

# City of O'Fallon, Missouri

## Stormwater Management Policy for the Community Cost Share Rock Assistance Program Option



**Approved for Use by City Council: January 28, 2016**  
**City Resolution: 01-28-2016A**

**City of O’Fallon, Missouri**  
**Community Cost Share (CCS)**  
**Rock Assistance Program Option (RAP)**

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# City of O'Fallon, Missouri

## Community Cost Share (CCS)

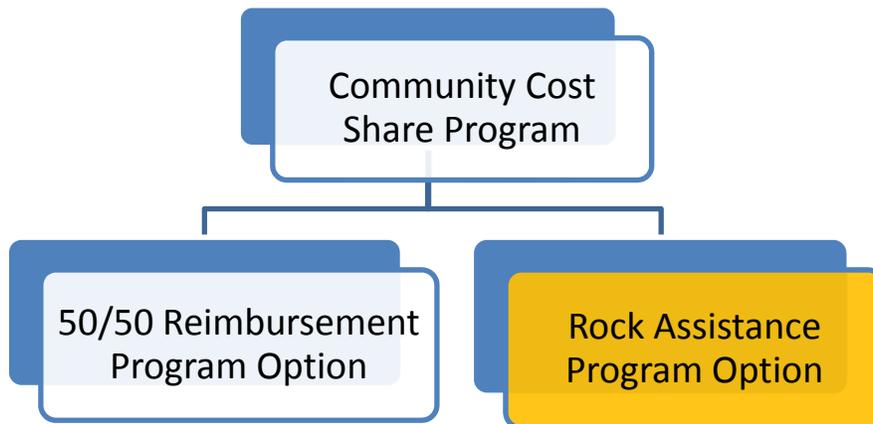
### Rock Assistance Program Option (RAP)

#### Purpose

With any residential storm water issue, the difference between the responsibility of a private land owner and a problem large enough for the City to become involved is not always clear. As such, the City's Storm Water Policy, which was adopted in June 2011, contains multiple priority levels.

- Priority Levels 1 and 2 include items that warrant full funding from the City. These two levels are designed and constructed by the City.
- Priority Level 3 items will still be considered for partial public funding from the City, but are typically storm water issues that are within the realm of the property owner's private maintenance responsibility.

As a result, this CCS program has been developed to provide assistance to residential property owners through two sub-programs: the 50/50 Reimbursement Program option (50/50) and the Rock Assistance Program option (RAP). CCS also benefits the public by improving water quality and by preventing smaller problems from growing into larger concerns, which could affect adjacent properties or others throughout the watershed. These projects are more private in nature, but still have a public benefit.



City staff will assist the property owner(s) through the entire process from initial application through construction and completion of the project upon acceptance into the program. If the applicant is not clear about anything on the application, please call staff to discuss. Applicants should not hesitate to contact City staff if they have inquiries during the application process. City staff will happily work with the residents throughout the process from start to finish.

## **Program Contacts**

The individual named here should be considered the first point of contact for any application, or any general questions:

**Michele Gremminger**

Stormwater Management Coordinator

636-379-7632

[micheleg@ofallon.mo.us](mailto:micheleg@ofallon.mo.us)

## **Program Criteria**

This program is designed to provide assistance to property owners experiencing creek bank erosion or similar storm water related concerns as a means of reducing soil erosion and its effects on water quality and the storm system throughout the City. The following paragraphs will explain, in detail, the guidelines that will be applied to the Rock Assistance Program (RAP). The Community Cost Share 50/50 Reimbursement Program is explained in a separate document.

Property owners should **not** request consideration for matching funds as the RAP **is not** reimbursable. The services and materials provided by the City are considered a 50% reimbursement for staff time, materials, delivery, etc. and considered as a “soft-match”. Once an application is received, a site visit will be performed in order to verify whether the potential project will qualify as a Priority Level 3 as per the Storm Water Management Policy. For full details on how drainage concerns are resolved and approved for funding, please see the Storm Water Management Policy. The Storm Water Policy is located on the City’s website at <http://www.ofallon.mo.us/stormwater-funding>.

Once a project is approved, ranked and rated, it will be added to the Priority Level 3 Storm Water Priority List. The City will not provide reimbursement for such engineering/construction costs for this RAP option.

The RAP can be used for other projects, outside the realm of creek bank stabilization, free of charge to the residents. Should a resident have a private issue and wish to use the recycled concrete to line a swale or for other storm water drainage issues deemed private, the application process will still need to be followed, approved and the work will need to be inspected for completion.

The RAP program can be used for any zoned property within O’Fallon, however some restrictions apply. Refer to the guidelines below for details.

This program is operated on a first come, first served basis. When supplies are depleted no additional projects can be completed until enough material becomes available.

## ***Rock Assistance Program (RAP) Information and Guidelines***

The Rock Assistance Program (RAP) is designed to assist property owners by utilizing recycled concrete provided and delivered by the City. Should the owner's chosen contractor choose to pick up the materials rather than having them delivered, the contractor should contact the Street Department to make arrangements.

Other guidelines and requirements:

- Should staff determine in the design phase that the use of recycled concrete cannot be an option for construction of a project; the owner may be encouraged to apply for the 50/50 Reimbursement Program option with the Community Cost Share Program (CCS).
- The City does not guarantee the availability of recycled concrete. Therefore the applicant may not be able to utilize this service. If this is the case, the applicant may decide to purchase the appropriate rock or wait until ample material is available for the applicant's specific needs. If a decision is made to purchase rock due to lack of City supplied rock, the owner will not be eligible for reimbursement of the purchased rock.
- A limit of 10 loads per calendar year will be allowed to a property. A load is defined as 'one trip of rock', regardless of the truck size or its volume.
- If the applicant is a home owners association, and the repair is intended on different areas across common ground, then there will need to be a separate application for each area.
- If the property owner needs more than the 10 loads, then they can pick up more rock based on availability. The property owner shall reapply for the RAP program and state this specific request. The City reserves the right to further limit or deny additional requests.
- The material is to be placed only on a slope of 2:1 or flatter.
- Material will be delivered to the front curb or yard of the property. (The property owner will have the ability to pick up the recycled concrete from the City facility if so desired.)
- City staff will not haul, place, stack, etc. the rock once it has been delivered.
- The property owner must place all delivered material in the area of erosion within two (2) weeks of delivery unless prohibited by weather conditions and a time extension is approved by the City.
- The City must be notified once completed for final inspection.
- Material will be allocated only for work done on the applicant's property. If adjoining property owners are affected and want to be included, as part of the process, they must complete a separate application. It is recommended that the property owners work together to complete the project at one time to minimize disturbance.
- Material will not be provided for the repair of erosion, which results from storm water runoff from private property and can be addressed in another way as to prevent further stream bank erosion. For example, top bank erosion from down spouts or other private pipes diverted to the top of the bank may be corrected by altering placement of down spouts or other private pipes.
- The homeowner is responsible for obtaining and paying any and all fees associated with USACE or MDNR permitting should they be required for completion of project. The City will provide assistance with getting the necessary application information to the homeowner. Permits may take 2-4 months to get reviewed and approved by these agencies.

- It will be the applicant's responsibility to have the construction work completed independently, either by means of a hired contractor or themselves. The City will not be doing the construction (No bid review/approval is required.)
- Any surveying, no-rise certification, floodplain certification costs will not be reimbursed to the applicant for this option.
- There is no monetary reimbursement to the applicant for this option.

## **Application Process**

Preapproval of all potential projects must be completed with an evaluation by City staff prior to accepting an application for the program. All potential projects must be approved for the program using parameters explained in the Storm Water Management Policy, which can be reviewed on the City website at <http://www.ofallon.mo.us/stormwater-funding>.

Refer to the flow chart on the next page which provides a snapshot of the processes within this program.

The City will review the application submitted and will use the information provided to establish the necessity for and priority of the request based on the availability of recycled concrete material for the program. Once City staff has reviewed and approved the request for assistance, the applicant will be notified of the process of obtaining necessary US Army Corp of Engineers (USACE) and Missouri Department of Natural Resources (MDNR) required permitting. The City will provide assistance to property owners with obtaining necessary permits, if they are required. Work in an area of less than one (1) acre will most likely not require a MDNR land disturbance permit (401/404). Should the project require a permit from either USACE or MDNR, the applicant should be aware that there is a 2-4 month processing period to get these approved and returned.

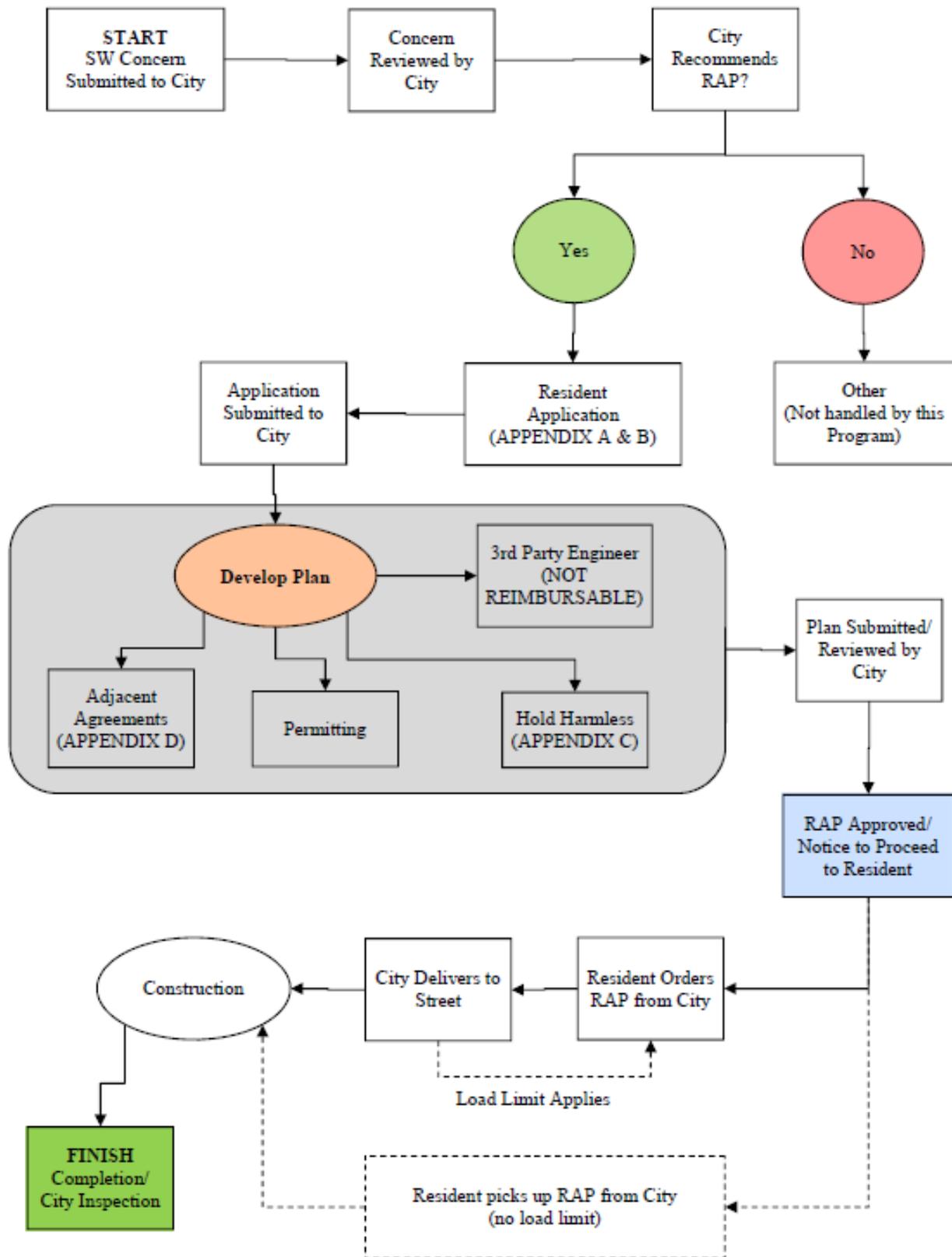
Upon completion of an application (see Appendix A, B), the applicant shall return the application to the City for review and consideration. The completed application shall include the following:

- A sketch (and/or photographs) with information indicating the proposed project including materials to be used (Provide length and width measurements)
- Location of work
- Estimate of required quantities of material needed
- Estimated time frame for the work to be completed
- Completed and signed Hold Harmless Agreement (Appendix C)
- Adjacent Property Agreement Form (Appendix D)
- Copy of USACE or MDNR permits, as well as any other certification or written permit required such as a no-rise or floodplain certification

If the applicant is not clear or confused about anything on the application, please call staff to discuss. City staff will be happy to work with property owners throughout the entire process from start to finish.

Within two (2) weeks after the work has been completed, the applicant shall notify the City for final inspection of installation. Applicants that intentionally misuse materials or fail to complete proposed work shall be responsible for repaying the City the cost of the material and delivery charge.

## RAP Program Flowchart



## **Rock Quantities**

The recommended rip rap rock sizes for the stabilization project should be calculated per the MSD (Metropolitan Sewer District) guideline as shown in Appendix E

## **US Army Corps of Engineers “Broken Concrete” Requirements**

Per the US Army Corps of Engineers (**NWP 13 - Bank Stabilization, Permit Regulations**):

Broken concrete used as bank stabilization must be reasonably well-graded, consisting of pieces varying in size from 20 pounds up to and including at least 150 pound pieces. Gravel and dirt should not exceed 15% of the total fill volume. All protruding reinforcement rods, trash, asphalt, and other extraneous materials must be removed from the broken concrete prior to placement in waters of the United States.

Information regarding permit regulations may be viewed at:

<http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/NationwidePermits.aspx>

## **Links or Helpful Information**

### **Government Links:**

**Missouri Department of Natural Resources and US Army Corps of Engineers:**

401/404 Permit Application Information:

<http://www.dnr.mo.gov/env/wpp/401/>

<http://www.mvs.usace.army.mil/ConOps/permits/permits.html>

## Appendix A

### APPLICATION CHECKLIST

**Submit with application. Applicant must initial next to each item and sign bottom of page. Attach to front of application.**

**Pre-approval of a Community Cost Share Program project is required prior to application submittal**

<b>Initials</b>	<b>Item</b>
	One (1) paper copy of application delivered to City of O'Fallon.
	Sketch/photographs/plans of the proposed improvements
	Applicable permits
	General schedule for the total project.
	Signed Hold Harmless Agreement Form
	Signed Adjacent Property Agreement Form

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Application Contact - Signature and Date

## **Appendix B**

**City of O'Fallon – Stormwater Management Department**  
**Community Cost Share Program**  
100 North Main Street  
O'Fallon, Missouri 63366  
www.ofall  
on.mo.us  
636.240.2000



# Application - Rock Assistance (RAP) Option

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**Please Print Clearly**

### **Contact Information (Please Type or Print):**

#### **Applicant/Property Owner**

Company:  
Contact Person:  
Address:  
City/State/Zip:  
Phone:  
Fax:  
E-mail:

### **Subject Property Information:**

Property Location:  
Is project located entirely on your property?  
If No, is it located on Common Ground or other private property?

### **Homeowners Association Contact Information:**

Management Company (if applicable): \_\_\_\_\_

Trustee Name:

Address:

Telephone:

**RAP Request for:**

City Delivered RAP\*:

Applicant Pickup:

Estimated Grading Quantity:

**\*Note: load limit applies for City deliveries.**

Does on-site erosion cause an immediate threat to any habitable structures? If yes, estimate distance  
0-5 ft.                      5-10 ft.                      10-20 ft.                      +20 ft.

Are there any utilities located within project boundaries?  
If Yes, please list them and their location:

Description of work to be completed: (attach sketch/photographs)

Estimated time of complete work, if approved:

The Owner is willing to perform or contract work:

By signing this application, the applicant understands the following:

- Measures should be taken to protect driveway, sidewalk, curb or other City owned infrastructure or City Right-of-Way from damage by use of protective materials such as ¾” plywood or larger, protective mats, etc.
- Any leftover materials will be the responsibility of the property owner to dispose properly

I (We) the undersigned owners of the property, have read, understand and agree to the terms and conditions of the Stream Bank Erosion Cost Share Program for the City of O’Fallon, Missouri.

\_\_\_\_\_  
**Applicant/Property Owner Signature**

\_\_\_\_\_  
**Printed**

\_\_\_\_\_  
**Applicant/Property Owner Signature**

\_\_\_\_\_  
**Printed**

**Appendix C**



**Community Cost Share Program  
Hold Harmless Agreement  
(For 50/50 Reimbursement or RAP)  
Please Read Before Signing**

**RELEASE  
HOLD HARMLESS AGREEMENT**

This release is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_ (printed name of property owner), hereinafter referred to as "Owner" of the property located \_\_\_\_\_ (physical address), and the City of O'Fallon (hereinafter referred to as the "City").

In consideration of the Owner's voluntary participation in the City of O'Fallon Community Cost Share Program, the Owner hereby releases, protects, indemnifies, and holds harmless the City of O'Fallon, Missouri and employees from any loss, damage, liability, and expense for all injuries, including death to persons or damage to property directly or indirectly arising or growing from the performance of the City of O'Fallon, Missouri and employees and agrees to indemnify and hold harmless the City, its agents, employees, and officers from all claims, damages or causes of action (including reasonable attorney's fees) caused by or arising in any manner from the Owner's participation in the City of O'Fallon Community Cost Share Program and any agreements or contracts between the Owner and home improvement contractors. In consideration of the Owner's voluntary participation in the City of O'Fallon Community Cost Share Program, the Owner shall hold City of O'Fallon and employees harmless from and shall answer and defend any action instituted against the City of O'Fallon for any loss, damage, or injury sustained by any person resulting from the performance of the City of O'Fallon.

I, the Owner, have read this release and understand all its items. I execute it voluntarily and with full knowledge of its significance on the day and year first written above.

\_\_\_\_\_  
SIGNATURE-OWNER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE-CITY OF O'FALLON, MO WITNESS

\_\_\_\_\_  
DATE



**Appendix D**  
**CITY OF O'FALLON**  
**COMMUNITY COST SHARE PROGRAM**  
**ADJACENT PROPERTY AGREEMENT**

**APPLICANT INFORMATION: (WHERE WORK IS BEING PERFORMED)**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

**ADJACENT PROPERTY OWNER(S) CONSENT:**

THE INFORMATION AND SIGNATURE BELOW IS TO INFORM THE CITY OF O'FALLON THAT I AM AN ADJACENT PROPERTY OWNER, AWARE OF, REVIEWED AND HAVE NO OBJECTIONS TO THE STORMWATER PROJECT THAT WILL BE COMPLETED BY THE HOMEOWNER OR HOMEOWNER'S ASSOCIATION (HOA) LISTED AT THE ABOVE ADDRESS. ANY DISCREPANCIES OF THE FINAL PROJECT WILL BE RESOLVED BETWEEN MYSELF AND THE HOMEOWNER/HOA.

**NAME (PRINTED):** \_\_\_\_\_

SIGNATURE \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

**NAME (PRINTED):** \_\_\_\_\_

SIGNATURE \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

**NAME (PRINTED):** \_\_\_\_\_

SIGNATURE \_\_\_\_\_

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PHONE: \_\_\_\_\_

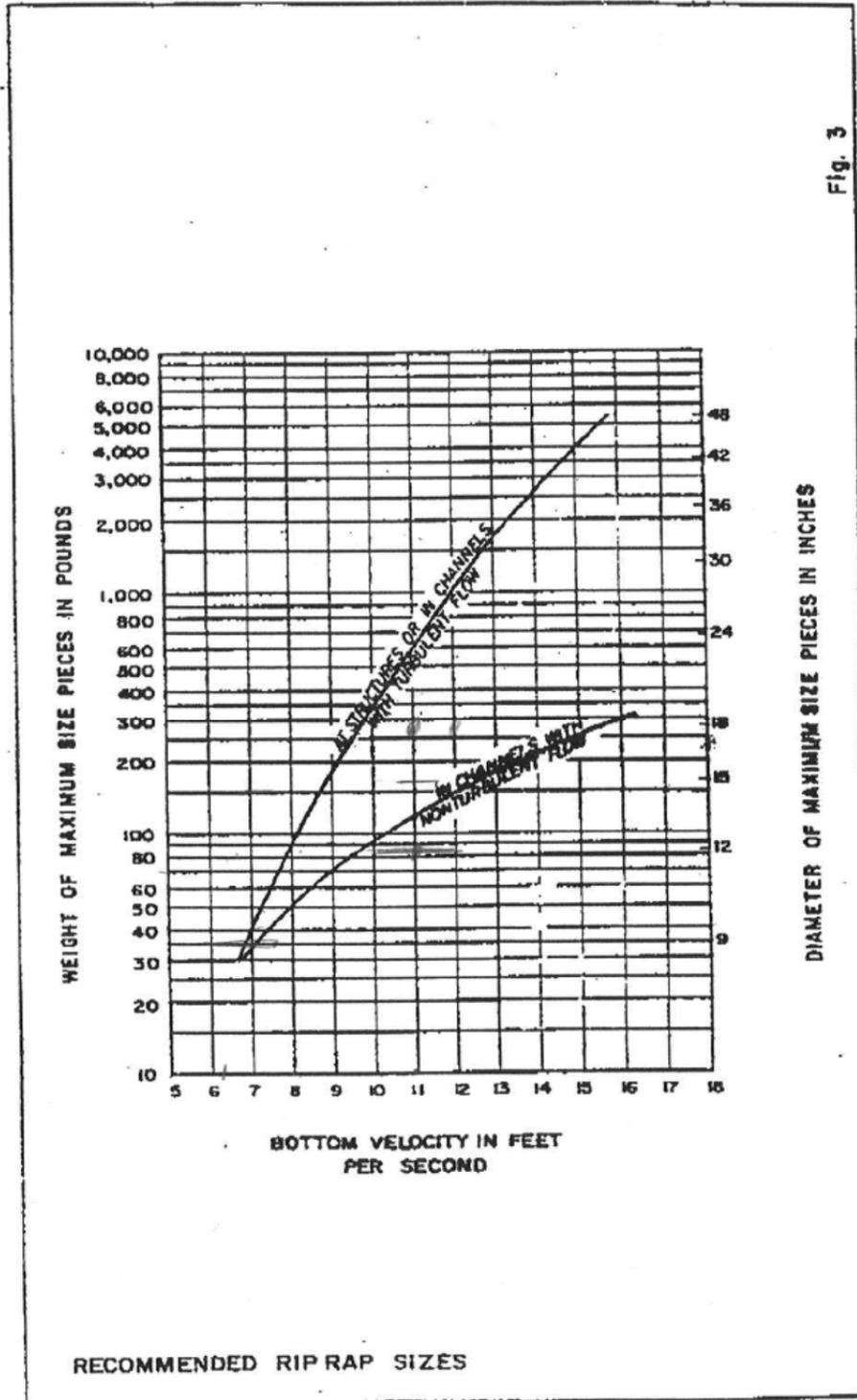
**NAME (PRINTED):** \_\_\_\_\_

SIGNATURE \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

**Appendix E**  
**CITY OF O'FALLON**  
**COMMUNITY COST SHARE PROGRAM**  
**Rock Chart**



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