

RULE NO.: R161-21.21

ADOPTION DATE: September 29, 2021

**NOTICE OF RULE ADOPTION**

By: Jorge L. Morales, P.E., CFM, Director  
Watershed Protection Department

The Director of the Watershed Protection Department has adopted the following rule. Notice of the proposed rule was posted on July 22, 2021. Public comment on the proposed rule was solicited in the July 22, 2021 notice. This notice is issued under Chapter 1-2 of the City Code. The adoption of a rule may be appealed to the City Manager in accordance with Section 1-2-10 of the City Code as explained below.

A copy of the complete text of the adopted rule is attached to this notice.

**EFFECTIVE DATE OF ADOPTED RULE**

A rule adopted by this notice is effective on September 29, 2021.

**TEXT OF ADOPTED RULE**

R161-21.21: Modifies the Environmental Criteria Manual as follows:

- Environmental Criteria Manual – Section 1.6.5, Design Guidelines for Sedimentation/Filtration Systems
  - Removes requirement for PVC cleanouts to be installed every 50 feet within a water quality SCM and allows option for capping and burying cleanouts beneath the filter media if no performance issues are observed during the 1-year warranty period after construction. Includes minor changes to clarify placement of cleanouts and underdrains within water quality SCMs.
- Environmental Criteria Manual – Section 1.6.7.C, Green Storm Water Quality Infrastructure, Biofiltration
  - Removes requirement for PVC cleanouts to be installed every 50 feet within a water quality SCM and allows option for capping and burying cleanouts beneath the filter media if no performance issues are observed during the 1-year warranty period after construction. Includes minor changes to clarify placement of cleanouts and underdrains within water quality SCMs.

**COMMENTS AND CHANGES FROM PROPOSED RULE**

No comments were received, and no changes were made.

## **AUTHORITY FOR ADOPTION OF RULE**

The authority and procedure for the adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is established in Chapter 1-2 of the City Code. The authority to regulate water quality is established in Chapter 25-8 of the City Code.

## **APPEAL OF ADOPTED RULE TO CITY MANAGER**

A person may appeal the adoption of a rule to the City Manager. **AN APPEAL MUST BE FILED WITH THE CITY CLERK NOT LATER THAN THE 30TH DAY AFTER THE DATE THIS NOTICE OF RULE ADOPTION IS POSTED. THE POSTING DATE IS NOTED ON THE FIRST PAGE OF THIS NOTICE.** If the 30th day is a Saturday, Sunday, or official city holiday, an appeal may be filed on the next day which is not a Saturday, Sunday, or official city holiday.

An adopted rule may be appealed by filing a written statement with the City Clerk. A person who appeals a rule must (1) provide the person's name, mailing address, and telephone number; (2) identify the rule being appealed; and (3) include a statement of specific reasons why the rule should be modified or withdrawn.

Notice that an appeal was filed and will be posted by the city clerk. A copy of the appeal will be provided to the City Council. An adopted rule will not be enforced pending the City Manager's decision. The City Manager may affirm, modify, or withdraw an adopted rule. If the City Manager does not act on an appeal on or before the 60th day after the date the notice of rule adoption is posted, the rule is withdrawn. Notice of the City Manager's decision on an appeal will be posted by the city clerk and provided to the City Council.

On or before the 16th day after the city clerk posts notice of the City Manager's decision, the City Manager may reconsider the decision on an appeal. Not later than the 31st day after giving written notice of an intent to reconsider, the City manager shall make a decision.

## **CERTIFICATION BY CITY ATTORNEY**

By signing this Notice of Rule Adoption (R161-21.21), the City Attorney certifies that the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director's administrative authority.

**REVIEWED AND APPROVED**

  
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Jorge L. Morales, P.E., CFM, Director  
Watershed Protection Department

Date: 09/17/2021

 for  
\_\_\_\_\_  
Anne L. Morgan  
City Attorney

Date: 9/20/2021

This Notice of Rule Adoption was posted on the City website by the City Clerk. The date and time stamp are on the front of the notice.

## Environmental Criteria Manual Section 1.6.5(A)(4) – Design Guidelines for Sedimentation/Filtration Systems

- Underdrain Piping. The underdrain piping consists of the main collector pipe(s) and perforated lateral branch pipes. The piping should be reinforced to withstand the weight of the overburden. Internal diameters of lateral branch pipes should be six (6) inches or greater and perforations should be three-eighths (3/8) inch. All piping is to be schedule 40 polyvinyl chloride (PVC) or greater strength. The maximum spacing for the laterals should be ten (10) feet between laterals and five (5) feet from a wall or side. Lesser spacings are acceptable. The maximum spacing between rows of perforations should not exceed six (6) inches.

The minimum grade of piping shall be one-eighth (1/8) inch per foot (one (1) percent slope) unless the piping is part of a saturated zone per ECM 1.6.7.H, in which case the minimum grade shall resume at the invert/flowline of the raised outlet pipe. Access for cleaning all underdrain piping is ~~needed~~ required. Cleanouts with a removable PVC cap are required within fifty (50) feet of every portion of lateral, at collector drain lines, and at the ends of laterals and at every bend outside the water quality SCM (cleanouts outside of SCM shall be set above the water quality elevation). In order to minimize damage to these cleanouts due to maintenance equipment, vandalism, and/or mowing, cleanouts may be permanently capped and set flush or just below the media bed after the 1-year warranty period if no drainage issues are observed. ~~set the top of the cleanout flush with the top of the sand bed.~~ At least one lateral must be accessible for cleaning when the pond is full. The full pond cleanout should extend above the water quality elevation and/or be located outside of the water quality volume ponding area. In order to minimize vandalism or other types of damage to this full pond cleanout the use of exposed piping shall be avoided or minimized.

## Environmental Criteria Manual Section 1.6.7(C)(4)(B) – Biofiltration

Access must be provided for cleaning all underdrain piping. Cleanouts with a removable PVC cap are required ~~within fifty (50) feet of every portion of lateral, at collector drain lines, and at the ends of laterals and~~ at every bend outside the water quality SCM (cleanouts outside of the SCM shall be set above the water quality elevation). In order to minimize damage to these cleanouts due to maintenance equipment, vandalism, and/or mowing, cleanouts may be permanently capped and set flush or just below the media bed after the 1-year warranty period if no drainage issues are observed. ~~the top of the cleanout should be set flush with the top of the biofiltration medium bed or~~ Outside the water quality SCM, the top of the cleanout should be set flush with the top of the ground surface from which it emerges. ~~It is recommended that cleanouts be located outside of the water quality volume ponding area and above the water quality volume elevation when feasible to reduce short circuiting caused by loss or damage to the cleanout caps.~~ At least one lateral must be accessible for cleaning when the pond is full. The full pond cleanout must extend above the water quality elevation and/or be located outside of the water quality volume ponding area. In order to minimize vandalism or other types of damage the use of exposed piping shall be avoided or minimized.