

**DECLARATION FOR MAINTENANCE  
of  
STORMWATER FACILITIES**

THIS DECLARATION is made this 22<sup>ND</sup> day of March, 2022, by **University of St. Thomas at 2260 Summit Ave, St Paul, MN**, (“Declarant”), in favor of the Capitol Region Watershed District, a body with powers pursuant to Minnesota Chapters 103B and 103D (“CRWD”).

WHEREAS, Declarant(s) hold(s) fee interest in real property within the City of **St. Paul**, Ramsey County, Minnesota, platted and legally described as:

**LOT 1, BLOCK 1, ST. PAUL SEMINARY ADDITION**

WHEREAS, no one other than Declarant(s) **University of St. Thomas** possess(es) any right, title or interest in the Property;

WHEREAS, the facilities on or to be located on the Property to which the maintenance requirements in the Declaration apply as labeled on the scaled site plan **Attachment A** are as follows (the Facilities):

**Steel reinforced polyethylene underground cistern system  
Pretreatment devices  
Sump Manholes**

WHEREAS, Declarant desires to subject the Property to certain conditions and restrictions imposed by the CRWD as a condition to issuance of CRWD Permit # **22-001** for the mutual benefit of the CRWD and Declarant.

NOW THEREFORE Declarant makes this declaration and hereby declares that this declaration shall constitute covenants to run with the Property, and further declares that the Property shall be owned, used, occupied, and conveyed subject to the covenants and restrictions set forth in this declaration, all of which shall be binding in perpetuity on all persons owning or acquiring any right, title or interest in the Property, and their heirs, successors, personal representatives and assigns, but only during the period of ownership of that right, title or interest.

1. Declarant will inspect the Facilities at least quarterly during the first year following construction and annually thereafter.
2. Declarant will maintain and repair the facilities:
  - a. In the case of basins and other facilities where sediment collects, to preserve storage or capacity at or above the design volume or, where no design storage volume or capacity is incorporated into the permit, the volume or capacity recommended by the manufacturer.
  - b. In the case of conveyances and other structures, to preserve design hydraulic capacity.
  - c. In the case of facilities relying on soils and vegetation for stormwater management or treatment, to preserve healthy vegetation and design soil permeability.
  - d. In the case of all facilities, as necessary to preserve the integrity and intended function of the facility.
3. Declarant will submit annually, a report to include inspection dates, facility conditions, and corrective actions taken.
4. If Declarant fails to perform required maintenance to stormwater facilities resulting in deviation from the designed treatment performance or efficiency, the CRWD may notify Declarant of this deficiency. If Declarant has not completed or scheduled corrective action within 60 days of receipt of notification, the CRWD may perform any action deemed necessary to return full design function and treatment performance to the stormwater treatment facility. The Declarant shall be responsible for reimbursement of all costs incurred from such activity including but not limited to administrative overhead and attorney's fees.
5. Any notice under this declaration shall be sent by certified mail, return receipt requested, or delivered to the following address:

**James Brummer  
University of St. Thomas  
2115 Summit Ave  
Saint Paul, MN 55105**

Declarant may change this address by a certified letter to the CRWD referencing the permit number.

6. If Declarant, its successors or assigns, materially changes use of the Property so that the Facilities which are the subject of this Declaration are rendered unnecessary, or are replaced by other Facilities approved by the CRWD, its successors or assigns, this Declaration shall become void and of no further force or effect.
7. An executed copy of this declaration shall be filed with Ramsey County Registrar or Ramsey County Recorder, filing cost to be borne by the Declarant. This declaration will be unlimited in duration without being re-recorded.

**DECLARANT**

By: \_\_\_\_\_

Its: James Brummer

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2022\_ by James Brummer the Associate Vice President of University of St. Thomas, a 501(c)(3) under the Laws of Minnesota, on behalf of Declarant.

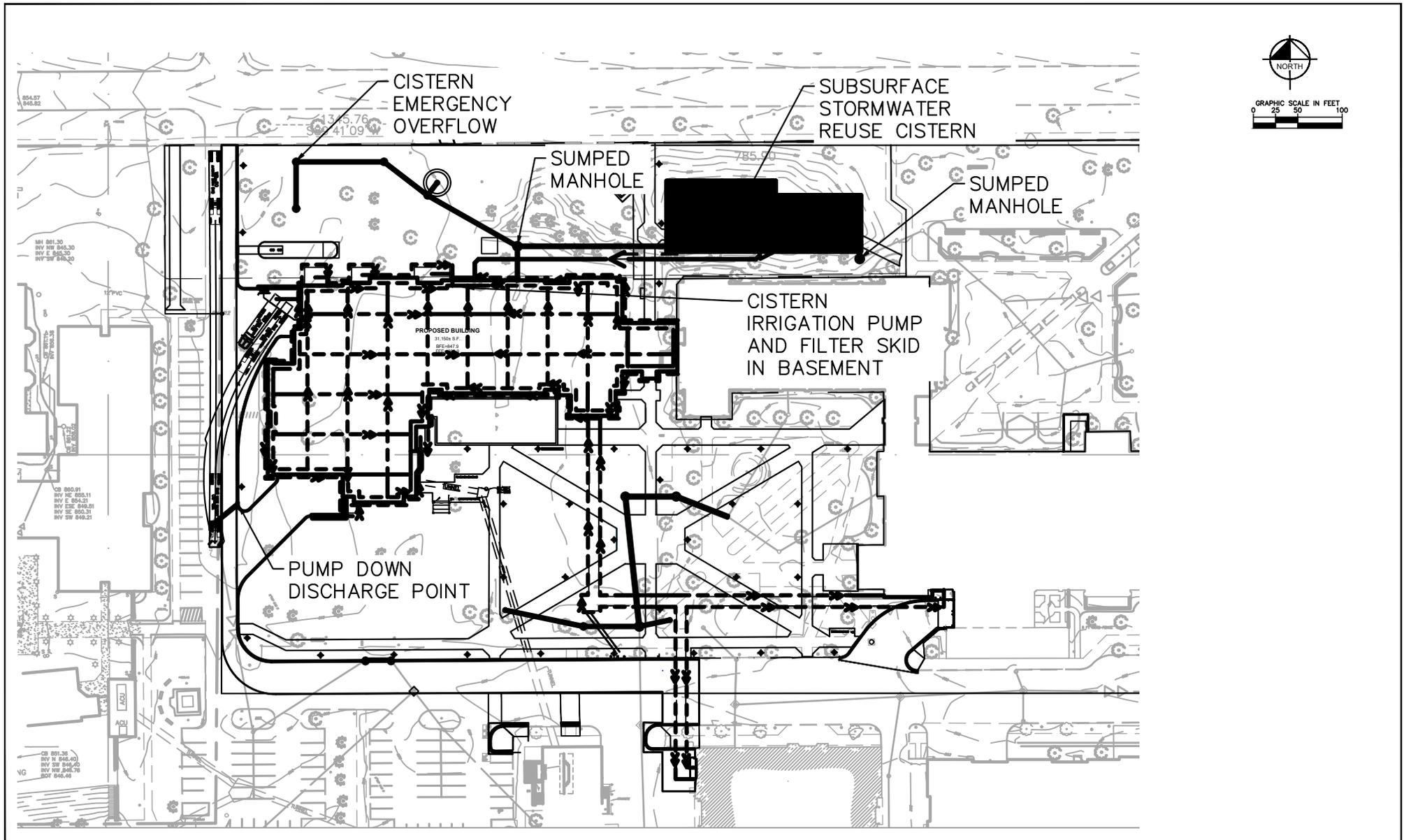
\_\_\_\_\_  
Notary

(stamp)

This instrument was drafted by:

**Dan Elenbaas, PE**  
**Kimley-Horn and Associates, Inc.**  
**767 Eustis Street**  
**Saint Paul, MN 55114 March 22, 2022**

# **ATTACHMENT A**



No.	REVISIONS	DATE	BY

KHA PROJECT
DATE 03/22/22
SCALE
DESIGNED BY
DRAWN BY
CHECKED BY

SCHOENECKER CENTER  
ST. PAUL, MN

ATTACHMENT A

SHEET NUMBER

# **ATTACHMENT B**

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# OPERATION AND MAINTENANCE PLAN

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Schoenecker Center  
UST STEAM Building  
Saint Paul, MN

City of Saint Paul  
Capital Region Watershed District

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Facility Owner:  
University of St. Thomas  
2115 Summit Avenue,  
St. Paul, MN 55015  
Contact: James Brummer

Prepared by:  
Kimley-Horn  
767 Eustis Street, Suite 100  
St. Paul, MN 55114  
Contact: Daniel Elenbaas, P.E.

**Table 1: Operations and Maintenance Structure Table**

<u>Infrastructure ID</u>	<u>Type</u>	<u>General Location and Description</u>	<u>Page Number</u>
North Cistern	Underground Water Reuse Cistern	North of O’Shaughnessy Science Hall, 5 rows of 96” DIA. Pipe	3-5
MH-115	Sumped Manhole	Southeast corner of North Cistern	6-8
MH-101	Sumped Manhole	West of North Cistern, North of Roof Drain of STEAM Building	9-11
Filtration Skid	Filtration Skid	Located in Basement of STEAM building	12-14

**STORMWATER MAINTENANCE PLANS AND PRACTICES**

**Stormwater BMP: Underground Stormwater Reuse Cistern**

**Contact:** James Brummer

**BMP Description:** Pipe Network located as shown in Attachment A. The system consists of rows of pipe with access manholes.

**Maintenance Tasks and  
Timeline**

Tasks	Frequency and Comments
Inspections	Twice annually first two year, once per year following. Access system via risers. Utilize remote cameras as necessary to inspect system.
Sediment and Trash removal*  <i>*While it is important to monitor and maintain the infiltration system, it is critical that the pretreatment sumps be maintained to prevent sediment from accumulating in the system. See below for maintenance of the pretreatment sumps.</i>	Remove trash and sediment when the average depth of sediment at the manholes reaches 3 inches. Utilize a high-pressure water nozzle to propel itself down the rows to scour and suspend sediments. As the nozzle is retrieved, the suspended sediments are flushed back into the access manhole for vacuuming. Nozzles shall have rear facing jets with an effective spread of at least 45" to cover the lower portions of the pipe. If entry into the system is required, follow OSHA rules for confined space entry.
Outlet Control Structure	Monitor annually and removed debris and sediment as accumulation occurs
Storm sewer system	Monitor annually and remove sediment as needed

### Underground Stormwater Reuse Cistern Inspection Checklist

Inspector:	
Date:	
Time:	
Weather:	Rainfall over previous 2-3 days? Y / N
Reading from closest NOAA reporting station: _____”	

Mark items in the table below using the

following key:

- X Needs immediate attention
- \_ Not Applicable
- Okay
- ? Clarification required

<b>BIOFILTRATION COMPONENTS</b>	<b>CHECKED</b>		<b>MAINTENANCE NEEDED</b>	
	<b>Y</b>	<b>N</b>	<b>Y</b>	<b>N</b>
<b>DEBRIS CLEANOUT</b>				
System clean of debris				
System clean of yard waste				
Outlet Control Structure clear of debris				
<b>DEWATERING AND SEDIMENTATION</b>				
System dewateres between storms				
No evidence of standing water				
No evidence of interior surface clogging				
Sedimentation no greater than 20% of basin design depth				
<b>OUTLETS/EMERGENCY OVERFLOW</b>				
Structure not in need of repair				
No evidence of erosion				
No evidence of blockage				



## **Stormwater BMP: Pretreatment Sump (MH 115)**

**Contact:** James Brummer

**BMP Description:** Sump manholes located as shown on Attachment A.

### **Maintenance/Inspection**

1. Visual Inspection - Three times per year for first two years, once per year following
2. Sump Cleaning - Once per year, unless visual inspection indicates more frequent cleanings required

### **Tools Needed**

1. Vacuum truck with jet power washer
2. Measuring tape with attached flat disk
3. Rake or broom

### **Visual Inspection**

Visual inspection needs to take place to ensure the sump is functioning properly and should take place 3 times per year for the first two years.

1. Previous Inspections – When was the last time this structure was inspected?
2. Access - Is the structure accessible? If not, remove obstruction.
3. Debris - Is trash or vegetation in the structure? If so, what types of trash or vegetation are present? Is there so much debris that it is difficult to see water? If so, sump cleaning is required
4. Sediment Accumulation – How much sediment has been captured so far? Use a tape measure with a flat disk attached to the bottom to measure the depth of sediment accumulated. Several measurements should be taken to generate an average sediment depth. If average sediment height is within 1-ft of the bottom of the outlet pipe, sump cleaning is required.

### **Sump Cleaning**

Sump cleaning needs to take place to ensure maximum capture of sediment from stormwater and should be performed at minimum, once per year. The structure is full and needs sump cleaning when sediment is within one foot of the bottom of the outlet pipe. Additional cleanings may be required per year if sediment is consistently filling to one foot below the outlet pipe before a year has passed.

1. Vacuum water, debris, and sediment
2. Jet wash any remaining debris and sediment towards vacuum hose

**Sump Maintenance Inspection Checklist – Page 1/2**

Inspector:
Date:
Time:
Weather: <span style="float: right;">Rainfall over previous 2-3 days? Y / N</span>
Reading from closest NOAA reporting station: _____”
Sump Manhole Location/ID:

Mark items in the table below using the following

key: X Needs immediate attention

– Not Applicable

• Okay

? Clarification required

BIOFILTRATION COMPONENTS	CHECKED		MAINTENANCE NEEDED		INSPECTION FREQUENCY
	Y	N	Y	N	
<b>DEBRIS CLEANOUT</b>					<b>M</b>
Grate clean of debris/yard waste					
Chamber clean of debris/yard waste					
<b>SUMP CLEANING</b>					<b>A, AMS</b>
Sediment within 1' of outlet pipe					
<b>OUTLETS/EMERGENCY OVERFLOW</b>					<b>A, AMS</b>
Structure not in need of repair					
No evidence of erosion					
No evidence of blockage					

**Inspection Frequency Key    A=Annually    M=Monthly    AMS=After Major Storm**



## **Stormwater BMP: Pretreatment Sump (MH-101)**

**Contact:** James Brummer

**BMP Description:** Sump manholes located as shown on Attachment A.

### **Maintenance/Inspection**

1. Visual Inspection - Three times per year for first two years, once per year following
2. Sump Cleaning - Once per year, unless visual inspection indicates more frequent cleanings required

### **Tools Needed**

1. Vacuum truck with jet power washer
2. Measuring tape with attached flat disk
3. Rake or broom

### **Visual Inspection**

Visual inspection needs to take place to ensure the sump is functioning properly and should take place 3 times per year for the first two years.

1. Previous Inspections – When was the last time this structure was inspected?
2. Access - Is the structure accessible? If not, remove obstruction.
3. Debris - Is trash or vegetation in the structure? If so, what types of trash or vegetation are present? Is there so much debris that it is difficult to see water? If so, sump cleaning is required
4. Sediment Accumulation – How much sediment has been captured so far? Use a tape measure with a flat disk attached to the bottom to measure the depth of sediment accumulated. Several measurements should be taken to generate an average sediment depth. If average sediment height is within 1-ft of the bottom of the outlet pipe, sump cleaning is required.

### **Sump Cleaning**

Sump cleaning needs to take place to ensure maximum capture of sediment from stormwater and should be performed at minimum, once per year. The structure is full and needs sump cleaning when sediment is within one foot of the bottom of the outlet pipe. Additional cleanings may be required per year if sediment is consistently filling to one foot below the outlet pipe before a year has passed.

1. Vacuum water, debris, and sediment
2. Jet wash any remaining debris and sediment towards vacuum hose

## Sump Maintenance Inspection Checklist – Page 1/2

Inspector:
Date:
Time:
Weather: <span style="float: right;">Rainfall over previous 2-3 days? Y / N</span>
Reading from closest NOAA reporting station: _____”
Sump Manhole Location/ID:

Mark items in the table below using the following

- key: X Needs immediate attention
- Not Applicable
- a. Okay
- ? Clarification required

BIOFILTRATION COMPONENTS	CHECKED		MAINTENANCE NEEDED		INSPECTION FREQUENCY
	Y	N	Y	N	
<b>DEBRIS CLEANOUT</b>					<b>M</b>
Grate clean of debris/yard waste					
Chamber clean of debris/yard waste					
<b>SUMP CLEANING</b>					<b>A, AMS</b>
Sediment within 1' of outlet pipe					
<b>OUTLETS/EMERGENCY OVERFLOW</b>					<b>A, AMS</b>
Structure not in need of repair					
No evidence of erosion					
No evidence of blockage					

**Inspection Frequency Key    A=Annually    M=Monthly    AMS=After Major Storm**



## **Stormwater BMP: Filtration Skid**

**Contact:** James Brummer

**BMP Description:** Pump and charcoal filter located in STEAM basement as shown on Attachment A.

### **Maintenance/Inspection**

1. Pressure Differential Transmitters determine when sediment and carbon filter elements need replacing.

### **Tools Needed**

1. Standard toolbox.

### **Visual Inspection**

Visual inspection needs to take place to ensure the pump and filter is functioning properly and should take place 3 times per year for the first two years.

1. Previous Inspections – When was the last time this filter cartridge was inspected?
2. Access - Is the structure accessible? If not, remove obstruction.
3. Debris - Is floating intake covered? If so, what types of trash or vegetation are present? Is there so much debris that it is difficult to pass water? If so, sump cleaning is required
4. Sediment Accumulation – How much sediment has been captured so far? Weigh sediment accumulated.

### **Filter Cartridge Replacement**

Filter cartridge replacement needs to take place to ensure maximum capture of sediment and undesirable odors from stormwater and should be performed at minimum, once per year. Additional replacement may be required more frequently if it is found that sediment or excessive salt is consistently causing the pressure differential sensor to trigger.

**Filtration Skid Inspection Checklist – Page 1/2**

Inspector:
Date:
Time:
Weather: <span style="float: right;">Rainfall over previous 2-3 days? Y / N</span>
Reading from closest NOAA reporting station: _____”
Sump Manhole Location/ID:

Mark items in the table below using the following

- key: X Needs immediate attention
- Not Applicable
- a. Okay
- ? Clarification required

BIOFILTRATION COMPONENTS	CHECKED		MAINTENANCE NEEDED		INSPECTION FREQUENCY
	Y	N	Y	N	
<b>DEBRIS CLEANOUT</b>					<b>M</b>
Grate clean of debris/yard waste					
Chamber clean of debris/yard waste					
<b>SUMP CLEANING</b>					<b>A, AMS</b>
Sediment within 1' of outlet pipe					
<b>OUTLETS/EMERGENCY OVERFLOW</b>					<b>A, AMS</b>
Structure not in need of repair					
No evidence of erosion					
No evidence of blockage					

**Inspection Frequency Key    A=Annually    M=Monthly    AMS=After Major Storm**

