A copy of the Indian Creek Watershed Recommended Management Strategies is included. The entire Indian Creek Watershed Plan can be reviewed at: <http://www.indiancreekwma.org/>
- The storm drain labeling has been done in previous years. The City's storm sewer intake labeling program continues each year with messages added to all new intakes that read "No Dumping, Drains to Stream". The labels are an excellent warning to help prevent hazardous material for entering the creeks.

C. Illicit Discharge and Elimination

- Review and update of the illicit discharge ordinance has been conducted by the Storm Water Advisory Committee and adopted by the City Council.
- The City of Hiawatha has a complete storm sewer map in our GIS system. Pipes, intakes, outlets, and drain tiles have been mapped. Storm sewers constructed in new subdivision are added to the map as they are accepted into the system. New detention basin is also added to the file as constructed and certified.
- Other storm water release locations were also inspected for illicit discharges during dry weather seasons. The locations chosen were the drainage way on Northwood Dr, the drainage way along 4th Ave and a manhole at 12th Ave and Bowler St. All three locations did not have any running water. The Northwood Dr location drains into Dry Creek basin. The other 2 locations drain into McLeod Run basin.
- The Engineering Department, Community Development, or Fire Department can be notified of any reported illicit discharge.

D. Construction Site Storm Water Runoff Control

- Construction site runoff control is monitored throughout the project by the building inspectors on staff as part of their normal duties. Projects of proper size are required to have a Storm Water General Permit #2 and follow the requirements of that permit. On smaller projects within the City, the site plans or house plans are reviewed and best management practices (BMP) are required for erosion control before the permit is issued.

- There is a \$200 fee for the major erosion control permit, which is defined as site more than 1 acre. There is a \$100 fee for a minor erosion control permit.
- Engineering Department inspects capital improvement projects and subdivision sites more than one acre. Commercial sites and single-family dwellings are inspected by the Building Department. The Engineering Department conducts the quarterly SWPPP inspections on active construction sites in the City that hold a General Permit #2 from IDNR
- The sites are monitored during construction and recorded:
 - The City staff logged over 738 inspection reports from daily site reviews identifying the results of checking storm water runoff controls.
 - The staff approved 14 site plans for commercial developments that provided erosion control plans with required SWPPP associated with construction activity.
 - The staff approved 57 site plans for residential developments that provide erosion control plans with SWPPP associated with construction activity.
 - Planning and Zoning Commission approved 0 new residential subdivisions that required erosion control plans, SWPPP submittal, and General Permit No. 2.
 - Active construction sites are visited often usually done weekly as part of other normal duties by staff. Pollution prevention facilities are reviewed to monitor if they are operating properly. If not, permit holders are notified to take corrective action.

E. Post-construction Storm water Management

- The storm water committee has updated the post-construction ordinance and it has been adopted by the City Council. A copy of Chapter 162 is attached.
- The City monitors construction projects for restoration and erosion control applications.
- GP2 quarterly reports are now scanned into the building department data base for easy access. Currently we have 24 open GP-2 permits. A sample quarterly inspection report is attached.
- The City has identified the location of the private detention facilities and developed a data base of owners. The City contacts all owners to continue with the recertification process of existing detention facilities. A City map has been

developed in the GIS system to locate all privately owned detention facilities. The goal is to calculate the percent of the runoff in the City that is routed to detention facilities. A sample map has been included along with a sample recertification letter from a local engineer.

- The City has been active in the local Home Builders Association (HBA). Many building site issues are being addressed by this organization. One such issue is the proposed topsoil rule for any new housing developments. The City Council adopted a new topsoil rule along with the adoption of the 2021 SUDAS regulations.
- The Storm Water Advisory Committee has met quarterly during the identified fiscal year. Meeting minutes can be found on the City website, with a sample of the agenda items attached. The committee proposed new topsoil regulations to be included in the updated construction specifications. The City has replaced the Metro Standard Specifications with the Iowa SUDAS Specifications. New specifications with topsoil regulations were enacted in January 2018.

F. Pollution prevention/Good housekeeping

- The City's storm sewer system is monitored and maintained by the Public Services Department. Costs associated with storm water repairs, by either staff or contractors are tracked. These costs can include education, design, maintenance and operating supplies. A cost summary is attached.
- During the previous year, new storm sewer and drain tile have been installed, or upgraded by new subdivisions. All new subdivisions are required to have detention and water quality facilities. The approximate new materials have been added:
 - 800.5 lf of storm sewer in various sizes
 - 8 lf storm sewer intakes
 - 8,283 lf of 6" diameter drain tile
- City of Hiawatha staff that handle and applied and pesticides or fertilizer are provided the proper training in methods of storage, application, and disposal of these materials. Staff attend classes annually to keep certifications current.
- Each spring the Ushers Ferry Creek & the Dry Creek drainage areas are assessed and a program for removal of debris is developed to prevent blockage and backups. The City hires a private contracting firm to clean and remove down trees and other obstructions. This will improve flow and reduce the possibility of

localized flooding. Ushers Ferry Creek and the Dry Creek drainage areas were cleared out of trees that were downed by the Derecho storm.

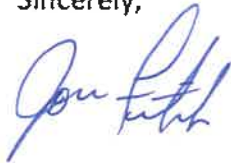
G. Contacts for the City of Hiawatha

- Jon Fitch PE / City Engineer
 - (319)393-1515 ext. 528
 - jfitch@hiawatha-iowa.com

- Kesha Billings / Community Development Director
 - (319)393-1515 ext. 229
 - kbillings@hiawatha-iowa.com

Thank you for this opportunity and if you have any questions, please feel free to contact us at 319-393-1515, ext. 528.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Fitch", is positioned below the word "Sincerely,".

Jon Fitch PE
City Engineer
City of Hiawatha
101 Emmons St.
Hiawatha, Iowa 52233

2024 ANNUAL DNR STORMWATER REPORT

APPENDIX



CERTIFIED MAIL

January 26, 2021

JONATHAN FITCH
CITY OF HIAWATHA
101 EMMONS ST
HIAWATHA IA 52233

RE: Final Municipal Separate Storm Sewer (MS4) Permit No. 57-35-0-00

Dear Mr. Fitch:

Please find enclosed the final National Pollutant Discharge Elimination System (NPDES) permit for the discharge of storm water from this site facility.

No changes have been made from the draft permit.

If you have any questions or comments concerning this matter, please contact me at 515-725-8417 or joe.griffin@dnr.iowa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Griffin", is written over a faint, larger version of the same signature.

Joe Griffin
NPDES Section

Enclosure

IOWA DEPARTMENT OF NATURAL RESOURCES
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

PERMITTEE

City of Hiawatha
101 Emmons St.
Hiawatha, Iowa 52233

IDENTITY AND LOCATION OF FACILITY

City of Hiawatha

IOWA NPDES PERMIT NUMBER: 57-35-0-00

RECEIVING WATERCOURSES

Dry Creek and other, undesignated streams

DATE OF ISSUANCE: February 1, 2021

DATE OF EXPIRATION: January 31, 2026

YOU ARE REQUIRED TO FILE

FOR RENEWAL OF THIS PERMIT BY: August 4, 2025


EPA NUMBER – IA0078743

This permit is issued pursuant to the authority of section 402(b) of the Clean Water Act (33 U.S.C. 1342(b)), Iowa Code section 455B.174, and rule 567--64.13, Iowa Administrative Code. You are authorized to operate the disposal system and to discharge the pollutants specified in this permit in accordance with the monitoring requirements and other terms set forth in this permit.

You may appeal any conditions of this permit by filing written notice of appeal and request for administrative hearing with the director of this department within 30 days of receipt of this permit.

Any existing, unexpired Iowa operation permit or Iowa NPDES permit previously issued by the department for the facility identified above is revoked by the issuance of this Iowa NPDES operation permit.

FOR THE DEPARTMENT OF NATURAL RESOURCES

By 

Joe Griffin
NPDES Section

PART I. DISCHARGES AUTHORIZED UNDER THIS PERMIT

A. Permit Area

This permit covers all areas within the boundaries of the City of Hiawatha totaling approximately 4.8 square miles which is drained by the city's Municipal Separate Storm Sewer System (MS4) and any other areas added while this permit is in effect.

B. Authorized Discharges

This permit authorizes all existing or new storm water point source discharges to waters of the State from the MS4. This permit also authorizes the discharge of storm water commingled with flows contributed by process wastewater, non-process wastewater, or storm water associated with industrial activity provided such discharges are authorized under separate NPDES permits, as required by law. This permit does not authorize discharges to the MS4.

C. Limitations on Coverage

The following discharges are not authorized or regulated by this permit:

Storm water discharges that are mixed with non-storm water and storm water associated with industrial activity except where such discharges are:

1. in compliance with a separate NPDES permit; or
2. identified by and in compliance with Part IV. of this permit.

PART II. STORM WATER POLLUTION PREVENTION & MANAGEMENT

The permittee shall implement the Best Management Practices (BMPs), measurable goals and frequencies described in the following sections.

A. Public Education and Outreach on Storm Water Impacts

The permittee shall continue implementing a public education and outreach program about the impacts of storm water discharges and measures which the residents of the permittee can implement to reduce pollutants in storm water runoff that includes the following:

1. General Storm Water Education Brochure – An informational brochure shall continue to be distributed to all new businesses and residents served by the MS4. The brochure shall present information regarding storm water impacts on water quality and measures that can be implemented to reduce water quality degradation from storm water. The brochure shall also include information regarding the topsoil preservation requirements stipulated in the Department's Storm Water General Permit 2 informing residents that all construction sites, including residential building sites, platted or permitted on or after October 1, 2012 are required to have the topsoil preserved, unless infeasible.

The brochure shall continue to be distributed by the permittee and made available on the permittee's website for the duration of the permit.

2. Telephone Hotline Number – The permittee shall continue to provide a telephone number for the reporting of storm water related problems. The telephone number shall be made available on the website and included in other storm water educational materials.
The telephone number shall continue to be provided for the duration of the permit.
3. Storm Water Web Page – The permittee's website shall contain information regarding storm water impacts on water quality, measures residents can implement to reduce pollutants in storm water, regulations, current local topics, information in the brochures and links to other relevant websites. A form for reporting storm water complaints shall be provided on the website. The website shall include information regarding the topsoil preservation requirements stipulated in the Department's Storm Water General Permit 2 informing residents that all construction sites, including residential building sites, platted or permitted on or after October 1, 2012 are required to have the topsoil preserved, unless infeasible. The website shall be updated as needed.

The storm water web page shall continue to be made available by the permittee for the duration of the permit.

4. Article in City Newsletter – The permittee shall continue to publish at least one article each calendar year in the city employee newsletter. The articles shall present information regarding storm water impacts on water quality and measures that can be implemented to reduce water quality degradation from storm water. The articles shall include information regarding the topsoil preservation requirements stipulated in the Department's Storm Water General Permit 2 informing residents that all construction sites, including residential building sites, platted or permitted on or after October 1, 2012 are required to have the topsoil preserved, unless infeasible.

At least one article shall be published each calendar year by the permittee for the duration of the permit.

5. Site Design Workshop – The permittee shall continue to conduct or sponsor workshops intended to educate developers, builders, contractors and consultants about ways in which developments and construction sites can be designed to improve the quality of storm water runoff. The permittee shall notify potential participants via the city newsletter and on their website.

The workshops shall continue to be held by the permittee at least once each year for the duration of the permit.

B. Public Involvement and Participation

The permittee shall continue implementing a public involvement and participation program that includes the following:

1. Storm Water Advisory Committee – The permittee shall continue to meet with a storm water advisory committee to participate in decision making, holding public hearings and working with volunteer groups. Businessmen, developers, homeowners, members of environmental groups and members of the public at large shall be allowed to participate, if interested. However, the permittee may place reasonable limits on the total number of individuals participating in the group.

Meetings shall continue to be held by the permittee at least once each calendar year for the duration of the permit.

2. Public Notice Requirements - When implementing a public involvement and participation program, the permittee must comply with all state and local public notice requirements.

C. Illicit Discharge Detection and Elimination

The permittee shall continue implementing and enforcing a discharge detection and elimination program that includes the following:

1. Illicit Discharge Prohibition Ordinance – An ordinance shall continue to be amended as necessary and enforced by the permittee that prohibits anything other than storm water, allowable non-storm water and pollutants for which an NPDES permit has been issued and when the discharge is in compliance with the permit from entering the MS4. The ordinance shall include language that enables the permittee to inspect private property if an illicit discharge is suspected and penalties for non-compliance.

The ordinance shall be enforced by the permittee for the duration of the permit.

2. Illicit Discharge Detection and Elimination Program – A program shall continue to be implemented to identify and eliminate illicit discharge to the MS4. The program shall include annual dry weather flow inspections of all outfalls not already inspected since flows from newly developed or re-developed areas have been discharged from the outfalls, sampling and analyses of these dry weather flows, procedures to identify the sources of the dry weather flows and procedures for disconnecting illicit connections. Dry weather flow inspections may be made at manholes and other points prior to the flows joining larger portions of the MS4 to facilitate detection of illicit discharges. Records shall be kept of when inspections are performed, the results of the inspections and measures taken to identify and, when appropriate, eliminate the sources of any dry weather flows. The plan shall be evaluated annually to assess the effectiveness of the program and any necessary changes made. All illicit discharges found must be eliminated no more than 21 days after discovery. If it is not possible to eliminate an illicit discharge within 21 days of discovery, the permittee shall submit to the Department the reasons why the discharge cannot be eliminated within 21 days of discovery and a plan which contains a timeline of activities which will result in the elimination of the discharge. This statement and plan shall be submitted within 21 days of discovery of the illicit discharge. If the Department does not approve the plan, the permittee will then be required to eliminate the discharge no later than a date specified by the Department. All illicit discharges shall be reported to the Department no later than the end of the first business day after the day of the discovery.

The plan shall continue to be implemented by the permittee for the duration of the permit.

3. Storm Drain Labeling – A program shall continue to be implemented to label all storm sewer intakes using volunteers to assist the permittee. All new intakes shall be marked as constructed and shall be re-marked as necessary to maintain legibility for the duration of the permit.

D. Construction Site Storm Water Runoff Control

The permittee shall continue implementing and enforcing a construction site storm water runoff control program to reduce pollutants in any storm water runoff from construction activities for which storm water permit coverage is required and that includes the following:

1. Construction Site Runoff Control Ordinance – An ordinance shall continue to be amended as needed and enforced on all sites for which NPDES permits are required that requires proper soil erosion and sediment control. This ordinance shall also address waste at construction sites that may cause adverse impacts to water quality such as building materials, concrete truck washout, chemicals, solid waste and sanitary waste. Authority to issue an order to terminate activities due to failure to implement or maintain pollution control BMPs, authority for the permittee to enter private property for the purposes of compliance inspections and penalties for non-compliance shall be included. The ordinance shall require site plan and pollution prevention plan review and approval by the permittee prior to issuance of any permits for the site by the permittee. The ordinance shall require compliance with the Department's Storm Water General Permit no. 2.

The ordinance shall continue to be enforced by the permittee for the duration of the permit.

2. Construction Site Review and Inspection Program - The permittee shall require site plan and pollution prevention plan review and approval by the permittee prior to issuance of any permits for the site by the permittee for construction activities for which an NPDES permit is required. The program shall require compliance with the Department's Storm Water General Permit no. 2 and inspections by the permittee of all sites for which coverage under General Permit no. 2 is required. The program shall require each of these sites be inspected by the permittee at least once each calendar quarter. City personnel shall ensure that all topsoil preservation requirements stipulated by General Permit no. 2 are implemented on those sites for which they are required.

The program shall continue to be implemented by the permittee for the duration of the permit.

3. BMP Manual – The permittee shall continue to implement a Best Management Practices design manual which shall include design criteria for structural controls to be implemented at construction sites. The manual shall also be included on the website.

The manual shall continue to be made available by the permittee for the duration of the permit.

E. Post-construction Storm Water Management

The permittee shall continue implementing and enforcing a program to address storm water runoff from new construction and re-construction projects for which storm water coverage is required. The program must ensure that controls are in place that will prevent or minimize water quality impacts and shall include the following:

1. Post-construction Site Runoff Control Policy Ordinance – An ordinance shall continue to be amended as necessary and enforced which will address the control of runoff from building activities after construction has been completed. The ordinance shall require water quality and quantity components be considered in the design of new construction and implemented when practical. The ordinance shall promote the use of storm water detention, retention, infiltration, other Best Management Practices specific to each site which address water quality and quantity issues and proper operation and maintenance of these facilities.

The ordinance shall continue to be enforced by the permittee for the duration of the permit.

2. Site Plan Review of Post-construction Runoff Controls – The permittee shall continue to implement procedures and acceptance criteria for review of post-construction runoff controls for all construction sites for which coverage under NPDES storm water permits are required. The

permittee shall not allow construction activities to commence until the plans for post-construction runoff controls have been reviewed and approved.

The program shall continue to be implemented by the permittee for the duration of the permit.

3. Inspection of Runoff Control Devices – Municipally owned storm water control devices and structures shall be inspected and reviewed for proper maintenance. Educational materials shall continue to be made available to landowners which outline proper maintenance procedures. The permittee shall properly maintain its own control devices and structures. Inspections shall continue to be conducted by the permittee for the duration of the permit. The educational materials shall continue to be made available for the duration of the permit.
4. Watershed Assessment Program – A watershed assessment program and comprehensive land use plan shall continue to be implemented which outlines measures to be implemented which reduce flooding, reduce erosion in ditches and streams, improve water quality and reduce degradation of habitat for fish and wildlife. The permittee shall then implement the program whenever possible to meet these goals.

The program shall continue to be implemented by the permittee for the duration of the permit.

F. Pollution Prevention/Good Housekeeping

The permittee shall continue implementing an operation and maintenance program, including a training component, that shall prevent or reduce pollutant runoff from municipal operations and that shall include the following:

1. Operation and Maintenance of MS4 - A program for inspecting, maintaining and cleaning all components of the MS4 including street sweeping shall continue to be implemented. All above-ground components of the MS4 shall be inspected at least once each year and maintenance performed as appropriate.

The program shall continue to be implemented by the permittee for the duration of the permit.

2. Pesticide and Fertilizer Management Program – A pesticide and fertilizer management program shall continue to be implemented and enforced which shall reduce pollutant discharge associated with storage, application and disposal of pesticides and fertilizers for municipal operations. The program shall identify all municipal entities that apply pesticides and fertilizers, require that application of these chemicals be applied by properly trained individuals, require training on management techniques addressing storage, application and disposal. Data regarding the application rates of pesticides and fertilizers shall be gathered and evaluated to determine if lower rates would be equally effective. Should it be determined that lower application rates would be equally or nearly as effective it shall be required that the lower rates be applied.

The program shall continue to be implemented by the permittee for the duration of the permit.

3. Training Program for Municipal Employees – The permittee shall continue to implement a program for training municipal employees regarding practices to be implemented in city operations to reduce pollutants in storm water.

The program shall continue to be implemented by the permittee for the duration of the permit.

4. City Facilities BMPs – A program shall continue to be implemented to assess BMPs at city facilities to be implemented that reduce pollutants in storm water from these facilities. These measures shall then be implemented whenever practical.

The program shall continue to be implemented by the permittee for the duration of the permit.

PART III. REPORTING REQUIREMENTS

Annual Report

The permittee shall prepare an annual report to be submitted to the Department no later than October 31 of each calendar year. The report shall be submitted to the appropriate Department field office and shall include the following:

1. The status of implementing the components of this permit. Any modifications developed by the permittee and approved by the Department or required by the Department shall also be addressed.
2. A summary of the data, including monitoring data if it exists, that is generated within the reporting period including a narrative description of storm water quality improvements or degradation. This is not to be construed as a requirement to conduct monitoring except in cases where an illicit discharge is suspected.
3. An estimate of the previous fiscal year's expenditures for implementation of the requirements of this permit and the budget for the current fiscal year.
4. A summary describing the number and nature of inspections, enforcement actions, illicit discharges discovered, ordinances adopted, public education programs conducted, components of the MS4 cleaned, stream restoration activities, meetings held and any other actions taken by the permittee required by this permit during the reporting period.

PART IV. SPECIAL CONDITIONS

Only storm water, allowable non-storm water, and pollutants for which an NPDES permit has been issued and when the discharge is in compliance with the permit, are allowed to be discharged to the MS4. The permittee shall not have nor allow any discharge of pollutants from a site, facility or source for which an NPDES permit is required unless an NPDES permit has been issued for the discharge. Upon discovery of any unpermitted discharge for which a permit is required or, if an NPDES permit has been issued for the discharge, a discharge not in compliance with the permit, the permittee shall report the discharge to the Department no later than the end of the next business day after the discharge is discovered. Floor drains and other potential sources of pollutants shall be considered discharges even if no actual pollutants have been observed entering the MS4 from such a source.

The permittee is prohibited from issuing any permit, authorization or license allowing any construction, excavating, clearing, grubbing, or any other soil disturbing activity and is prohibited from allowing a person, persons, company, political unit or other entity, public or private, from doing same for which, in whole or as part of another project, coverage under an NPDES permit is required without first ensuring that a storm water authorization from the Department has been issued for the activity.

A construction site inspection program shall continue to be implemented for construction projects owned or operated by the permittee that include areas of soil disturbance for which NPDES permits are required. The inspection program shall be used to ensure that contractors are correctly implementing BMPs which have been approved in the pollution prevention plan and any additional necessary measures. The program shall require inspections by the permittee at least every 7 days and include any other provisions necessary to ensure compliance by contractors with the storm water General Permit no. 2. Inspections made by the permittee that satisfy the requirements of General Permit no. 2 may be used to satisfy the requirements of this permit.

A map of the MS4, including all outfalls, shall be maintained for the duration of this permit.

All salt storage shall be in a structure impervious to precipitation and any spillage due to handling activities in an area subject to runoff shall be immediately removed.

The permittee may directly place snow, free of trash, into or onto a Water of the State.

The manner in which actions required by this permit are accomplished by the permittee is subject to review and approval by the Department. Should the Department give notice to the permittee that the approach used by the permittee to comply with any permit provision is unacceptable, the permittee must modify its approach as required in order to be considered in compliance with the permit.

PART V. STANDARD CONDITIONS

A. Permittee's Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. Issuance of this permit does not relieve the permittee of the responsibility to comply with all local, state and federal laws, ordinances, regulations or other legal requirements applying to the operation of this facility (see 40 CFR 122.41(a) and 567-64.3(11) IAC).

B. Duty to Provide Information

The permittee shall furnish to the Department, within a time specified by the Department, any information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee must also furnish to the Department, upon request, copies of any records required to be kept by this permit.

C. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. Signatory Requirements

Storm Water Pollution Prevention Plans, reports, certifications or information either submitted to the Department or that this permit requires be maintained by the permittee, shall be signed as follows:

For a municipality, State, Federal, or other public facility: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes 1) the

chief executive officer of the agency, or 2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

Certification Any person signing documents shall make the following certification:

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.

E. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

F. Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

G. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

H. State/Environmental Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes, regulations or permits.

I. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by the permittee only when necessary to achieve compliance with the conditions of the permit.

J. Inspection and Entry

The permittee shall allow the Department, an authorized representative or an authorized representative of the municipal operator of the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to: enter upon the permittee's premises where a regulated facility

or activity is located or conducted or where records must be kept under the conditions of this permit; have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; inspect at reasonable times any facilities or equipment (including monitoring and control equipment); and to sample any discharge of pollutants.

K. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or discontinuance, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. This permit may be modified due to conditions or information on which this permit is based, including any new standard the Department may adopt that would change the required effluent limits.

L. Potential or Realized Impacts on Water Quality

If there is evidence indicating potential or realized impacts on water quality or on a listed endangered species due to any storm water discharge associated with industrial activity covered by this permit, the permit shall be modified to include different limitations and/or requirements of the Pollution Prevention Plan and its implementation.

M. Failure to submit fees

This permit may be revoked, in whole or in part, if the appropriate permit fees are not submitted within sixty (60) days of the date of notification that such fees are due.

N. Penalties For Violations of Permit Conditions

Section 309 of the CWA provides significant penalties for a person(s) who violates a permit condition implementing Section 301, 302, 306, 307, 318, or 405 of the CWA, or any permit condition or limitation implementing any such sections in a permit issued under Section 402. Any person(s) who violates any condition of this permit is subject to a civil penalty not to exceed \$25,000 per day of such violation, as well as any other appropriate sanction provided by Section 309 of the CWA.

PART VI. DEFINITIONS

1. Allowable Non-Storm Water means: discharges from fire fighting activities, fire hydrant flushings, potable water sources, waterline flushings, uncontaminated groundwater, foundation or footing drains where flows are not contaminated with process materials such as solvents, springs, riparian habitats, wetlands, irrigation water, air conditioning condensate, exterior building washwater when no detergents or other surfactants are used and pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred and when no detergents or other surfactants are used.
2. Best Management Practices ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
3. Calendar Quarter means each of the following periods: December thru February, March thru May, June thru August and September thru November.

4. CWA means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972).
5. Department means the Iowa Department of Natural Resources (IDNR) or an authorized representative.
6. Discharge means the release of water and any elements, compounds and particles contained within or upon, from property owned or controlled by an individual, individuals, or entity.
7. Facility means any entity which discharges storm water.
8. Municipal separate storm sewer system means the conveyance or system of conveyances including storm sewers, roadways, roads with drainage systems, catch basins, curbs, gutters, ditches, constructed channels and storm drains owned or operated by the permittee.
9. Permittee means the City of Hiawatha.
10. Point source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.
11. Significant materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.
12. Storm water means storm water runoff, snow melt runoff, snow and surface runoff and drainage.
13. Storm water discharge associated with industrial activity means the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified in paragraphs (i) through (x) of this definition, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR Part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in paragraph (xi) of this definition, the term includes only storm water discharges from all areas (except access roads and rail lines) listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State, or municipally owned or operated that meet the description of the facilities listed in paragraphs (i) to (xi) of this definition) include

those facilities designated under 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this subsection.

- (i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards that are exempted under category (xi) of this definition);
- (ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283 and 285), 29, 311, 32 (except 323), 33, 3441, 373;
- (iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(l) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of non-coal mining operations that have been released from applicable State or Federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but that have an identifiable owner/operator;
- (iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;
- (v) Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;
- (vi) Facilities involved in the recycling of materials, including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;
- (vii) Steam electric power generating facilities, including coal handling sites;
- (viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-25), 43, 44, 45 and 5171 that have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or that are otherwise identified under paragraphs (i) to (vii) or (ix) to (xi) of this subsection are associated with industrial activity;
- (ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and that are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR Part 503;
- (x) Construction activity including clearing, grading and excavation activities that result in the disturbance of 1 acre or more of total land area or which result in the disturbance of less than 1 acre but are part of a larger common plan of development or sale of 1 acre or more;

Facility Name: City of Hiawatha Municipal Separate Storm Sewer System
Permit Number: 57-35-0-00 Finalt permit

(xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and that are not otherwise included within categories (i) to (x)).

14. Waters of the State means any river, stream, lake, pond, marsh, watercourse, waterway, well, spring, reservoir, aquifer, irrigation system, drainage system and any other body or accumulation of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.

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CHAPTER 162

STORM WATER RUNOFF CONTROL

162.01 Purpose	162.13 Detention Facilities in Floodplains
162.02 Other Permits	162.14 Flows from Upland Areas
162.03 Definitions	162.15 Preliminary and Final Plat Requirements
162.04 Applicability	162.16 Drainage and Detention Design Standards
162.05 Design Storm Event	162.17 Rooftop, Parking Lot and Other Detention Storage
162.06 Detention of Excess Storm Water Runoff	162.18 Certification and Maintenance
162.07 Discharge Rate	162.19 Safety Features
162.08 Discharge Velocity	162.20 Administration
162.09 Emergency Spillway	162.21 Variances
162.10 Freeboard	162.22 Special Use Permit
162.11 Joint Development of Control Systems	162.23 Official Maps and Profiles
162.12 Early Installation of Control Systems	162.24 Interpretation

162.01 PURPOSE.

The purpose of this chapter is to diminish threats to public health and safety caused by the runoff of excessive storm waters, reduce the possibilities of hydraulic overloading of the storm sewer system, reduce economic losses to individuals and the community at large, enhance broader social orderly development, and prevent victimizations and fraud. The provisions of this chapter further supplement:

1. Subdivision Regulations. The subdivision, layout, and improvement of lands located within the corporate limits of the City.
2. Excavating and Grading Regulations. The excavating, filling, and grading of lots and other parcels or areas.
3. Building Construction Regulations. The construction of buildings and the drainage of the sites on which those structures are located, to include parking and other paved areas.
4. Storm Water Drainage Systems. The design, construction, and maintenance of storm water drainage facilities and systems.

162.02 OTHER PERMITS.

Before starting any construction regulated by this chapter, an applicant shall comply with the requirements set forth in other applicable chapters of this Code of Ordinances with respect to the submission and approval of preliminary and final subdivision plats, improvement plans, building and zoning permits, inspections, appeals and similar matters, along with those set forth in this chapter and as may be required by State statutes and the regulations of any Department of the State of Iowa.

162.03 DEFINITIONS.

For the purposes of this chapter, the following definitions are adopted:

1. “Base flood elevation” means the elevation of delineating the flood level having a one-percent probability of being equaled or exceeded in any given year (also known as the 100-year flood), as determined from Flood Insurance Rate Maps (FIRMs) or the best available information.
2. “Capacity of a storm drainage facility” means the maximum capability of a storm drainage facility to convey storm water flows without causing damage to public or private property; and, in the case of a pipe, without surcharging.

3. "Channel" means a natural or manmade open watercourse with definite bed and banks which periodically or continuously contains moving water; or which forms a connecting link between two bodies of water.
4. "Compensatory storage" means an artificially excavated volume of storage within a floodplain used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the floodplain.
5. "Conduit" means any channel, pipe, sewer, or culvert used for the conveyance or movement of water, whether open or closed.
6. "Design standards for public improvements" means standards formally adopted by the City to which all designs, and the resulting public improvements, must conform.
7. "Detention basin" means a facility constructed or modified to restrict the flow of storm water to a prescribed maximum rate, and to concurrently detain the excess waters that accumulate behind the outlet.
8. "Detention storage" means the temporary detaining or storage of storm water in storage basin, on rooftops, in streets, parking lots, school yards, parks, open space, or other areas under predetermined and controlled conditions, with the rate of drainage therefrom regulated by appropriately installed devices.
9. "Development" means the change or improvement of any parcel of land for residential, commercial, industrial, institutional, recreational, or public utility purpose, said change or improvement to include but not be limited to erection of a new structure; expansion of an existing structure; construction of a new parking area; expansion of an existing parking area; or construction of a new access drive.
10. "Discharge" means the rate of outflow of water from any source.
11. "Drainage area" means the area from which water is carried off by a drainage system, i.e. a watershed or catchment area.
12. "Dry bottom detention basin" means a basin designed to be completely drained after having provided its planned detention of runoff during a storm event.
13. "Excess storm water runoff" means the volume and rate of flow of storm water discharged from an urbanized drainage area which is or will be in excess of that volume and rate which occurred before urbanization.
14. "Fifty-year, 24-hour storm" means a precipitation event of 24-hours' duration, having a two percent chance of occurring in any one year.
15. "Floodplain" means the special flood hazard lands adjoining a watercourse, the surface elevation of which is lower than the base flood elevation and is subject to periodic inundation.
16. "Hydrograph" means a graph showing, for a stream or conduit, the runoff flowrate time.
17. "One hundred-year, 24-hour storm" means a precipitation event of 24-hours' duration, having a one percent chance of occurring in any one year.
18. "Peak flow" means the maximum rate of flow of storm water at a given point in a channel or conduit resulting from a predetermined storm or flood.
19. "Retention basin" means a structure or feature designed to retain storm water over a period of time, with its release being positively controlled over a longer period of time than in a detention basin.
20. "SCS method" means a technique for calculating storm water runoff volume and peak flow described in Soil Conservation Service (SCS) Technical Release 55.
21. "Special use" means all conditional uses or accessory uses and any use not previously defined or contemplated in this chapter or in the Zoning Ordinance.

22. “Storm water drainage facility” means any element in a storm water drainage system which is made or improved by man.

23. “Storm water drainage system” means all means, natural or manmade, used for conducting storm water to, through, or from a drainage area to the point of final outlet, including (but not limited to) any of the following: open and closed conduits and appurtenant features, canals, channels, ditches, streams, swales, culverts, streets, and pumping stations.

24. “Storm water runoff” means the waters derived from precipitation within a tributary drainage area, flowing over the surface of the ground or collected in channels or conduits.

25. “Ten-year storm” means a precipitation event having a ten percent chance of occurring in any one year.

26. “Ten-year storm runoff” means the storm water runoff having a ten percent probability of occurring on any one year.

27. “Time of concentration” means the elapsed time for storm water to flow from the most distant point in a drainage area to the outlet or other predetermined point.

28. “Unprotected channel” means a channel which receives storm water discharge and which is not paved, rip-rapped, or otherwise improved by addition of manmade materials so as to reduce the potential for erosion.

29. “Urbanization” mean the development, change, or improvement of any parcel of land consisting of one or more lots for residential, commercial, industrial, institutional, recreational or public utility purposes.

30. “Water body” means any natural or artificial pond, lake, reservoir, or other area which ordinarily or intermittently contains water and which has a discernible shoreline.

31. “Watercourse” means any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, swale, or wash in which water flows in a definite direction, either continuously or intermittently, and which has a definite channel, bed, or banks.

32. “Wet bottom detention basin” means a basin designed to retain a permanent pool of storm water after having provided its planned detention of runoff during a storm event.

162.04 APPLICABILITY.

This chapter applies to any new development, subject to the following conditions:

1. Detention Storage Required. The City retains the right to require detention storage in all cases in which the proposed development will generate sufficient excess runoff from the design storm to adversely affect the carrying capacity of the receiving water body or water course.

2. One CFS/Acre Runoff. New developments generating less than one cubic foot per second (CFS)/acre runoff for the design storm shall not be required to provide detention storage, unless condition in subsection 1 is applicable.

162.05 DESIGN STORM EVENT.

Storage capacity of detention facilities and discharge rates therefrom shall be such that the runoff from the “after fully developed area” shall not exceed the rate of runoff generated by the development area prior to development during the five-year frequency storm. Storage capacity/volume shall be adequate to store the excess runoff generated by the fully developed area up to and including the 100-year rainfall event.

162.06 DETENTION OF EXCESS STORM WATER RUNOFF.

The increased storm water runoff resulting from the proposed development shall be detained by the provision of appropriate dry-bottom reservoir(s); by temporary storage on flat roofs, parking lots, or streets; or by other acceptable techniques. Capacity will be sufficient to control excess flows from the design storm.

162.07 DISCHARGE RATE.

Peak discharge rates from detention storage facilities shall not exceed the maximum pre-development peak discharge rate as calculated under Section 162.06.

162.08 DISCHARGE VELOCITY.

Detention facilities shall discharge storm water at a non-erosive velocity as measured in the unprotected channel. The non-erosive velocity shall be determined through consultation of appropriate handbooks and manuals; as approved by the City. Protected channels receiving detention discharge shall incorporate features to reduce velocity to non-erosive levels at the point such discharge enters the unprotected channel.

162.09 EMERGENCY SPILLWAY.

Emergency spillways shall be provided to permit the safe passage of runoff generated from rainfall events in excess of the 100-year rainfall event. Emergency spillways shall be designed on the assumption that the pipe outlet is discharging at full capacity for the spillway elevation.

162.10 FREEBOARD.

Detention storage areas shall have adequate capacity to contain the storage volume of tributary storm water runoff with at least one foot of freeboard above the water surface during the 100-year rainfall event. Top of spillway elevations shall be one foot below the freeboard elevation.

162.11 JOINT DEVELOPMENT OF CONTROL SYSTEMS.

Storm water control systems may be planned in coordination by two or more property owners as long as the potential for damage from storm water is not increased at intervening locations.

162.12 EARLY INSTALLATION OF CONTROL SYSTEMS.

Storm water control measures shall be installed as soon as possible during the course of site development. A schedule of construction shall be submitted by the owner(s)/developer(s) prior to initiation of construction to the City.

162.13 DETENTION FACILITIES IN FLOODPLAINS.

If detention storage is provided within a floodplain, only the net increase in storage volume above that which naturally existed on the floodplain shall be credited to the development. No credit will be granted for volumes below the base flood elevation at that location unless compensatory storage is also provided.

162.14 FLOWS FROM UPLAND AREAS.

The total drainage area must be used in calculating the allowable release rate. The required storage volume will be based on the project area only, with extraneous flows from upland areas being by-passed or discharged via overflow spillways or other devices.

162.15 PRELIMINARY AND FINAL PLAT REQUIREMENTS.

Accompanying the preliminary and final plats of each proposed subdivision or any applicable construction there shall be furnished information consistent with the requirements of the City's *Design Standards for Public Improvements*. All computations, plans, and specifications related to the implementation of this chapter must be prepared and sealed by a Professional Engineer registered in the State of Iowa.

162.16 DRAINAGE AND DETENTION DESIGN STANDARDS.

All subdivisions and other proposed improvements which fall under the applicability of requirements of Section 162.04 shall be required to incorporate design features in accordance with City Standards as defined in the Unified Development Code adopted by the City. Variation from these standards will be permitted only upon submittal of a petition describing in detail the rationale for the proposed design with subsequent review by the City Engineer and approval from the Council.

162.17 ROOFTOP, PARKING LOT, AND OTHER DETENTION STORAGE.

Designs for rooftop detention storage, parking lot storage, and detention storage in underground tanks, surface swales, oversized storm sewers, or other facilities shall be submitted to the City Engineer for approval.

162.18 CERTIFICATION AND MAINTENANCE.

Detention facilities must be designed in accordance with City Standards as defined in the Unified Development Code adopted by the City. The growth of obnoxious weeds, the creation of conditions which support the growth of mosquitoes and other insects, and the decrease in available storage by accumulated sediments shall all be controlled. The cleanup of accumulated debris, flotsam, and other materials after runoff

events have subsided shall be assured. Assignment of responsibility for certifying and maintaining facilities serving more than one lot or property holding will be documented and recorded by appropriate covenants to property deeds unless responsibility is formally assigned to and accepted by a public body.

1. **Certifications.** The development owner (equitable titleholder) of a privately owned detention storage facility (“Facility”) must file with the City Clerk a certification signed by a licensed Iowa professional engineer (“Certification”). The Certification must certify the Facility’s current storage volume and release rate, as well as the storage volume and release rate for which the Facility was initially designed. A newly constructed Facility shall be certified at the completion of the construction of that Facility. For those Facilities located on a lot for which a certificate of occupancy is issued, the construction of that Facility shall be deemed completed when the first certificate of occupancy is issued for that lot.

2. **Maintenance Responsibility.** The development owner (equitable titleholder) shall be responsible for all future grading, repairs, and maintenance to the said storm drainage and storm water facilities subject to the following conditions:

A. That said development owner (equitable titleholder) shall protect, defend and hold the City, harmless from any and all damages or claims for damages that might arise or accrue as a result of flooding, erosion from flooding, deposits of sediment in said areas.

B. The development owner (equitable titleholder) shall to not place fill material, to erect no buildings, obstructions, or other improvements on the area reserved for private storm water purposes.

C. The development owner (equitable titleholder) shall provide a re-certification by a Licensed Iowa Professional Engineer, every subsequent five years. A facility that is exclusively constructed, located and maintained on a paved surface is exempt from the re-certification requirements of this chapter. The certification shall include the following:

(1) The storm water facility’s storage volume, as approved by the City, has not decreased.

(2) The storm water facility’s release rate, as approved by the City, has not increased.

3. **Corrective Measures.** If deficiencies are found by the inspector, the development owner (equitable titleholder) shall be required to take the necessary measures to eliminate nuisances and correct structural deficiencies within a reasonable amount of time. If the development owner (equitable titleholder) fails to do so, the City may cause the work to be completed and shall collect the cost therefore from the development owner (equitable titleholder) taking appropriate action as necessary.

162.19 SAFETY FEATURES.

Designs of detention facilities shall incorporate safety features; particularly at inlets, outlets, on steep slopes, and at any attractive nuisances. These features shall include, but not limited to, fencing, hand rails, lighting, steps, grills, signs, and other protective or warning devices.

162.20 ADMINISTRATION.

The administration of this chapter shall be the responsibility of the Building Official and the City Engineer.

1. **Creation.** The City of Hiawatha Storm Water Advisory Committee is hereby created.

2. **Members.** The Storm Water Advisory Committee will consist of at least three members. Members shall be residents of the City of Hiawatha and shall serve without compensation. Members will be qualified by knowledge or experience to act in matters pertaining to the development of storm water policies. Members shall not hold any elected office in City government.

3. **Removal of Members.** Members of the Storm Water Advisory Committee may be removed by the City Council for such cause as the City Council may determine necessary.

4. **Duties.** The Storm Water Advisory Committee will have such duties as set forth in this chapter or as prescribed by the City Council. Specifically the duties will include:

- A. Develop and recommend storm water policies.
- B. Advise City Council in regards to needed storm water capital improvement projects.
- C. Review any public input regarding storm water drainage or erosion control.
- D. Make such reports to the City Council as may be requested from time to time.
- E. Recommend best management practices for development of storm water management and water quality.

5. Meetings. Meetings will be scheduled quarterly. All meetings are open to the public. Meetings may be cancelled if there are no agenda items.

162.21 VARIANCES.

No variance shall be issued without the review and recommendation of the Planning and Zoning Commission and approval of the Council.

162.22 SPECIAL USE PERMIT.

No special use permit shall be issued without the prior concurrence of the City Engineer and approval by the Council.

162.23 OFFICIAL MAPS AND PROFILES.

Responsibility for all changes to official maps and profiles is conferred to the City Engineer.

162.24 INTERPRETATION.

In the interpretation and application of this chapter, the provisions expressed herein shall be held to be the minimum requirements and shall be liberally construed in favor of the City; and shall not be deemed a limitation or repeal of any other powers granted by the *Code of Iowa*.

CHAPTER 167

FILLING, GRADING, AND EROSION CONTROL CODE

167.01 Title and Authority	167.11 Grading, Erosion and Sediment Control Plan Required
167.02 Adoption and Repeals	167.12 SWPPP Requirements
167.03 Purpose and Intent	167.13 SWPPP Review and Approval Procedure
167.04 Applicability	167.14 Requirements for Sites Covered by Iowa DNR General Permit No. 2
167.05 Relationship to Other Requirements	167.15 Inspection, Notice to Comply and Notice of Violation
167.06 Severability	167.16 Powers of Authority for Inspection
167.07 Effective Date	167.17 Repair and Cleanup of Damage
167.08 Construction, Interpretation and Definitions	167.18 Enforcement
167.09 Fill Permit Required	167.19 Appeals
167.10 Filling Requirements	167.20 Fees Established

167.01 TITLE AND AUTHORITY.

This chapter shall be known as “City of Hiawatha Filling, Grading, and Erosion Control Code,” and has been referred to as the “Grading Code” when a shortened title is necessary. This chapter is adopted by authority of and for the purposes set forth in the *Code of Iowa* and shall be codified as Chapter 167 of the Code of Ordinances, City of Hiawatha, Iowa.

167.02 ADOPTION AND REPEALS.

This chapter establishes and provides for the administration, enforcement, and amendment of filling, grading, and erosion control requirements; and repeals all ordinances or resolutions in conflict therewith.

167.03 PURPOSE AND INTENT.

Soil erosion contributes to: the impairment of drainage ways; an increase in road and storm sewer maintenance costs; the destruction and obstruction to traveled roadways, creating a potential hazard for vehicular traffic; the contamination and degradation of land surfaces and streams, flooding, and dusty conditions. Requirements are established by this chapter in an effort to control erosion and sediment transport. Unless exempted in this chapter, a Grading, Erosion and Sediment Control Plan will be required prior to any proposed land-disturbing activity. This chapter also establishes requirements for grading, filling, fill material, and obtaining fill permits. These requirements include use of suitable fill material, stable slope construction, proper site drainage, and usability of public and private easements.

167.04 APPLICABILITY.

A filling, grading and erosion control permit must be in conformance with the standards, procedures, exemptions and other requirements of this chapter.

167.05 RELATIONSHIP TO OTHER REQUIREMENTS.

1. Relationship to Other Laws. Nothing in this chapter shall be construed as exempting any person from other requirements of the City of Hiawatha or State and Federal laws and regulations. To the extent the requirements of this chapter differ from other applicable City, State, or Federal requirements, the more restrictive requirements shall apply.

2. Minimum Requirements. The provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort, convenience, prosperity, and general welfare.

167.06 SEVERABILITY.

It is the intention of the City Council that each section, paragraph, sentence, clause, and provision of this chapter is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this chapter, or any part thereof, other than that affected by such decision.

167.07 EFFECTIVE DATE.

This Grading Code shall be in full force and effect from and after its passage, approval, and publication, as provided by law.

167.08 CONSTRUCTION, INTERPRETATION AND DEFINITIONS.

Wherever used in this chapter the terms listed below will have the meanings indicated. Words using the present tense shall include the future; the singular shall include the plural; the plural shall include the singular; the masculine gender shall include the feminine; the term “shall” is always mandatory, and the term “may” is permissive.

1. “Applicant” means any individual, firm, corporation, association, or partnership, or proprietor of land to undergo land-disturbing activities.
2. “Certified professional erosion and sediment control specialist” means a specialist in the area of soil erosion and sediment control, as certified by the Soil and Water Conservation Society and the International Erosion Control Association.
3. “City” means the City of Hiawatha, Iowa.
4. “City Council” means the City Council of the City of Hiawatha, Iowa.
5. “City Engineer” means the city engineer for the City of Hiawatha, Iowa.
6. “Civil Engineer” means a professional engineer licensed in the State of Iowa to practice civil engineering.
7. “Clearing and grubbing” means removal of unwanted growth, in the form of trees, wood, shrubs, brush, or stumps on a site.
8. “Design professional” means a licensed civil engineer, registered landscape architect, or certified professional erosion and sediment control specialist.
9. "Design Standards Manual" means the Engineering Standards adopted by Resolution of the Hiawatha City Council in accordance with Hiawatha Code Section 165.58.

(Ord. 924 - Feb. 19 Supp.)

10. “Development” means the alteration of land from its existing state.
11. “Disturbed area” means the part of a site on which land-disturbing activities take place. All land area that is to be disturbed at any time during the project is to be counted in determining the disturbed area, even if part of the land will be stabilized before another part is disturbed.
12. “Erosion” means the wearing away of the land surface by running water, wind, ice, gravity, or other geological, natural, or manmade agents.
13. “Erosion Control Officer” means the City Engineer, Community Development Director, or designee.
14. “Erosion control permit” means a major erosion control permit or a minor erosion control permit.
15. “Filling” means placing materials to effectively change the site contours. This includes placing materials from the site itself, or from off site.
16. “Fill material” means soil, stone, rock, brick, Portland cement, or asphaltic concrete, or sand.
17. “Fill permit” means a permit issued by the City of Hiawatha to engage in filling on a site.

18. “Fill site” means land upon which fill materials are placed and which placement does not require a sanitary disposal permit issued by the State of Iowa.
19. “Final stabilization” means all land-disturbing activities at the site have been completed and that a uniform perennial vegetative cover with a density of 70 percent for the area has been established or equivalent stabilization measures have been employed.
20. “Grading, Erosion and Sediment Control Plan” means a plan for property upon which land disturbing activities are proposed. The Plan will indicate materials, construction phasing, grading and drainage, and erosion and sediment control best management practices according to the *Design Standards Manual*.
21. “General Permit No. 2” means a General Permit No. 2, Storm Water Discharge Associated with Industrial Activity for Construction Activities, as authored and administered by the Iowa DNR.
22. “Iowa DNR” means the Iowa Department of Natural Resources.
23. “Land-disturbing activity” means clearing, grading, excavating, filling, or other construction activities on a site.
24. “Landscape architect” means a professional landscape architect, registered in the State of Iowa to practice landscape architecture.
25. “Major erosion control permit” means a permit issued by the City of Hiawatha to engage in land-disturbing activities on a site with one acre or greater disturbed area.
26. “Minor erosion control permit” means a permit issued by the City of Hiawatha to engage in land-disturbing activities on a site of greater than 6,000 square feet and less than one acre disturbed area.
27. “Responsible party” means one or more persons who have applied for or hold a city erosion control permit or who own, control, or perform work on a site.
28. “Sediment” means solid material, both natural and manmade, that is in suspension, has been transported, or has been moved from its origin by air, water, gravity, or ice and has been deposited by the action of water or wind.
29. “Site” means property where land-disturbing activities take place.
30. "Standard Specifications" means the Engineering Standards adopted by Resolution of the Hiawatha City Council in accordance with Hiawatha Code Section 165.58.

(Ord. 924 - Feb. 19 Supp.)

31. “Stabilization” or “stabilized” means vegetative cover with a density of 70 percent has been established or equivalent stabilization measures have been employed.
32. “Storm water drainage system” means all manmade facilities and structures and all natural watercourses that are owned by the City or that are within a drainage easement owned by the City and that are used for collection, storage, treatment, and conveyance of storm water from any area through any area. This includes, without limitation, all storm water facilities, canals, creeks, curb and gutter, dams, ditches, floodwalls, flumes, gulches, gullies, levees, ravines, siphons, streams, streets, and swales.
33. “Storm water facilities” means anything built or used for the control of storm water, including (without limitation) catch basins, channels, culverts, detention basins, energy dissipation structures, inlets, manholes, outlets, pipes and other conduits, retention basins, and roadways and gutters.
34. “Storm Water Pollution Prevention Plan” means a document conforming to the requirements therefore contained in General Permit No. 2 and this chapter, prepared and certified by a design professional, as defined herein.
35. “SWPPP” means the Storm Water Pollution Prevention Plan.

167.09 FILL PERMIT REQUIRED.

1. Except as provided in subsection 6 of this section, no person shall fill upon any site without obtaining a valid fill permit.
2. All fill permits shall be issued by the City of Hiawatha Building Official upon approval of a completed application for a fill permit on a form provided by the City. The application shall be signed by the title holders of all sites to be filled, together with the applicant, if different from the title holders. The application fee for fill permits and renewals shall be established by resolution of the City Council.
3. A fill permit application shall include the following:
 - A. A completed application for fill permit on a form provided by the City Building Department.
 - B. A dimensioned drawing including the following:
 - (1) Property address or legal description.
 - (2) Property lines and any existing easements of record.
 - (3) Limits of fill area.
 - (4) Existing and proposed ground elevations.
 - (5) Other information as required by the City Building Official or City Engineer.
 - C. The application shall include a Grading, Erosion and Sediment Control Plan as set forth in Section 167.11 of this chapter.
4. Fill permits shall be valid for a period of one year from the date of issuance and may be renewed as provided for herein. A renewal application must include those items required in subsection 3 of this section, and the following:
 - A. Payment of the Renewal Fee.
 - B. Current dimensioned drawing of the original plan as modified.
5. The Building Department may revoke a fill permit or decline renewal if unacceptable materials are being deposited at the site, or if the permittee has failed to comply with any of the regulations set forth in this chapter, or any requirement of law, statute or regulation.
6. The following activities are exempt from the requirements of this chapter:
 - A. Corp production activities.
 - B. Cemetery graves.
 - C. Emergencies posing an immediate danger to life or property, or substantial flood or fire hazards.
 - D. Total fill quantity of less than 25 cubic yards in a 12-month time period.
 - E. Disturbed area of less than ¼ acre.
 - F. Public improvements work within public right-of-way and easements.

167.10 FILLING REQUIREMENTS.

1. Clearing and grubbing shall be performed according to Part 3 of Section 01400 of the *Standard Specifications*, except as provided in this chapter.
2. Fill material shall be placed according to the Grading, Erosion and Sediment Control Plan as accepted by the City.

3. Interim filling during construction shall be placed in a safe manner. Soil stabilization, inspection and maintenance of erosion control, and soil stabilization where work has been suspended shall be according to the *Design Standards Manual*.

4. Finish grading shall be according to Part 2 and Part 3 of Section 02900 of the *Standard Specifications*.

5. Finish slopes shall not exceed a 3:1 ratio on any slope facing and terminating within 15 feet of a property line.

6. Unacceptable Fill Materials.

A. Fill materials shall not include hazardous waste, synthetic material, metal, and organic material other than natural topsoil incidental to excavation except as noted below. Concrete, brick, tile, and other manufactured inert material shall not be greater than 18 inches in its greatest dimension. Asphalt paving material shall not be used for bank stabilization or where the final location will be below the known water table.

B. Trees may be buried within the site they originate from, provided they are not buried within structural footprints or in earthwork providing structural support, such as for building foundations and roadways. Trees shall not be placed in the trench backfill for sewers, culverts, and other underground utilities. Trees shall not be imported onsite from offsite for use as fill.

167.11 GRADING, EROSION AND SEDIMENT CONTROL PLAN REQUIRED.

1. No person shall engage in land-disturbing activities within the City unless a Grading, Erosion and Sediment Control Plan has been approved by the Erosion Control Officer and permit issued.

2. All erosion control measures must be in place before any additional work is started.

3. Sites with land disturbance shall fall into one of two categories as listed below:

A. Major Erosion Control Permit Is Required.

(1) Sites or common plans of development or sale that will result in a total disturbed area of one or more acres shall obtain a major erosion control permit prior to any land-disturbing activities.

(2) All major erosion control permits shall be issued by the City upon approval of a completed application for erosion control permit on a form provided by the City. The application shall be signed by the title holder of the site, together with the applicant, if different from the title holder.

(3) Sites required to obtain an erosion control permit shall comply with Section 167.14 (Requirements for Sites Covered by the Iowa DNR General Permit No. 2) herein.

(4) A major erosion control permit application shall include the following:

a. A completed application for erosion control permit on a form provided by the City.

b. A SWPPP conforming to the requirements of this chapter and the requirements of General Permit No. 2. If a SWPPP for the site has previously been submitted to the City and has not been modified, the applicant shall submit a signed and dated statement that the SWPPP has not been modified, in which case the SWPPP need not be resubmitted.

c. Payment of the permit fee.

(5) The permittee shall provide the erosion control officer with all materials submitted as part of a notice of discontinuation when such a notice is filed with the Iowa DNR.

B. Minor Erosion Control Permit Is Required. Sites or common plans of development or sale that will result in a disturbed area of greater than 6,000 square feet but less than one acre shall obtain a minor erosion control permit prior to any land-disturbing activity, except:

(1) Filling or construction within floodplain limits, as established by the Federal Emergency Management Agency and in the Hiawatha Unified Development Code (Chapter 165 of this Code of Ordinances), will require

a separate additional permit under that chapter, in addition to the permits required by this chapter.

(2) For work that is specifically covered by a City demolition permit, building permit, NPDES permit or approved plan of improvements containing a SWPPP, a minor erosion control permit is not required. However, site filling and grading done pursuant to these approved permits and plans shall meet the requirements of this chapter.

4. All Grading, Erosion and Sediment Control Plans must be reviewed and approved by the Erosion Control Officer prior to the issuing of permit and commencement of land-disturbing activities.

5. All Grading, Erosion and Sediment Control Plans shall include a drainage plan prepared according to the *Design Standards Manual*. The drainage plan shall be accompanied by a drainage report prepared according to the *City Engineering Department Drainage Report Process Handbook*. This Handbook is available in the City Engineering Department. The drainage report shall, at a minimum, demonstrate the design of proposed grading, erosion, and sediment control, if constructed per plan, is not expected to adversely impact adjacent properties.

167.12 SWPPP REQUIREMENTS.

Every SWPPP submitted to the City in support of an application for a major or minor erosion control permit:

1. Shall contain complete 24-hour contact information for the site owner and the person in responsible charge of providing and maintaining sedimentation and erosion control for the site. The permittee shall inform the Erosion Control Officer within 7 calendar days of any change in this contact information.

2. Shall comply with all current minimum mandatory requirements for SWPPPs promulgated by the Iowa DNR in connection with General Permit No. 2, including those published as Summary Guidance for General Permit No. 2 by the Iowa DNR.

The Erosion Control Officer may develop policies modifying these requirements for sites with a disturbed area less than one acre.

3. Shall comply with all other applicable State or Federal permit requirements in existence at the time of application.

4. Shall include a drainage plan prepared according to the *Design Standards Manual*. The drainage plan shall be accompanied by a drainage report. The drainage report shall, at a minimum, demonstrate the design of proposed grading, erosion, and sediment control, if constructed per plan, is not expected to adversely impact adjacent properties.

5. Shall be prepared by a design professional, as defined herein; and

6. Shall include within the SWPPP a signed and dated certification by the person preparing the SWPPP that the SWPPP complies with all requirements of this section.

The SWPPP shall be modified by a design professional (as defined herein) as required in General Permit No. 2. Any modification of a SWPPP shall meet the requirements above.

167.13 SWPPP REVIEW AND APPROVAL PROCEDURE.

The applicant shall submit a SWPPP for the site, meeting the requirements established in the *Design Standards Manual*, to the Erosion Control Officer for review and approval, as follows:

1. The City Engineer shall review the submittal for compliance with the requirements of a SWPPP as set forth in the *Design Standards Manual*. Following the review, the Erosion Control Officer may return comments to the design professional.

2. Following receipt of comments from the Erosion Control Officer, the applicant shall provide a revised submittal in accordance with any requested revisions.

3. The City Engineer or Building Official may require supporting documentation as needed to demonstrate conformance with these requirements. Issuance of an erosion control permit may be delayed pending receipt of the documentation.

4. If the submittal is complete, and meets the requirements as set forth herein, the Erosion Control Officer will issue required permits.

167.14 REQUIREMENTS FOR SITES COVERED BY IOWA DNR GENERAL PERMIT NO. 2.

1. The City shall not allow any land-disturbing activity on a site for which coverage under General Permit No. 2 is required, nor shall the City issue any permit, authorization, or license allowing such activity, until the site owner has obtained coverage for the site under General Permit No. 2 from the Iowa DNR.

2. Any responsible party who is required to obtain – or has obtained – coverage under General Permit No. 2 shall comply with all the requirements of General Permit No. 2. Failure to do so is a violation of this section.

3. For sites covered under General Permit No. 2 where the ownership changes, the Enforcement Officer must be notified of the title transfer within 30 days, except in the case of single-lot sales, which shall be recorded on the SWPPP.

The new owner shall be subject to all terms and conditions of the erosion control permit. A copy of the notice of transfer that was sent to the Enforcement Officer shall be included in the SWPPP.

For sites that are part of a larger common plan of development, such as a housing or commercial development project, if a permittee transfers ownership of all or any part of property subject to an erosion control permit, both the permittee and transferee shall be responsible for compliance with the provisions of General Permit No. 2 and the erosion control permit for that portion of the project which has been transferred, including when the transferred property is less than one acre in area. If the new owner agrees in writing to be solely responsible for compliance with the provisions of General Permit No. 2 and the erosion control permit for the property which has been transferred, then the existing permittee shall be relieved of responsibility for compliance with General Permit No. 2 and the erosion control permit for the transferred property, from and after the date the transfer of responsibility is attached to the SWPPP.

167.15 INSPECTION, NOTICE TO COMPLY AND NOTICE OF VIOLATION.

1. The Erosion Control Officer may inspect the site in response to reports from third parties or at other times, at the Erosion Control Officer's discretion.

2. The Erosion Control Officer may issue a notice to comply to the responsible party or parties, describing any problems and specifying a date and time by which compliance must be achieved.

A. The Erosion Control Officer may modify a notice to comply and may authorize, in writing, an extension to the specified date and time by which compliance must be achieved.

B. Failure to achieve compliance by the specified date and time is a violation of this section.

3. The Erosion Control Officer shall, upon determination of any violation of this section, issue a notice of violation in writing to the responsible party or parties, indicating the nature of the violation and ordering the action necessary to correct it.

A. The notice of violation may:

(1) Order the discontinuance of any illegal work, specifying a date and time for such discontinuance;

(2) Require the repair and cleanup of any damage done due to failure to comply with General Permit No. 2, specifying a date and time for completion of repair and cleanup;

(3) Order the withholding of any building or occupancy permits for the site; and

(4) Order the discontinuance of any or all work at the site, including at the Erosion Control Officer's discretion work not directly related to the cause and prevention of erosion and sedimentation, except work necessary to achieve compliance and to repair and clean up damage, specifying a date and time for such discontinuance to commence and conditions for such discontinuance to cease.

B. Failure to comply with any order in a notice of violation is an additional violation. Each day of such failure constitutes a separate violation.

C. The Erosion Control Officer may modify a notice of violation and may authorize, in writing, an extension to the specified dates and times therein.

D. The notice of violation shall, where necessary or appropriate, recommend to the City Attorney the institution of legal or equitable actions that may be required for the enforcement of this section.

4. Communication to a responsible party's employee, partner, attorney, agent, contractor, or subcontractor shall be regarded as communication to the responsible party for the purpose of this section.

5. Communication to one responsible party shall be regarded as communication to each responsible party for the purpose of this section.

167.16 POWERS OF AUTHORITY FOR INSPECTION.

1. Right of Entry. The City Engineer or Building Official and authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The applicant, owner, or titleholder shall be deemed to have consented to such entry by submission of an application for any permit or plan contemplated in this chapter. Barring or delaying such inspection is a violation of this section.

2. Access to Records. The Erosion Control Officer shall have access to and be able to copy any records that must be kept under the conditions of General Permit No. 2 within 3 business hours, where a business hour is any hour between 8:00 a.m. and 3:30 p.m. on a non-holiday weekday.

167.17 REPAIR AND CLEANUP OF DAMAGE.

1. For any site, whether or not covered by an erosion control permit or other storm water discharge permit, the City may clean up eroded sediment or tracked soil deposited on public property if:

A. Corrective action has not been completed within 24 hours or within an extended deadline granted in writing by the City; or

B. In the judgment of the City Engineer, damage to the environment is ongoing and prompt corrective action would be intended to reduce such damage.

2. If the City cleans up such material deposited off-site, the City will invoice the responsible party or parties for the City's actual costs, including overhead, which may be recorded as an assessment against the property and constitute a lien thereon.

3. Failure to pay an invoice under this chapter within 30 days shall constitute a violation of this section.

167.18 ENFORCEMENT.

1. Violation of any provision of this chapter may be enforced by civil action including an action for injunctive relief.

2. In any civil enforcement action, administrative or judicial, the City shall be entitled to recover its attorneys' fees and costs from a person who is determined by a court of competent jurisdiction to have violated this chapter.

3. Violation of any provision of this chapter may also be enforced as a municipal infraction within the meaning of Section 364.22 of the *Code of Iowa*, and pursuant to Chapter 4 of the Hiawatha Code of Ordinances.

167.19 APPEALS.

Anyone claiming to be aggrieved by any determination made by the Erosion Control Officer may, within 5 days of the date of such determination, appeal to the City Administrator or designee and, in writing, state his or her reasons for requesting such order to be rescinded or modified. The City Administrator or designee shall review the determination of the Erosion Control Officer, and if reasonable grounds exist, shall modify, withdraw or order compliance with said determination. Anyone claiming to be aggrieved by the determination made by the City Administrator or designee shall have such rights of appeal as provided by the law.

167.20 FEES ESTABLISHED.

The City Council may establish fees by resolution for permit applications, permit renewal applications, inspections, and for the review and processing of documents necessitated by this chapter. When such fees are established, a submittal shall not be considered unless the appropriate fee has been submitted to the City.

EDITOR'S NOTE		
The Filling, Grading and Erosion Control Code, adopted August 21, 2002, by Ordinance No. 522, and amendments thereto, contained in a separate volume, are a part of this Code of Ordinances and are in full force and effect. The following ordinances have been adopted amending the Filling, Grading and Erosion Control Code of the City.		
ORDINANCE	ADOPTED	SUBJECT
EDITOR'S NOTE		
The Filling, Grading and Erosion Control Code, adopted August 21, 2002, by Ordinance No. 522, and amendments thereto, contained in a separate volume, are a part of this Code of Ordinances and are in full force and effect. The following ordinances have been adopted amending the Filling, Grading and Erosion Control Code of the City.		
ORDINANCE	ADOPTED	SUBJECT
647	8-19-09	Filling, Grading and Erosion Control



Storm Water Advisory Committee

May 11, 2021

AGENDA

Present: Committee members Ethan Ronnebaum, Jamie Fiedler, Kevin Neuenschwander

Staff: Jon Fitch, Kim Downs, Patrick Parsley

Mr. Fitch opened the meeting and noted there is only one agenda item;

Review and make a recommendation to council on the new Storm Water Utility rate structure.

Mr. Fitch proceeded with the presentation

1. Explained the need for the level of funding proposed.
 - a. Cost of storm sewer construction now exceeds \$100,000 per block.
 - b. The CIP projects for the next five years exceed \$300,00 per year and include
 - i. Waterway restoration
 - ii. Storm sewer projects
 - iii. Upgrade installations on existing streets
 - iv. Leaf vacuum and system maintenance programs
 - c. Maintain MS4 permit
 - d. Operate and Maintain Storm Conveyance System
2. Explained the need to finance as an enterprise fund similar to water and sewer utilities. User fees are more transparent and accountable than general fund tax dollars. The enterprise fund must be self-sustaining which it is not today.
3. Explained the rate structure for commercial and residential users in relation to the load placed on the storm water system by each use. The structure contains three payment levels:
 - a. Single family residential: provides the basis for non-pervious averaging
 - b. Commercial facilities-includes multi-family buildings-rental and owner occupied: rate is based on the non-pervious area for the property.
 - c. Mobile Home Parks: Currently being billed by two different methods creating disparity. The plan is to bill each "home" as a small residential use at a rate less than a normal single-family dwelling.
4. Explained the levels of fees on the graduating scales over a five-year period to reach the budget goals.

The committee responded favorably to the overall plan and recommends Council take the appropriate action. They commented specifically on the need to correct the mobile home fee component. The proposed change for mobile homes fees was further discussed and the committee agreed that all mobile home parks need to be treated the same and the individual fee for each mobile home must be less than for a single-family resident. The reason for the lower fee is the lot size in comparison to a standard home.

Existing Fee Structure: Residential - \$3.75/meter; Commercial - \$6.50/meter



Proposed Fee Structure:	<u>FY22</u>	<u>FY23</u>	<u>FY24</u>	<u>FY25</u>	<u>FY26</u>
Residential	\$4.25	\$4.50	\$4.75	\$5.00	\$5.25
Commercial – base rate of residential home plus increment rate per 10,000 sf of impervious area	\$5.50	\$6.00	\$6.50	\$7.00	\$8.00
Mobile Home Units	\$3.75	\$3.85	\$3.95	\$4.05	\$4.15

The committee also recommended public testimony would be a valuable selling point when solicited from citizens who have benefitted from our recent storm water projects. The committee asked to be kept informed of the progress of this proposal in case they are asked questions in the future.

The meeting was closes at 6:00 PM:

Respectfully: Patrick Parsley CDD

REVENUE & EXPENSE REPORT

CALENDAR 10/2020, FISCAL 4/2021

PCT OF FISCAL YTD 33.3%

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED
740-865-6010	SALARIES--STORM WATER	74,041.00	8,175.04	22,750.52	30.73
740-865-6110	FICA/MEDICARE	5,664.00	621.71	1,726.44	30.48
740-865-6130	IPERS	6,989.00	771.59	2,147.34	30.72
740-865-6151	HEALTH INS & DEDUCTIBLE	.00	.00	.00	.00
740-865-6160	WORK COMP INSURANCE	.00	.00	408.14	.00
740-865-6210	DUES/MEMBERSHIP/SUBSCRIPT	3,500.00	.00	3,335.00	95.29
740-865-6230	EDUCATION & TRAINING	3,500.00	.00	.00	.00
740-865-6331	VEHICLE MAINTENANCE SUPPL	3,000.00	.00	.00	.00
740-865-6332	VEHICLE/EQUIP REPAIR & MA	.00	.00	.00	.00
740-865-6407	ENGINEERING	.00	.00	.00	.00
740-865-6498	STREET SWEEPING	.00	.00	.00	.00
740-865-6499	MISC CONTRACTUAL	2,000.00	.00	.00	.00
740-865-6504	MINOR EQUIPMENT	.00	.00	.00	.00
740-865-6507	OPERATING SUPPLIES & MISC	5,000.00	.00	132.54	2.65
740-865-6511	VEHICLE OPERATING SUPPLY	2,000.00	16.66	33.52	1.68
740-865-6615	HAWKEYE DR	.00	.00	.00	.00
740-865-6674	EPA STORM WATER PLAN	5,000.00	.00	4,281.00	85.62
740-865-6717	KAINZ DR	.00	.00	.00	.00
740-865-6727	CAPITAL EQUIPMENT	.00	.00	.00	.00
740-865-6754	COLD STORAGE FACILITY	87,500.00	.00	.00	.00
740-865-6765	VARIOUS DRAINAGE PROJECTS	172,000.00	.00	.00	.00
740-865-6766	DRAINAGE STUDY	.00	.00	.00	.00
740-865-6767	STREAMBANK MAINTENANCE	.00	.00	.00	.00
		-----	-----	-----	-----
	STORM WATER TOTAL	370,194.00	9,585.00	34,814.50	9.40
		=====	=====	=====	=====
	STORM WATER TOTAL	370,194.00	9,585.00	34,814.50	9.40
		=====	=====	=====	=====
	TOTAL OF ALL EXPENSES	370,194.00	9,585.00	34,814.50	9.40

REVENUE & EXPENSE REPORT
CALENDAR 6/2024, FISCAL 12/2024

PCT OF FISCAL YTD 100.0%

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED
740-865-4500	STORM WATER UTILITY FEES	185,000.00	27,108.94	321,096.09	173.57
740-865-4506	GIS FEES	7,000.00	.00	.00	.00
740-865-4710	REIMBURSEMENT	.00	.00	8.44	.00
		-----	-----	-----	-----
	STORM WATER TOTAL	192,000.00	27,108.94	321,104.53	167.24
		=====	=====	=====	=====
	STORM WATER TOTAL	192,000.00	27,108.94	321,104.53	167.24
		=====	=====	=====	=====
		*****	*****	*****	*****
	TOTAL OF ALL REVENUES	192,000.00	27,108.94	321,104.53	167.24
		*****	*****	*****	*****



Date: May 15, 2024
Invoice: DB19-000003

ZION HOLDINGS LLC
1655 PROGRESS DR
HIAWATHA, IA 52233

Re: Storm Water Detention Facility at 920 North 15TH Avenue

Dear ZION HOLDINGS LLC

Our records indicate the certification of the storm water detention facility at 920 North 15TH Avenue constructed during the development and platting of the property has expired. All owners of a privately owned detention storage facility must file a recertification certificate with the City every **five (5)** years. This requirement is outlined in Chapter 162 of the Hiawatha Code of Ordinances to meet the guidelines of the Cities' Municipal Separate Storm Sewer System (MS4) management permit with the Department of Natural Resources.

A recertification certificate must be submitted to the City of Hiawatha within thirty days of this notice. This certificate must be signed by a licensed professional engineer in the State of Iowa. In order to maintain the proper operation of these important facilities, the City of Hiawatha would appreciate your cooperation in this matter.

Again it should be noted that the City of Hiawatha Storm Water Ordinance No. 162 paragraph 162.19 states the following:

C. The development owner (equitable titleholder) shall provide a re-certification by a Licensed Iowa Professional Engineer every subsequent five years. A Facility that is exclusively constructed, located and maintained on a paved surface is exempt from the Re-Certification requirements of this chapter. The certification shall include the following:

- (1) The storm water facility's storage volume, as approved by the City, has not decreased.*
- (2) The storm water facility's release rate, as approved by the City, has not increased.*
- (3) Corrective Measures. If deficiencies are found by the inspector, the development owner (equitable titleholder) shall be required to take the necessary measures to eliminate nuisances and correct structural deficiencies within a reasonable amount of time. If the development owner (equitable titleholder) fails to do so, the City may cause the work to be completed and shall collect the cost therefore from the development owner (equitable titleholder) taking appropriate action as necessary.*

For more information, the entire Chapter 162 can be found on www.hiawatha-iowa.com under tabs community development/storm water management/ordinance regarding storm water runoff.

Please send the recertification certificate to:

City Engineer
City of Hiawatha
Hiawatha IA 52233

If you have submitted the recertification within the last five (5) years, please send a copy of the recertification to update our records.

If you have any questions, please contact this office at 319-393-1515.

Sincerely,

A handwritten signature in blue ink that reads "Kesha Billings".

Kesha Billings
Community Development Director

October 11, 2023

Attn: City Engineer
City of Hiawatha
101 Emmons Street
Hiawatha, IA 52233

RE: Storm Water Detention Facilities at 805 Tower Terrace Road, Hiawatha, Iowa 52233

We completed a field verification of the detention basin located on the north side of the above referenced property on October 11, 2023. Following are several pictures showing the basin, outlet structure, and points where storm water discharges into the basin, all taken during the October 11th site visit.



Photo #1: View of outlet structure at east end of detention basin.



Photo #2: View of drainage flume discharging into the east end of the detention basin.



Photo #3: View of storm sewer discharging into the west end of the detention basin.



Photo #4: View of detention basin standing at the west end looking east.



Photo #5: View of detention basin standing at the east end looking west.

In general, the detention basin is very well functioning and has been well maintained. The detention basin is definitely in compliance with storage volume and discharge requirements. However, we noted two maintenance items that should be addressed. Please note that these maintenance items are not required at this time to bring the basins into compliance, but are highly recommended. The locations of these maintenance items are graphically depicted on the attached "Exhibit A".

1. There is filter fabric installed over the top of the detention basin outlet structure (see Photo #1 above). This was installed during the original site construction as a sediment control measure. Now that the site is fully vegetated, this filter fabric should be removed and disposed of as it is no longer needed. There is some risk that the fabric could plug the upper discharge openings in the outlet structure during a major storm event. This is a very easy maintenance item that could be completed immediately.
2. There is some minor sediment accumulation at the end of the storm sewer pipe that discharges into the west end of the detention basin (see Photo #3 above). We recommend removal of this sediment be added to the maintenance schedule before it leads to more serious sedimentation in the pipe upstream of the basin.

As previously stated, these two maintenance items are highly recommended but are not currently required for compliance and certification. Based on our inspection and review, we certify that the storage volume has not decreased and the release rate has not increased from what was originally approved by the City. As always, please call me if you need any further information.

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Executed at Cedar Rapids, Iowa, this 11th day of October, 2023.

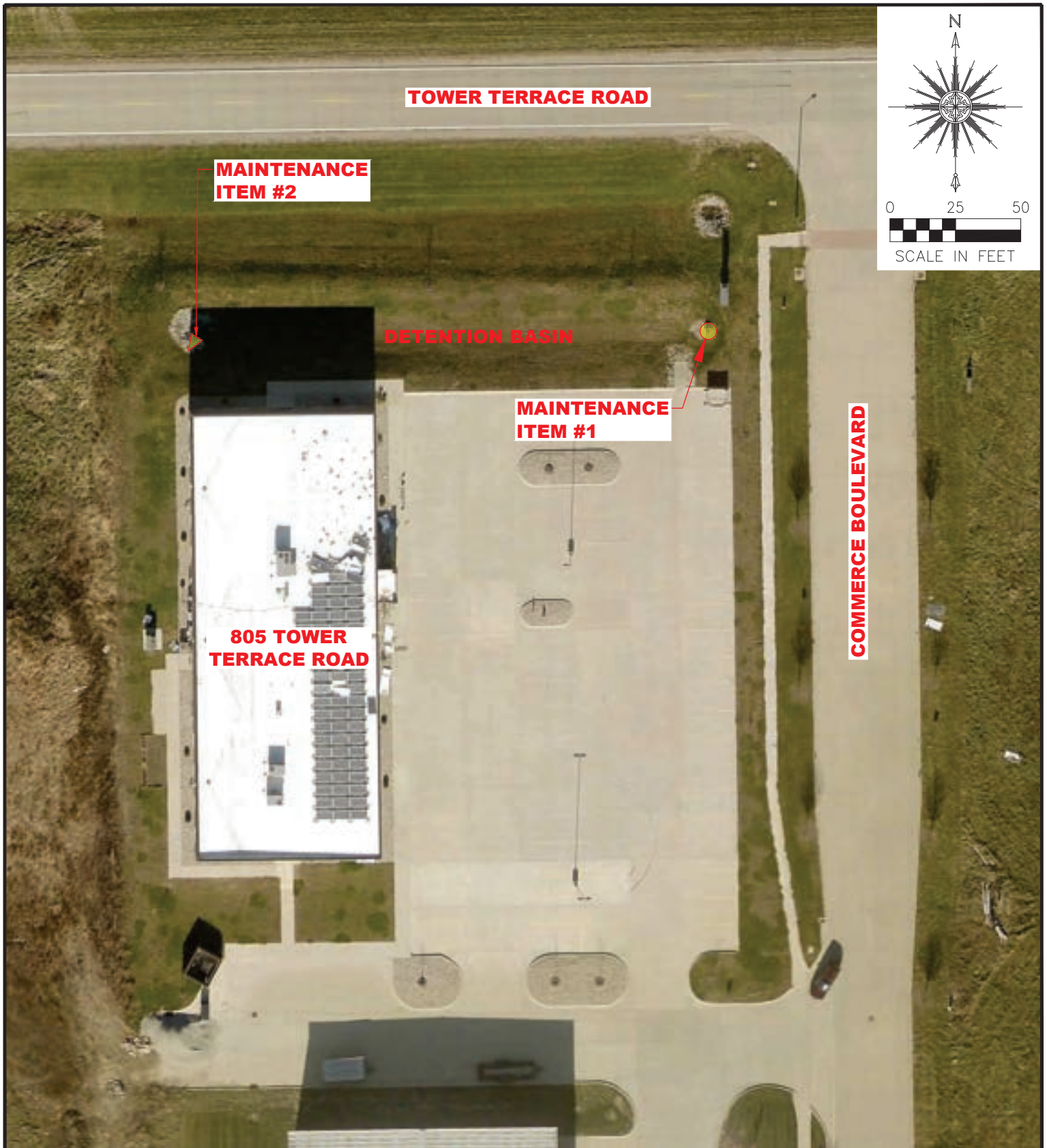


Tred Schnoor, PE
My license renewal date is December 31, 2023

No. 16326

Attachments: Exhibit A – Detention Basin Maintenance Items

Copy: Julie Wigner, Armstrong Development Company (via email JWigner@ArmsDevCo.com)



<p>1 OF 1</p>	<p>EXHIBIT A DETENTION BASIN MAINTENANCE ITEMS 805 TOWER TERRACE ROAD HIAWATHA, IA 52233</p>	<p>DRAWN: TRED S. APPROVED: TRED S. ISSUED FOR: DATE: 10/11/2023 PROJECT NO.: 23040</p>	<p>SCHNOOR-BONIFAZI ENGINEERING & SURVEYING, LC 431 FIFTH AVENUE SW CEDAR RAPIDS, IA 52404 (319) 298-8888 (PHONE)</p> <p>Schnoor Bonifazi Engineering & Surveying</p>
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June 26, 2024

City of Hiawatha
Attn: Kesha Billings
City of Hiawatha
101 Emmons Street
Hiawatha, IA 52233

Olsson performed a visual inspection of the recently constructed detention basins for the private development of a Brakes Plus at 1850 Blair Ferry Road, on June 25, 2024. It was found that the construction of the detention basins and associated storm sewer outlet structures were constructed in accordance the approved plans dated, November 08, 2023

As of the inspection date, the basin has been seeded and vegetative cover is partially established within the pond footprint.

Following are photos taken during the detention inspection showing the completed detention basins and outlet structures, all taken during the June 25th inspection.



Photo 1: View of Completed North Detention Basin Outlet Structure



Photo 2: View of the Completed North Detention Basin Standing at the West End and Looking East



Photo 3: View of the Completed Berm Along the North End of the North Detention Basin



Photo 4: View of the Completed South Detention Basin Outlet Structure



Photo 5: View of the Completed South Detention Basin Standing at the West End and Looking East



Photo 6: View of the Completed South Berm Along the South End of the South Detention Basin



Photo 7: View Looking North from South Structure to North Basin Along 18th Avenue.

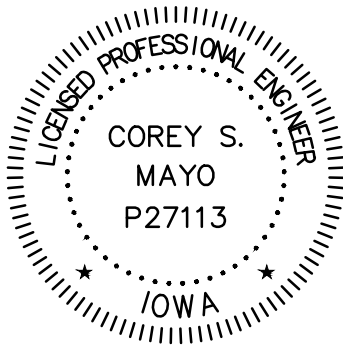


1717 Ingersoll Avenue / Suite 111 / Des Moines, IA 50309

☎ 515.331.6517 / olsson.com

In conclusion, we certify that the detention basins are in full compliance with City volume and discharge requirements.

I hereby certify that this, and the attached, engineering documents were prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.



Executed in Des Moines, Iowa, this 26th day of June 2024.

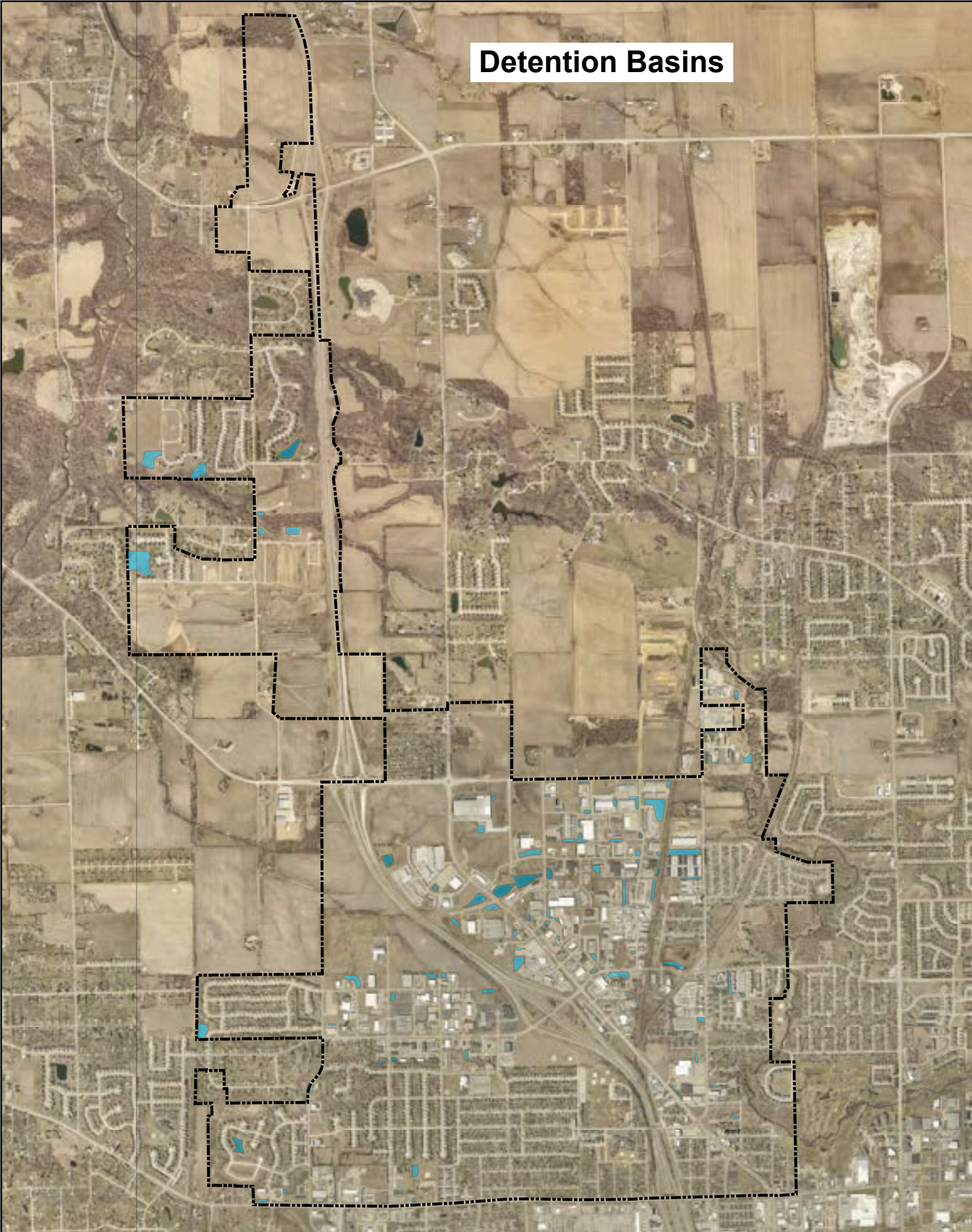
A handwritten signature in blue ink that reads "Corey Mayo".

Corey S Mayo, PE

No. P27113

My license renewal date is December 31, 2024

Detention Basins





The Hiawatha Community bids farewell to a dedicated public servant as Dick Olson, who has spent years tirelessly serving as a council member, resigns. With his departure officially confirmed, Olson leaves behind an indelible mark on the city's development, governance, and the lives of its residents.

Dick Olson began his journey as a city council member 21 years ago, driven by a passion to create positive change and serve the community he held dear. Over the years, he has become a well-respected figure, admired for his unwavering dedication and commitment to the betterment of Hiawatha.

As news of Dick's resignation spread, tributes poured in from colleagues, constituents, and fellow public servants. Many expressed gratitude for his inspirational leadership and passion for public service.

While Dick may be resigning from formal office, his spirit of service will undoubtedly continue to influence the city's future leaders and residents. His resignation marks the end of an era, but his accomplishments will be a guiding light for those who aspire to serve the community with the same dedication and integrity.

As we celebrate this esteemed council member, let us rejoice in his remarkable journey, cherish his accomplishments, and remember the lasting impact he has left on the heart of Hiawatha. Thank you, Dick Olson, for your selfless service, and may your future be as fulfilling as the legacy you leave behind.

Hiawatha BUSINESS Summit

The Global Economy - A Discussion on Reshoring and Supply Chain

Join HEDCO for a panel discussion around the global economy. Listen to how local businesses are working with international dynamics related to reshoring, immigration, deglobalization and supply chain impacts.

🕒 TUESDAY, AUG 22, 2023 8:00 AM - 9:00 AM

📍 WORLD CLASS INDUSTRIES, 925 N 15TH AVE, HIAWATHA

📄 REGISTER AT [HTTPS://BIT.LY/3DLEPO](https://bit.ly/3DLEPO)



Hiawatha!

FAY M. CLARK Hall of Fame Award



The Fay M. Clark Hall of Fame Award honors Hiawatha community members who, through their leadership and service, have significantly enhanced Hiawatha and whose efforts contribute to making Hiawatha a great place to live, work and play.

The award is named after Hiawatha's founder and first mayor, Fay M. Clark, whose entrepreneurial spirit and collaborative efforts led to Hiawatha becoming the 17th incorporated town in Linn County in 1950. We hope to honor Clark's legacy of hard work, collaboration, and being a good neighbor through this award. The Fay M. Clark Hall of Fame Award will be presented at Hiawatha's State of the City Address.

For additional information about the award or to nominate an individual, visit:

www.hiawatha-iowa.com/news/hall-of-fame-award

Nominations are due by Thursday, August 31.

GOOD NEIGHBOR POLICY: FENCES AND SHEDS

The City of Hiawatha regulates fences and sheds in an effort to maintain neighborhood utility easements, drainage ways and the community appearance while respecting individual property rights. The regulations for these structures are found in the building code for structural requirements, the Unified Development Code (UDC) for setbacks and appearance and the City engineering standards when located on or near an easement. As small as these structures are, fences and sheds can still cause considerable consternation between neighbors.



Fences: Fences are as varied as the materials of construction known to man. They can be made of plastic, wood, metal and living plants, to name a few. Fences are built for many varied reasons as well: to protect property, screen uses from neighbors and the public, prevent trespass, secure pets or simply as lawn ornamentation.

Regulations apply to all types of fences by addressing specific concerns. In Hiawatha the regulations control height limitations, screening requirements and fence location in relationship to property lines, structures and streets. Fences are divided into two categories based on “opaqueness”.

135. “Opaque” is defined as a structure which blocks or otherwise prevents the passage of light through 50 percent or more of its surface area.

Of the fences pictured above only the living fence would be considered “opaque”. The other fences are considered non-opaque. Opaque fences qualify as screening when required to conceal storage, screen transitional yards or to separate non-compatible uses. Opaque fences are restricted to shorter heights when adjacent to a street since they impede visibility at corners.

The general limits for residential fences include:

- All fence installations require a building permit.
- Fences in the rear yard and between houses may be 6 feet in height.
- Fences in front of houses may be:
 - 4’ feet in height for non-opaque types
 - 30 inches in height for opaque types
- Fences along the side street of a corner lot will vary in height based on location and type.
- Fences are allowed in utility and drainage easements if constructed to allow the free flow of storm water. Fences in an easement damaged in the process of utility maintenance are the responsibility of the owner to repair.
- All fences must be located completely within the owner’s property.
- All fences are required to be properly maintained by the owner.

Sheds: Sheds are defined in the Hiawatha code as accessory structures. As with fences these small structures come in a wide variety of shapes and sizes and are used for a plethora of purposes. When properly installed and maintained sheds can enhance a neighborhood by concealing stored materials and equipment. When not installed and maintained properly sheds can be fire hazards, impede storm water and become an eyesore.

The regulations are intended to reduce the hazards associated with sheds much the same as other structures. They are regulated for setback, height, allowable size, proper materials, adequate structural capacity and stability. The building code regulates accessory structures over 120 ft² while the UDC regulates the location, area and height of all sheds. The general rules for residential accessory structures include:

- All sheds greater than 120 ft² require a building permit.
- Sheds cannot exceed 15 feet in height.
- All sheds must be located behind the main structure.
- Sheds allowed in the drainage easement must be raised to allow the free flow of storm water.
- Sheds in utility easements must be placed on skids and not on a concrete slab.
- All sheds must be properly anchored to a concrete slab or to ground anchors.
- All sheds must be at least 5 feet from a property line or must have a fire wall installed.
- All sheds must be maintained so as not to become a nuisance.

These are only the general regulations for fences and sheds. Your local home owners’ association may have additional restrictions for these installations. As an example, some neighborhoods do not allow fences and some require sheds to “resemble the main house”.

It is important to contact your home owners association, the Community Development Department and call “811” before you attempt to install a fence or accessory structure.

For more information on fences and sheds you may go to the City of Hiawatha website and onto the Community Development page to access our online permit portal for more forms and information.

<https://www.hiawatha-iowa.com/departments/community-development/>

When we follow the rules for installing and maintaining fences and sheds, we retain our property rights while respecting the values of the community as a whole. By following these simple regulations we are following good neighbor policies which seek to preserve the beauty and safety of Hiawatha.



Community Tree Planting



City of Hiawatha & Monarch Research Hiawatha Native Tree Right-of-Way Enrichment Program Registration Opens August 7th – August 26th

EXCITING NEWS for Hiawatha residents!! The City has partnered with Monarch Research to provide residents and landowners with up to three, free, 3-gallon trees to plant in the right-of-way adjacent to their property. The primary goal of this city-wide initiative is to provide residents and landowners subject to ROW easements, with native Iowa trees to replace trees lost during the 2020 derecho, and to establish new growth in areas that were previously vacant.

Don't miss out! The Hiawatha Native Tree Right-of-Way Enrichment opens August 7th, while supplies last! Up to three free trees are available to residents, to be planted in the area between the street and sidewalk. Are you in a position to help restore Hiawatha's tree canopy this fall?

Visit: <https://www.hiawatha-iowa.com/news/free-native-tree/> for more information and for a link to claim your free tree on August 7th!

Hiawatha!

CARGILL CARES COUNCIL FUNDS FOR FREE SUMMER MEALS



Food insecurity for children is a problem that increases when school is not in session. At both Hiawatha Elementary School and Nixon Elementary School, more than 60% of the students receive free and reduced priced meals. Many of these same children do without a healthy lunch during June and July. The impact of this takes many forms.

The ability to learn is affected by hunger. When the body is not fueled, the brain suffers. Kids who are hungry are often more lethargic than kids who have eaten a healthy meal. Again, food is fuel that affects both physical and mental performance. And thirdly, food insecurity leads to obesity. Children who aren't receiving nutritious lunches typically rely on foods with extremely low nutritional content because these foods are readily available and require little preparation. To combat these ill effects, Cedar Rapids Community School District offers free dine-in meals at various area schools. Because Hiawatha kids would need to walk or bike about 2 miles to Wright Elementary to benefit from the program this summer, Youth Services Librarian Alicia Mangin sought funds to offer grab and go meals each Monday - Thursday, disbursed from Hiawatha Public Library. "I am pleased to share that Cargill Cares Council fully funded free brown bag lunches for children during July. The Council's generous \$2000 grant ensured that many kids enjoyed delicious and nutritious meals and their bodies and bellies were happier for it. Thank you to the entire Cargill Cares Council."

THE GREAT HIAWATHA HISTORY MYSTERY



Who owned Hiawatha's first police squad car?

Answer will be shared in September's edition of the Hiawatha Insights!

The first Police Department consisted of three Marshals, who had no special training except for returning from duty in World War II. This was training enough to allow them to carry weapons.

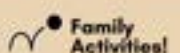
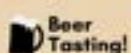
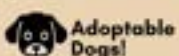
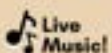
Are you interested in History?

We are accepting new members on the Hiawatha History Commission.
Please call Marilyn James at 319-721-7077



Saturday, August 12th
2 - 7 PM

NEW LOCATION!
Guthridge Park,
704 Emmons Street, Hiawatha





Music *in the* Park

AUGUST 4TH

THE DETOUR BAND

70'S & 80'S ROCK & COUNTRY

TOUCH A TRUCK 4-6PM

DANCERS EDGE ENTOURAGE 5:30PM

TRACKLESS TRAIN 6-9PM

BALLOON ARTIST 6-9PM

ROCK WALL & EURO BUNGEE 6-9PM

CRAVIN SHAVIN 6-9PM

FIREWORKS 9PM

AUGUST 18TH

NOTHING'S REAL

90'S ROCK FAVORITES

REGAN'S FACE PAINTING 6-9PM

ROCK WALL & EURO BUNGEE 6-9PM

THE FREEZE

AUGUST 11TH

JUNIPER STREET

CLASSIC TO CONTEMPORARY ROCK

TINY TOT TRIATHLON 5PM

LAZERTAG 6-9PM

ROCK WALL & EURO BUNGEE 6-9PM

MOVIE UNDER THE MOON 9PM

KONA ICE

AUGUST 25TH

RICHIE LEE

& THE FABOLOUS 50'S

KIRACATURES 6-9PM

ROCK WALL & EURO BUNGEE 6-9PM

THE FREEZE



6-9PM

**FRIDAY EVENINGS
GUTHRIDGE PARK
FREE ADMISSION**

VOLUME 181

August Calendar

04 Touch a Truck 4:00 PM
04 Music in the Park 6:00 PM
04 Fireworks 9:00 PM
06 Farmers Market 10:00 AM - 1:00 PM
06 K9 Golf Outing 1:00 PM
10 Free Pound Fitness 6:00 PM
11 Tiny Tot Triathlon 5:00 PM
11 Music in the Park 6:00 PM
13 Farmers Market 10:00 AM - 1:00 PM
18 Music in the Park 6:00 PM
19 HiBRAI 8:00 AM
20 Farmers Market 10:00 AM - 1:00 PM
22 Hiawatha Business Summit 8:00 AM
25 Music in the Park 6:00 PM
27 Farmers Market 10:00 AM - 1:00 PM

September Calendar

03 Farmers Market 10:00 AM - 1:00 PM
10 Farmers Market 10:00 AM - 1:00 PM
14 Free Pound Fitness 6:00 PM
17 Mental Health Matters 5k
17 Farmers Market 10:00 AM - 1:00 PM
22 Family Formal 6:00 PM
24 Farmers Market 10:00 AM - 1:00 PM



Blood Drive
At Hiawatha Public Library

Tuesday, August 8th 11:00-3:00

<https://www.redcrossblood.org/give.html/donation-time>



The Mental Health Matters 5K Run and Walk was created in an effort to decrease stigma around mental health challenges, encourage reaching out for help and honor those who have died by suicide.

Because so many people struggle with suicidal thoughts and behaviors regardless of age, race, gender, or socioeconomic status,

Foundation 2 Crisis Services supports all people, any time, every time! They have been providing support in the metro communities for over 50 years. Their crisis support and suicide prevention services are available 24/7 and at no cost. You can call the Foundation 2 Crisis Line at 319-362-2174 or text (855) 895-8398

To register for the Mental Health Matters 5K visit <https://bit.ly/MHM5K>

Jigsaw Puzzle Exchange

Drop off Dates: August 1st-15th
Drop off your puzzles for **adults** at the library in the original box, in good condition, with all the pieces.

Pick up Dates: August 16th - 31st
Return to pick up puzzles. Take them home and enjoy!



Hiawatha Public Library 150 W Willman Street, Hiawatha



Parenting Workshop

Thursday, August 10th 4:30-6:30 pm
at the Hiawatha Public Library

Presented by Dr. Sara Tawil
Owner & Therapist
Olive Branch Therapy, LLC



Join us for
FIREWORKS
IN GUTHRIDGE PARK

FIRST FRIDAY IN AUGUST
FOLLOWING MUSIC IN THE PARK

YOGA WITH WENDY

Yoga is a practice that connects the body, breath, and mind. Wendy uses physical postures, breathing exercises, and meditation to help improve your overall health. Beginners welcome!

Mondays, 6:00 - 7:00 PM

September 11 - October 16

Hiawatha Community Center

<https://bit.ly/yogawithwendy>

STAY UP TO DATE WITH PROJECTS AND DETOURS AT WWW.HIAWATHA-IOWA.COM UNDER THE "NEWS" SECTION

Edgewood Road Extension - The City held a Public Open House on Tuesday, July 11 in the Hiawatha Community Center to allow feedback on a preliminary layout of the Edgewood Road extension from Blairs Ferry Road to the north side of Tower Terrace Road. The study is being updated to reflect current and projected traffic conditions as well as to update the cost opinion to allow both Cedar Rapids and Hiawatha to seek state and federal grants in order to move the project forward in the future. City staff from both cities and consultants from Anderson-Bogert Engineers heard from over 100 citizens and business owners on things they liked and did not like related to the roadway alignment and proposed intersection control. There are a lot of unknowns for future design at this stage of the study, but it is always beneficial to hear from the public. The consultant will provide all of the public comments to the cities and determine what changes need to be made before making updates to the plan and finalizing a report with estimated costs. The projected timeline for future design and construction is dependent on council priorities as well as when funding can be obtained. We rely heavily on the Metropolitan Planning Organization (MPO), state and federal grants due to the high costs. City staff will post the layout and cross section presented at the meeting on the City website.

Emmons Street Railroad Crossing Improvements - Emmons Street will be closed from 6th Avenue to N Center Point Road and 4th Ave from Emmons to Clark Street to construct a median required for the Rail Quiet Zone. This work also entails new sidewalk on the north and south sides of Emmons St. Pedestrians will continue to have access across the north or south sides of the bridge throughout construction. Westbound traffic will be detoured down N Center Point Road to Blairs Ferry Rd to 6th Avenue. Eastbound traffic will be detoured down 10th Ave to Blairs Ferry Rd to N Center Point Road. Traffic should expect delays. Please try to avoid the areas during construction. All work is anticipated to be completed by Monday, August 14, pending no interruptions.



The Hiawatha Police Department recently hosted an internship for a senior from Mount Mercy University. Our intern, Trey, was required by Mount Mercy to complete a 120-hour internship to complete his degree. Following a vetting process and interview, Trey job shadowed various Hiawatha Police Officers and several first responder actions over the course of 3 weeks in June. Trey found the experience to be reassuring that he is pursuing his life's calling to be a Police Officer. We found the experience mutually beneficial as a collaboration with Mount Mercy University's Criminal Justice Department and a way to help foster and grow the next generation of Police Officer!



The Policy and Administrative Department recently hosted an intern from Kirkwood's Workplace Learning Connection program. Jacob Bruns, a driven and passionate senior from Kennedy High School, stands out among his peers for his exceptional grades and involvement in various extracurricular activities. Jacob's commitment to volunteer work at the local library and other activities, highlights his dedication to making a difference in his community. Jacob jumped at the chance to explore the world of governance and policymaking in order to gain firsthand experience in a field that he aspires to enter one day. He shadowed city officials, attended council meetings, and participated in workshops on policy development and administrative procedures. It is our hope that this experience provided Jacob with the necessary tools to succeed in his future career in the public sector.

AFG GRANT RECIPIENT



The City of Hiawatha was recently awarded a 2022 FEMA Assistance to Firefighters Grant in the amount of \$76,160.00.

The grant was for vehicle mounted exhaust systems for the Fire Department vehicles. These systems attach to the exhaust system of the vehicles and act as a filter or scrubber. These systems reduce staff's exposure to the known carcinogens found in diesel exhaust. These systems are an industry best practices in preventing firefighter exposure to carcinogens.

Dan Veerhusen, one of the department's part-time Fire Medics was the main author of the grant. Dan has had great success is writing successful grant applications. In fact, this is the second year in the row he has written a successful grant and has been able to secure. In Dan's career he has written several grants with him being able to secure over a half a million dollars in grant funding. His other successful grants in recent years include funding for:

- replacement of the fire department handheld radios
- funding for a ballistic and trauma training mannikin
- replacement of our self-contained breathing apparatus' (SCBA)
- upgrading our breathing air compressor and fill station
- acquire a John Deere Gator UTV

These grants allow us the opportunity to have the best equipment and resources available to serve our community.

HAPPY ANNIVERSARY! THANK YOU FOR ALL YOU DO



KELLY WILLADSEN
PARKS & RECREATION DIRECTOR
-10 YEARS-



LOGAN PERKINS
WATER OPERATOR I
-5 YEARS-

**DELIVER BY
TUESDAY,
08/01/2023**

Postal Customer Hiawatha, Iowa 52233

PRSRT STD
US Postage
PAID
Hiawatha, IA
Permit No. 33

ECRWSS

HIAWATHA COUNCIL ACTION

The Hiawatha City Council meeting minutes may be obtained online at
www.hiawatha-iowa.com/government/city-council-documents/
or by request to the City Clerk's Office at City Hall at 319-393-1515 x526

June 21, 2023

Resolution #23-122

Sewer Waiver

Resolution #23-123

Fire Station No. 2

Resolution #23-127 - 128

Sewer Waiver

Resolution #23-129

Chapter 90 Water Service
System

Resolution #23-130

Rail Quiet Zone

June 28, 2023

Resolution #23-124

Emmons Street Trail Bridge

Resolution #23-125

Resignation of Council
Member declaring a
vacancy seat

Resolution #23-126

Appointing individual to fill
vacancy on city council

Resolution #23-131

Purchase of diesel
filtration system

Resolution #23-132 - 133

The Crossing on Boyson 1st
Addition

Resolution #23-134

28E Agreement Building
Inspections and Plan
Review Services

August Meeting Calendar

02 City Council 5:30 PM
08 Parks Commission 5:30 PM
08 Library Board 7:00 PM
14 History Commission 1:30 PM
14 Board of Adjustment 5:30 PM
15 Water Board 5:30 PM
16 City Council 5:30 PM
28 Planning and Zoning 5:30 PM

Hiawatha!
Say hello to a great place to live, work and play.



City of Hiawatha has three council seats up in the 2023 election. Candidates must complete an Affidavit of Candidacy form and a Nomination Petition with no less than 25 signatures. Completed paperwork must be filed with the Linn County Election Services Department. Visit www.sos.iowa.gov to obtain the required documents to file for candidacy.

Important dates:

First day to file nomination papers is August 28, 2023

Last day to file nomination papers is September 21, 2023

July 5, 2023

Proclamation

Parks & Rec Month

TITLE	NAME	PHONE	EMAIL ADDRESS
City Manager	Dennis Marks	319-393-1515 x523	dmarks@hiawatha-iowa.com
City Clerk	Kari Graber	319-393-1515 x526	kgrabere@hiawatha-iowa.com
Finance Director	Cindy Kudrna	319-393-1515 x522	ckudrna@hiawatha-iowa.com
Parks & Recreation Director	Kelly Willadsen	319-393-1515 x251	kwilladsen@hiawatha-iowa.com
Community Development Director	Patrick Parsley	319-393-1515 x229	pparsley@hiawatha-iowa.com
City Engineer	Jon Fitch	319-393-1515 x528	jfitch@hiawatha-iowa.com
Public Works Superintendent	Rod Jasa	319-393-6601	rjasa@hiawatha-iowa.com
Water Superintendent	Marty Recker	319-393-1515 x232	mreckere@hiawatha-iowa.com
Police Chief	Ben Kamm	319-393-1212	chief@hiawathapolice.com
Fire Chief	Matt Powers	319-393-4180	mcpowers@hiawatha-iowa.com
Interim Library Director	Chris Stoner	319-393-1414	cstoner@hiawatha-iowa.com

For more information about City of Hiawatha and its services, call 319-393-1515 or visit www.hiawatha-iowa.com

CITY COUNCIL | City of Hiawatha Regular Council Meetings are the first and third Wednesday of each month.



**MAYOR
BILL BENNETT**

mayor@hiawatha-iowa.com



**COUNCIL MEMBER
JERRY MOHWINKLE**

jmohwinkle@hiawatha-iowa.com



**COUNCIL MEMBER
ROB ARCHIBALD**

rarchibald@hiawatha-iowa.com



**COUNCIL MEMBER
AIME WICHTENDAHL**

aimew@hiawatha-iowa.com



**COUNCIL MEMBER
STEVE DODSON**

sdodson@hiawatha-iowa.com

**COUNCIL MEMBER
VACANT**

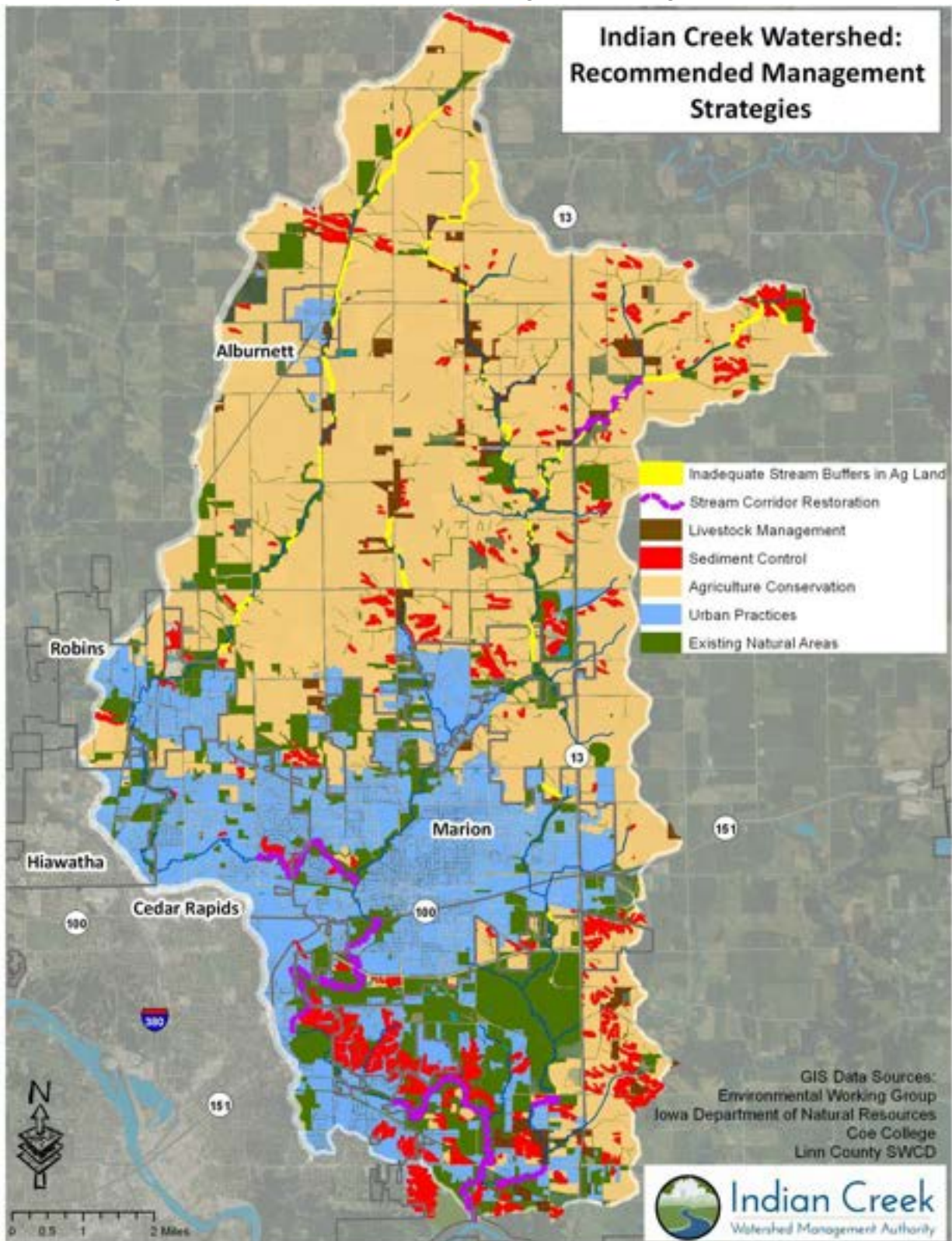


Indian Creek Watershed Management Plan

June 2015



Figure 7-1. Zones for Recommended Management Strategies in Indian Creek



Watershed

Source: ECICOG and Iowa Department of Natural Resources



EROSION AND SEDIMENT CONTROL INSPECTION REPORT

Project: _____

Date of Inspection: _____

Project Owner: _____

Activity ID: _____

Prime Contractor: _____

DNR Permit No: _____

Reason for Inspection: Weekly Rainfall Event ____ in., Date of rain _____

Other: _____

Storm Water Pollution Prevention Plan (SWPPP) available on site? Yes No

Inspector: _____

EROSION AND SEDIMENT CONTROL INSPECTION

Area Inspected: _____

Inspection of Best Management Practices:

BMP	Control Practice Effective			Maintenance/Modification Required			BMP	Control Practice Effective			Maintenance/Modification Required		
	Y	N	N/A	Y	N	N/A		Y	N	N/A	Y	N	N/A
Silt Fencing							Stockpile Stabilization						
Ditch Checks							Mulching						
Rip Rap							Erosion Matting						
Inlet Protection							Temporary Seeding						
Drainage Swales							Permanent Seeding						
Construction Site Exits							Sodding						
Project Schedule							Other _____						
Grading Practices							Other _____						

INSPECTION COMMENT / SITE OBSERVATIONS:

Follow up required by Storm water Utility for potential NPDES violation? Yes No

Was maintenance/modification completed? No Yes (Date _____)

Report violation to DNR? No Yes (Date _____)

REQUIRED SEDIMENT CONTROLS

- Perimeter Controls
- Concrete Washout
- Paint Washout
- Debris Confinement
- Graveled Drive
- Good housekeeping
- Site address

SILT FENCE INSTALLATION REQUIREMENTS

- Install parallel on the lower contours of site with the ends extending upward, creating a J-Hook, thus containing and allowing water to pond behind fence.
- Entrench 6-8 inches deep.
- Stake every 3 ft. unless in a high flow concentrated area, then the staking distance is every foot.
- Overlap sections of silt fence leaving no gaps between fences.

FILTER SOCK INSTALLATION REQUIREMENTS

- Composed of compost or wood mulch.
- Stake every 3 ft. unless in a high flow concentrated area, then the staking distance is every foot.
- When used as a perimeter control, the size shall be determined by the steepness of the slope.

RESOURCES

- www.iowastormwater.org
- www.iowadnr.gov
- Hiawatha Storm Water Hotline: (319) 393-1515 ext. 229

ALTERNATE PERIMETER CONTROL REQUIREMENTS

- Compost Berm: 3ft. base x 1 ft. width at top x 1ft. height.
- Vegetative buffer strip: 20 ft. wide and a minimum of 6 inches in height on slopes less than 6% in height.
- Wattles on slopes less than 6% (Must be approved by a City Official).

CONCRETE WASHOUT REQUIREMENTS

- Must be located within the lot's perimeter controls, on level ground, and accessible from a hard surface.
- May be constructed with a double layer of 12-18 inch filter sock with (2) layers of 6 mil plastic.
- If using a concrete bag, it must be staked and tied up.

PAINT WASHOUT

- Must be located within the lot's perimeter controls and placed on level ground.
- Shall be secured.

DEBRIS CONFINEMENT

- Install a trash container on site.
- All containers must have lids.
- Can be comprised of trash bins, trash cans, or dumpster, etc. (Anything smaller than a bin, or dumpster, must have lids and be tied and staked down.
- All debris containers shall remain covered at all times.

GRAVEL DRIVE REQUIREMENTS

- Use rock that is 2 inches or greater in size.
- It shall extend a minimum of 20 ft. from the curb/street.

PORT-A-JOHNS

- Shall be located on level area within the perimeter controls.
- Must be secured with 18 inch stakes (minimum).
- DO NOT locate on or near storm sewer intakes.

STOCKPILES

- Sediment controls may need to be installed around its perimeter.
- DO NOT locate near any down slope, street, driveway, street/road, ditch, waterway, basin, stream, pond, lake, and/or wetland.
- If stockpiles are inactive, for more than 14 days, temp seeding and mulching practices shall be implemented.

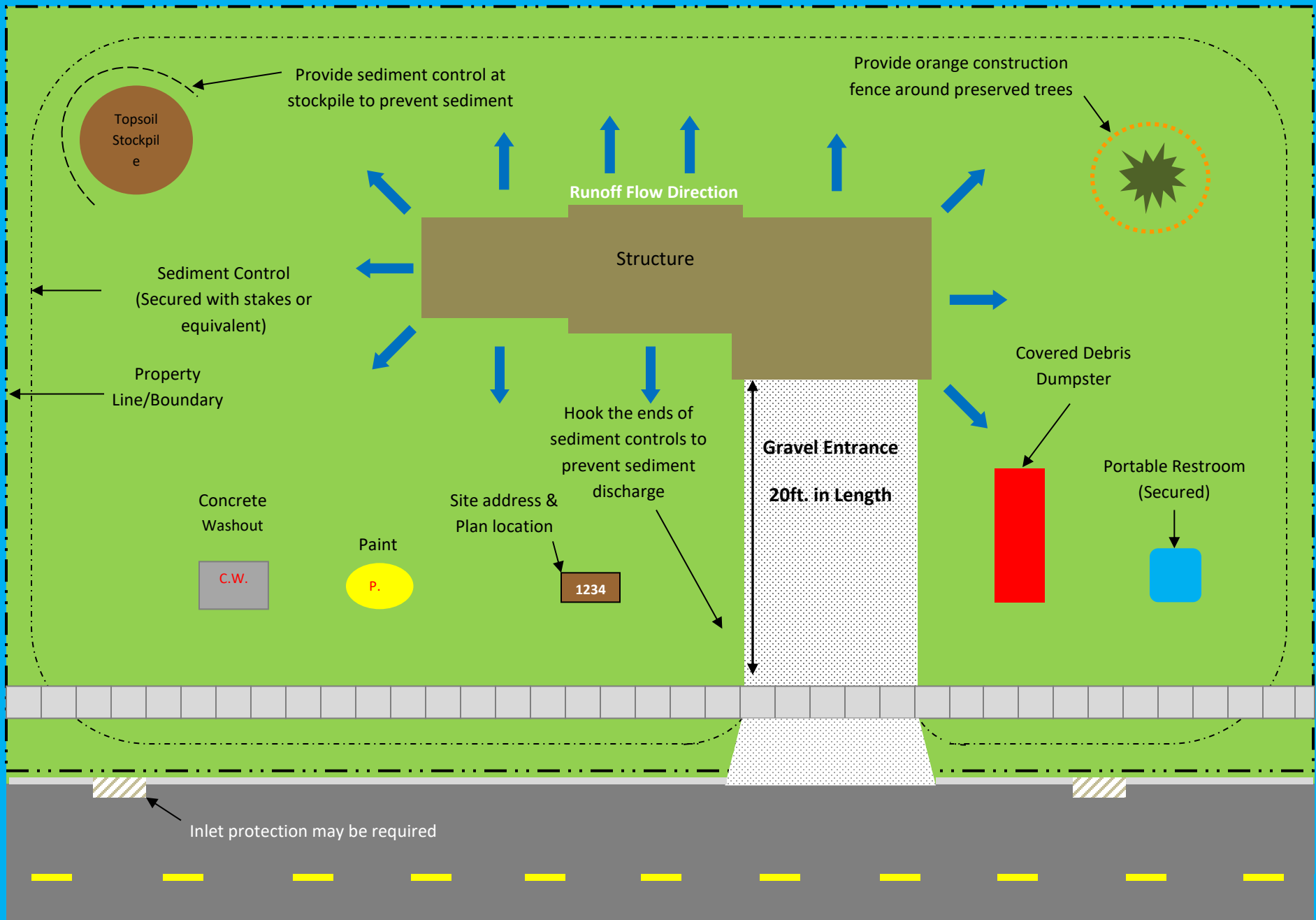
GOOD HOUSEKEEPING:

Maintain/replace damaged sediment controls, cleanup sediment that has been carried off site by vehicles and/or storm water runoff.

REQUIRED INSPECTIONS

- Weekly
- After each significant storm event
- Documentation shall be available within 2 hours of request.

EROSION & SEDIMENT CONTROL





EROSION AND SEDIMENT CONTROL INSPECTION

2nd QUARTER REPORT

CITY PERMIT #: GPR21-000010
Date of Inspection: 05/08/2024
Address or Location: 000 HERITAGE GREEN SUBDIVISION
Owner: MICHAEL SATTLER
Description: IDNR construction permit: Heritage Green Subdivision 13th and 14th
NPDES Permit No: 40016-39635
Inspector: Kyla Pfeiler

Storm Water Pollution Prevention Plan (SWPPP) available on site?

Best Management Practice	Control Installed Properly	Corrective Action Required	Best Management Practice	Control Installed Properly	Corrective Action Required
Silt Fencing	Yes	No	Stockpile Stabilization	N/A	N/A
Ditch Checks	N/A	N/A	Mulching	N/A	N/A
Rip Rap	No	N/A	Erosion Matting	N/A	N/A
Inlet Protection	N/A	N/A	Temporary Seeding	N/A	N/A
Drainage Swales	N/A	N/A	Permanent Seeding	Yes	No
Construction Site Exits	Yes	No	Sodding	Yes	No
Project Schedule	Yes	No	Weekly Logs	N/A	N/A
Grading Practices	Yes	No	Other -		

NOTE: Items requiring corrective action may be considered violations if not repaired

ADDITIONAL INSPECTION COMMENT / SITE OBSERVATIONS:

- No issues to note about this site.

This Quarterly inspection report is performed in accordance with the MS-4 Permit requirements for the City of Hiawatha. All records of this inspection are public and will be provided to the Iowa Department of Natural Resources (IDNR) or to the general public upon request. Your next quarter inspection will be in September-2024

It is the responsibility of the NPDES Permit holder to make the necessary site corrections to comply with the permit and applicable SWPPP provisions including but not limited to the installation and maintenance of all control measures. The permittee is also required to maintain the associated documentation and provide copies upon request.



EROSION AND SEDIMENT CONTROL INSPECTION

3rd QUARTER REPORT

CITY PERMIT #: GPR23-000003
Date of Inspection: 09/18/2023
Address or Location: 875 EDGEWOOD Road
Owner: AHMANN PROPERTIES LLC
Description: IDNR construction permit: ARRO Senior Apartment - Construction
NPDES Permit No: 43178-42788
Inspector: Kyla Pfeiler

Storm Water Pollution Prevention Plan (SWPPP) available on site?

Best Management Practice	Control Installed Properly	Corrective Action Required	Best Management Practice	Control Installed Properly	Corrective Action Required
Silt Fencing	Yes	No	Stockpile Stabilization	No	Yes
Ditch Checks	N/A	N/A	Mulching	N/A	N/A
Rip Rap	N/A	N/A	Erosion Matting	N/A	N/A
Inlet Protection	N/A	N/A	Temporary Seeding	N/A	N/A
Drainage Swales	N/A	N/A	Permanent Seeding	N/A	N/A
Construction Site Exits	Yes	No	Sodding	N/A	N/A
Project Schedule	Yes	No	Weekly Logs	Yes	No
Grading Practices	Yes	No	Other -		

NOTE: Items requiring corrective action may be considered violations if not repaired

ADDITIONAL INSPECTION COMMENT / SITE OBSERVATIONS:

Recommend adding silt fence around the stock pile in the event we get a heavy rain this will ensure it stays off the parking lot.

This Quarterly inspection report is performed in accordance with the MS-4 Permit requirements for the City of Hiawatha. All records of this inspection are public and will be provided to the Iowa Department of Natural Resources (IDNR) or to the general public upon request. Your next quarter inspection will be in December-2023

It is the responsibility of the NPDES Permit holder to make the necessary site corrections to comply with the permit and applicable SWPPP provisions including but not limited to the installation and maintenance of all control measures. The permittee is also required to maintain the associated documentation and provide copies upon request.