

Stormwater Management Program

Written description as required by NPDES Permit #IDS028576



**University
of Idaho**

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NPDES Permit #IDS028576

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Table of Contents

ACRONYMS	3
DEFINITIONS.....	4
1 BASIC SWMP INFORMATION	6
2 MAP OF THE SEPARATE STORM SEWER SYSTEM	9
3 TARGETING POLLUTANTS OF CONCERN	10
4 LEGAL AUTHORITY AND ENFORCEMENT	11
5 STORM WATER CONTROL MEASURES TO REDUCE POLLUTANTS TO THE MAXIMUM EXTENT PRACTICABLE	12
6 UNIQUE PROVISIONS SPECIFIC TO THE UNIVERSITY OF IDAHO	17
ATTACHMENT I MS4 STORMWATER INFRASTRUCTURE MAPS.....	18
ATTACHMENT II UNIVERSITY OF IDAHO AND MCKINSTRY RELEVANT CONTRACT SECTION.....	20

ACRONYMS

BMP – Best Management Practice

CAD – Computer-Aided Design

CWA – Clean Water Act

EPA – United States Environmental Protection Agency, Region 10

GIS – Geographic Information System

ID – Idaho

IDEQ – Idaho Department of Environmental Quality

MCC – Moscow City Code

MS4 – municipal separate storm sewer system

NPDES – National Pollutant Discharge Elimination System

O&M – Operations and Maintenance

P3 – public-private partnership

PDF – Portable Document Format

QAPP – Quality Assurance Project Plan

SWMP – Storm Water Management Program

SWPPP – Storm Water Pollution and Prevention Plan

TMDLs – Total Maximum Daily Loads

WA – Washington

WLAs – Waste Load Allocation

WQS – Water Quality Standards

DEFINITIONS

BMP – Schedules and activities, prohibition practices, maintenance procedures, and other management practices to prevent or reduce the pollution of water of the United States. BMP broadly refers to any type of structural or non-structural practice or activity undertaken by the University of Idaho in the course of implementing this SWMP.

Clean Water Act, CWA – Formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972.

Control Measure – Any action, activity, BMP, or other method used to control the discharge of pollutant in the University of Idaho MS4 discharges.

Discharge – The “discharge of a pollutant” when used without qualification.

Illicit Discharge – Any discharge to a municipal storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges from firefighting activities.

Impaired Waters – Any water body that does not meet applicable water quality standards for one or more beneficial uses by one or more pollutants. Impaired waters includes any water IDEQ includes in its 2014, 2016, and 2020 Integrated Reports, as a “Category 4a” water of the state for which a TMDL has been completed and approved; as a “Category 4b” water of the state that have pollution control requirements in place other than a TMDL and are expected to meet standards; and/or as a “Category 5” water of the state where a TMDL is necessary. The term also includes any interstate surface water body that originates in Idaho and flows into Washington that the Washington Department of Ecology categorizes as Category 4a, 4b, or 5 in its latest Water Quality Assessment 305(b) Report and 303(d) List as approved by EPA on July 22, 2016.

Municipal Separate Storm Sewer, MS4 – Conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to water of the United States’ (ii) Designed or used for collecting or conveying stormwater; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW).

National Pollutant Discharge Elimination System, NPDES – The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under section 307, 402, 318, and 405 of CWA.

Outfall – Point source at the point where a MS4 discharges to water of the United States, and does not include open conveyances connecting two municipal separate storm sewer or pipes, tunnels, or other conveyances which connect segments of the same stream or other water of the United States and are used to convey water of the United States.

Point Source – Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete figure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. The term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant – Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, silt, and industrial, municipal, and agricultural waste discharged into water.

Post-construction Stormwater Management Controls, or “permanent stormwater controls” – Controls designed to treat or control runoff on a permanent basis once construction is complete.

Stormwater and storm water runoff – Stormwater runoff, snow melt runoff, and surface runoff and drainage as used in the University of Idaho’s MS4 Permit. Stormwater means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, channels, or pipes into a defined surface water channel or a constructed infiltration facility.

Stormwater Pollution Prevention Plan, SWPPP – Site-specific plan designed to describe the control of soil, raw materials, or other substances to prevent pollutants in stormwater runoff; a SWPPP is generally developed for a construction site, or an industrial facility.

Total Maximum Daily Load, TMDL – Sum of the individual waste load allocations for point sources, load allocations (LAs) for non-point sources, and natural background.

1 BASIC SWMP INFORMATION

This Storm Water Management Program (SWMP) Document was developed by University of Idaho to describe the activities and control measures conducted to meet the terms and conditions of NPDES Permit #IDS028576.

1.1 Staff Organization

The University of Idaho’s stormwater staff are as follows:

Paul Wood – McKinstry Company, LLC Operations Director

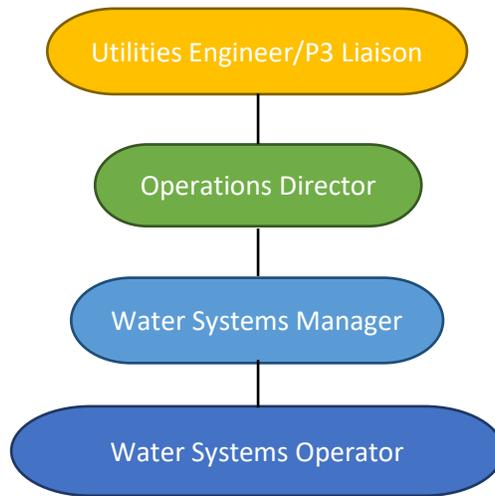
Elmer Johnson – McKinstry Company, LLC Water Systems Manager

Tyson Scoles – McKinstry Company, LLC Water Systems Operator

Brian Johnson – University of Idaho Utilities Engineer/P3 Liaison

The organization chart displays the levels associated with the McKinstry staff.

Figure 1. Stormwater Services Organization Chart



1.2 Receiving Waters

The waterbodies identified in **Table 2** receive storm water discharges from the University of Idaho MS4.

Table 2. Receiving Water Summary

Receiving Waterbody Segments	WQS Classification	Impairment/Pollutant of Concern	TMDLs? (Yes/No)	Applicable WLAs (Yes/No)	No. of Discharging Outfalls
Paradise Creek ID17060108CL005_02 Paradise Creek – Urban boundary to Idaho/Washington border	Cold water biota, secondary recreation, and agricultural supply	<i>E. coli</i> ; <i>Nutrient/Eutrophication Biological Indicators</i> ; <i>Sedimentation/Siltation</i> ; <i>Temperature</i>	Yes	No	21
Paradise Creek (WA portion) ID17060108000255 WDOE Listing ID: 10444		<i>Fecal coliform bacteria</i> ; <i>pH</i> ; <i>Dissolved oxygen</i> ; <i>Temperature</i>			N/A

University of Idaho’s MS4 is also interconnected with other MS4s as identified below.

Table 3. City of Moscow MS4 Receiving Water Summary

Receiving Waterbody Segments	WQS Classification	Impairment/Pollutant of Concern	TMDLs	Applicable WLAs	No. of Inter-connections
Paradise Creek ID17060108CL005_02 Paradise Creek – Urban boundary to Idaho/Washington border	Cold water biota, secondary recreation, and agricultural supply	<i>E. coli</i> ; <i>Nutrient/Eutrophication Biological Indicators</i> ; <i>Sedimentation/Siltation</i> ; <i>Temperature</i>	Yes	No	198
Paradise Creek (WA portion): Paradise Creek 10443; 10439; 10444		<i>Fecal coliform bacteria</i>			N/A
South Fork Palouse River ID17060108CL002_03 S. Fork Palouse River – Gnat Cr. To Idaho/Washington border		<i>Nutrient/Eutrophication Biological Indicators</i> ; <i>Sedimentation/Siltation</i> ; <i>Temperature</i>	Yes	No	9
S. Fork Palouse River (WA portion): SF Palouse River 6712; 6711; 6710; 6707		<i>Fecal coliform bacteria</i> ; <i>Chlorinate pesticides</i> ; <i>Polychlorinated Biphenyls</i>			N/A

1.3 SWMP Information and Statistics

As required in Part 2.5.4 of its NPDES MS4 Permit, the University of Idaho “must maintain a method of gathering, tracking, and using SWMP information to set priorities, and assess Permit compliance.” Currently, the university tracks operator hours and equipment used to accomplish stormwater clean-up activities. The University of Idaho has conducted catch basin cleaning for the Spring of 2022. Education, Outreach and Public Involvement are tracked by staff. Details are found in Section 5.5 of this document.

1.4 Transfer of Ownership, Operational Authority, or Responsibility for SWMP Implementation

As required in Part 2.5.6, the University of Idaho “must implement the required SWMP control measures of this Permit in all new areas added or transferred to the Permittee’s MS4 (or for which a Permittee becomes responsible for implementation of SWMP control measures) as expeditiously as practicable, but not later than one (1) year from addition of the new areas.” There have not been any additions into the university’s MS4 jurisdiction.

Recently, the University transferred operation of their stormwater system to Sacyr Plenary Utility Partners Idaho (SPUPI), which, in turn, hired Moscow ID ECO District I, LLC (“McKinstry”) as their sub-operator. Attachment II contains the relevant section of the contract between the University and SPUPI, which outlines operation and management responsibilities. A complete copy of the contract is available upon request.

2 MAP OF THE SEPARATE STORM SEWER SYSTEM

As of September 2021, the University of Idaho's stormwater infrastructure is composed of:

- 306 catch basins/stormwater inlets
- 120 storm drain manholes
- 9.87 miles of storm drain pipe
- 147 lineal feet of culverts
- 2 surface detention ponds
- 2.0 miles of receiving waters (Paradise Creek, South Fork Palouse River)
- 21 known outfalls to receiving waters

At this time, the MS4 map is managed by the University of Idaho in CAD. The Outfall Inventory is drawn over the CAD maps in PDF. There are unresolved discrepancies between the City of Moscow MS4 Maps and the University of Idaho MS4 maps. It is anticipated that there will be changes as the two entities work towards resolution.

According to the MS4 permit, no later than September 1, 2025, an electronic GIS version of the MS4 map, and the accompanying Outfall Inventory, must be submitted to IDEQ as part of the Permit Renewal Application.

A map of the University of Idaho's stormwater system, receiving waters, and drainage basins is included in Attachment I of this document.

3 TARGETING POLLUTANTS OF CONCERN

As stated in Part 4.2 of the University of Idaho’s MS4 Permit, the university “must submit a Monitoring/Assessment Plan that is designed to quantify, at a minimum, pollutant loadings from the MS4 into Paradise Creek for E. coli....”. To comply with Part 4.3 on its’ permit, the University of Idaho “must define and implement at least one (1) pollutant reduction activity designed to reduce E. coli, nutrients, sediment, and heat loadings from the MS4 into the Paradise Creek.” The monitoring/assessment plan will comply with Part 4.2 and Part 6.2.6 – Quality Assurance Requirements of its’ MS4 permit.

3.1 Monitoring/Assessment of MS4 Discharges to Impaired Waters

The University of Idaho is required to conduct a dry weather analytical and field screening monitoring program to identify non-stormwater flows for MS4 outfalls during dry weather. Since the University of Idaho’s Permit Area contains less than 50 outfalls, staff will inspect all 21 outfall locations that discharge to Paradise Creek annually as required in Section 3.2.5.2 of their MS4 Permit. Records of the Dry Weather Outfall Screening Program will be maintained and reported in each Annual Report starting in 2025.

The dry weather monitoring program must emphasize screening activities to detect and identify illicit discharges and illegal connections, and to reinvestigate potential problematic MS4 outfall throughout the Permit area. This program will be included as a part of the Monitoring/Assessment Plan to be completed by March 1, 2023 and incorporated into an updated SWMP Document that needs to be completed by May 3, 2023. A QAPP must be developed for a monitoring or quantitative assessment activities conducted and will be included with the Monitoring/Assessment Plan.

3.2 Pollutant Reduction Activities

The University of Idaho must submit a written description of at least two (2) Pollutant Reduction Activities to address expectations in the applicable TMDL analyses and submit by March 3, 2023. No later than May 3, 2023 the University of Idaho must update their SWMP Document to describe the intended means of accomplishing the Pollutant Reduction Activity requirements.

4 LEGAL AUTHORITY AND ENFORCEMENT

As stated in Part 2.5.2 of the MS4 Permit, the University of Idaho “must maintain relevant regulatory mechanisms to control pollutant discharges into and from its MS4 and to comply with this Permit.” The University of Idaho is within the City limits of Moscow, ID and complies with the Moscow City Code (MCC) to meet the requirements of this section as identified below.

The University of Idaho maintains its own Design Guidelines and Construction Standards which are prepared by Architectural and Engineering Services at the University of Idaho. The University may elect to adopt and maintain relevant regulatory mechanisms separate from the City of Moscow. The University will consider the best way to maintain adequate legal authority prior to September 1, 2025, when the University will be required to develop and/or update other relevant regulatory mechanisms.

<i>University of Idaho relies on the following legal authorities</i>	
1. To prohibit and eliminate illicit discharges to the MS4:	MCC Title 5, Chapter 3 – Sewers Sections 3-19 and 3-21
2. To control the discharge of spills, dumping or disposal of materials other than storm water to the MS4:	MCC Title 5, Chapter 3 – Sewers Sections 3-19 and 3-21
3. To control the discharge of storm water and pollutants from land disturbance and development, both during the construction phase and after site stabilization has been achieved	MCC Title 5, Chapter 15 – Stormwater Runoff Control MCC Title 5, Chapter 6 – Excavations Sections 6-14 MCC Title 7, Chapter 1 – International Building Code, Section 1-4.3316.3.2, A. & B.
4. To control the contribution of pollutants from one MS4 to another interconnected MS4;	MCC Title 5, Chapter 19 – Stormwater User Fees Section 19-7
5. To require local compliance with such requirements; and	MCC Title 5, Chapter 3 – Sewers Section 3-33 MCC Title 5, Chapter 15 – Stormwater Runoff Control Section 15-9 MCC Title 7, Chapter 1 – International Building Code Section 1-4.3316.3.5
6. To carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with the Permit.	MCC Title 5, Chapter 3 – Sewers Section 3-27 MCC Title 5, Chapter 6 – Excavations Section 6-26 MCC Title 7, Chapter 1 – International Building Code Section 1-4.3316.3.5

5 STORM WATER CONTROL MEASURES TO REDUCE POLLUTANTS TO THE MAXIMUM EXTENT PRACTICABLE

The following sections describe University of Idaho's program to reduce pollutants in the MS4 discharges to the maximum extent practicable, as required by Permit Part 3. Each section summarizes the mandatory program and describes how University of Idaho meets each program component.

5.1 Construction Site Runoff Control

To control the discharge of storm water and pollutants from land disturbance during the construction phase University of Idaho must:

- Require appropriate erosion, sediment, and waste management requirements for construction site activity that results in land disturbance of 5,000 square feet (ft²) or more.
- Establish installation and use guidelines for required erosion/sediment/waste management during all phases of construction site activity.
- At a minimum, review preconstruction site plans for construction sites that will result in land disturbance of one (1) or more acres, using a checklist or similar process to consider and address potential water quality impacts from the site activities.
- Inspect and enforce erosion, sediment, and waste management requirements on construction sites.
- Establish an inspection prioritization plan.
- Establish an enforcement response policy.
- Ensure that Permittee staff is trained to conduct these activities.

As stated in the University of Idaho's Design and Construction Project Document Standards Division 31, all construction activities that disturb greater than one (1) acre or more of land implement Storm Water Pollution and Prevention Plan (SWPPP) to preclude any storm water from eroding beyond the site limits. Enforcement of the contractor's SWPPP is accomplished by the University of Idaho Facilities Utilities and Engineering Services department.

The University of Idaho does have an implemented process to inform construction project proponent to obtain the NPDES Construction General Permit coverage for site disturbing greater than one (1) acre, nor is there an Enforcement Response Policy implemented. This information is provided the project proponent as a form of a packet prior to construction activities.

5.2 Storm Water Management for Areas of New Development and Redevelopment

To control the discharge of storm water and pollutants from land disturbance and development, after construction is completed, University of Idaho must:

- Require the installation and long-term maintenance of permanent storm water controls at new development and redevelopment project sites that result from land disturbance of 1 acre or more.
 - Permanent storm water controls must be sufficient to retain onsite the runoff volume produced from a 24-hour, 95th percentile storm event; or sufficient to provide the level of pollutant removal greater than the pollutant removal expected by using onsite retention of runoff volume produced from a 24 hour, 95th percentile storm event.
 - Alternatively, storm water treatment requirements must be required that can attain an equal or greater level of water quality benefits as onsite retention of storm water discharges from new development and redevelopment sites.
 - Other alternatives may be allowed for projects to meet the onsite retention requirement at a particular project site based on technical infeasibility, and/or site constraints.
- Establish proper installation and use guidelines for permanent storm water controls – the Permittee may establish different types of controls for different types and/or sizes of site development activity.
- At a minimum, review and approve preconstruction plans for permanent storm water controls at new development and redevelopment sites that result from land disturbance of one (1) or more acres.
- Periodically inspect “high priority” permanent storm water controls for proper installation and operation, using an inspection prioritization system.
- Maintain an inspection prioritization plan and enforcement response policy.
- Maintain a database inventory to track and manage the operational condition of permanent storm water controls.
- Ensure the appropriate Permittee staff is trained to conduct these activities.

No later than May 3, 2025, the University of Idaho will meet the requirements of their MS4 Permit by developing the following:

- Method(s) for project site operators to install permanent stormwater control facilities.
- Enforcement Response Plan.

- Inspection and maintenance program for permanent stormwater control facilities.
- Method(s) for a tracking management tool(s).
- Policy for managing O&M agreements with other responsible parties.

5.3 Pollution Prevention/Good Housekeeping for MS4 Operations

To properly operate and maintain the MS4, and its facilities using prudent pollution prevention and good housekeeping, University of Idaho must:

- Maintain a current Map of the MS4, including an inventory of all Outfalls and other features.
- Inspect catch basins and inlets at least once every five years using an inspection prioritization plan.
- Maintain or clean catch basins based on those inspections.
- If applicable, maintain Operation and Maintenance (O&M) Procedures for Streets, Roads, Highways and Parking Lots, including:
 - If applicable, inventory and manage Street/Road Maintenance Materials.
 - If applicable, implement a Street, Road, Highway and Parking Lot Sweeping Management Plan.
- Maintain O&M Procedures for Other Municipal Areas and Activities to protect water quality.
- Use best practices to reduce the discharge of pollutants to the MS4 associated with the Permittee's application and storage of pesticides, herbicides and fertilizers.
- Develop site-specific Pollution Prevention Plans for Permittee-owned Facilities.
- Work cooperatively with other entities to control litter on a regular basis.
- Ensure the appropriate Permittee staff is trained to conduct these activities.

No later than May 3, 2025, the University of Idaho will meet the requirements of their MS4 Permit by developing the following:

- Develop targeting procedure for catch basin/inlet inspection.
- Develop O&M procedures for streets, roads, highway, and parking lots, including an annual sweeping schedule.
- Create inventory and management plan for street/road maintenance materials.

- Develop O&M procedures for other municipal areas and activities.
- Requirements for pesticide, herbicide, and fertilizer applications.
- SWPPPs for University of Idaho facilities.
- Methods for litter control.
- Implement procedures for stormwater pollution prevention/good housekeeping training for relevant staff.

McKinstry performs the required maintenance per the agreement with the University of Idaho, see Attachment II.

5.4 Illicit Discharge Detection and Elimination

To prohibit and eliminate illicit discharges to the MS4, University of Idaho must:

- Enforce an ordinance that effectively prohibits illicit discharges into the MS4.
- Respond to Complaints or Reports of illicit Discharges from the Public.
- Keep Track of Complaints/Reports, and any Response Actions Taken.
- Conduct MS4 outfall screening inspections during dry weather.
- Follow-up to determine the source of a recurring illicit discharge identified as a result of complaints, or of the dry weather screening investigations within thirty (30) days.
- Take appropriate action to address the source of an ongoing illicit discharge.
- Prevent and Respond to Spills to the MS4, as appropriate.
- Coordinate with other entities for the proper disposal of used oil and toxic materials.
- Ensure the appropriate Permittee staff is trained to conduct these activities.

MCC Title 5, Chapter 3, Sections 3-19 and 3-21 prohibits directly discharging any substance besides stormwater runoff or unpolluted water through the University of Idaho's stormwater infrastructure. Industrial cooling water or unpolluted industrial process water may be discharged to a storm drain or a natural outlet upon approval of the City Engineer. Dechlorinated drinking water associated with water production or distribution processes may also be discharged with the City Engineer's approval.

All 21 outfalls must be screened for dry weather flows per year within the MS4 Permit area. University of Idaho Facility staff will begin screening in the spring/summer of 2023.

5.5 Education, Outreach, and Public Involvement

To educate and involve members of the public about pollutants in storm water and similarly significant issues, the University of Idaho must conduct, or contract with other entities to conduct, an ongoing education, outreach, and public involvement program. The University of Idaho must also comply with applicable State and local public notice requirements when implementing any public involvement activities.

Within one year of the Permit effective date, the University of Idaho must, at a minimum:

- Select at least one audience and focus its efforts on conveying relevant messages.
 - Distribute and/or offer at least eight (8) educational messages or activities over the permit term to selected audience(s)
 - Begin to assess, and track, activities to gauge the audience's understanding of the relevant messages and adoption of appropriate behaviors.
- Target specific educational material to the construction/engineering/design community regarding construction site runoff control and permanent storm water controls.
- Maintain and advertise a publicly accessible website to provide all relevant SWMP materials.

In 2022, the University of Idaho Sustainability Center developed a media page to educate the public, university faculty and students on stormwater and management strategies. A brochure is kept at the Sustainability Center, and a link is provided for online access as well. The website contains contact information to collect stormwater complaints, report emergency spills into stormwater system, and University Streets and Buildings to record general questions/comments regarding stormwater management at the University of Idaho.

6 UNIQUE PROVISIONS SPECIFIC TO THE UNIVERSITY OF IDAHO

6.1 Annual Compliance Evaluation

The University of Idaho must evaluate their compliance with the requirements of their MS4 Permit at least once a year. Annual Reports, due every May 3rd, can be found on the University of Idaho's Sustainability Center Stormwater Management webpage. The university has met all requirements of its MS4 Permit to date.

6.2 Alternative Control Measure Requests

The University of Idaho has not submitted an Alternative Control Measure Request to the EPA and IDEW as allowed for in Part 2.6 of the MS4 Permit.

6.3 Adaptive Management Actions

The University of Idaho does not currently have an adaptive management action measures to consider.

ATTACHMENT I MS4 STORMWATER INFRASTRUCTURE MAPS

ATTACHMENT II UNIVERSITY OF IDAHO AND MCKINSTRY
RELEVANT CONTRACT SECTION

McKinstry Agreement - Section Regarding Stormwater Operation

Section 3.2. Utility System Operations.

(a) *Use.* Except as otherwise specifically provided herein, the Concessionaire shall, at all times during the Term,

(i) be responsible for all aspects of the Utility System Operations, including providing the Utilities from temporary sources for construction projects and special events as identified by the University and

(ii) maintain and operate the Utility System and cause the Utility System Operations to be performed in accordance with the provisions of this Agreement, including the Performance Standards, Prudent Industry Practices and applicable Law. Upon the University's request, the Concessionaire shall provide an estimate for the costs associated with providing Utilities from temporary sources for construction projects or special events identified by the University. In connection with such maintenance, the Concessionaire may contract with a third party for certain tasks, such as janitorial services. Except for such additional purposes permitted pursuant to Section 3.15(c), the Concessionaire shall, at all times during the Term, cause the Utility System to be used exclusively for the Utility System Purposes and continuously open and operational for the Utility System Purposes in accordance with the Performance Standards. Notwithstanding the foregoing, the Concessionaire may cease keeping the Utility System or a portion thereof continuously open and operational for the Utility System Purposes (A) as specifically permitted under this Agreement, (B) as required by applicable Law, (C) as necessary to comply with any other requirement of this Agreement (including closures related to the performance of Capital Improvements or maintenance or repair activities as required by the Performance Standards), (D) as necessary for a Delay Event or (E) as necessary for temporary closures required to address Emergencies or public safety; provided, however, that in the event of any temporary suspension of Utility System Operations pursuant to any of clauses (A) through (E) of this Section 3.2(a), such suspension shall be limited as much as practicable so as to allow all other Utility System Operations to continue.

Part IX - PERFORMANCE STANDARDS – STORM WATER SYSTEM

1) Regulatory Requirements

a) The Concessionaire shall ensure that the Storm Water System complies with all applicable Laws and the City of Moscow Storm Water Plan.

b) For any capital improvements or upgrades or additions to the Storm Water System made after the Closing Date, the Concessionaire shall ensure that those Capital Improvements or Material Changes to the Storm Water System meet the current applicable standards Idaho DEQ, Idaho Rules For Storm Water Systems 58.01.02, State of Idaho Stormwater Best Management Practices, all rules promulgated by the American Water Work Association and applicable Law.

2) Pressure Requirements

a) The Concessionaire shall ensure that the water being removed by the Storm Water System maintains pressure as required to maintain flow such that water

does not back up and pool at Storm Water System entry points as identified on Appendix K-6.

3) Water Quality

a) The Concessionaire shall ensure compliance by the Storm Water System with the Clean Water Act and operating under EPA region 10 permit requirements.

b) The Concessionaire shall ensure compliance by the Storm Water System with the Clean Water Act and operating under State of Idaho MS4 permit requirements.

c) The Concessionaire shall ensure storm water collection systems are properly maintained and tested for compliance including all retention ponds, storm water oil separator.

4) Line of Demarcation between Concessionaire and University

a) The Storm Water System shall include all piping, valves, manholes, access points and outfalls used to move storm water from the University Campus grounds to the appropriate discharge point as identified on Appendix L-6.

Appendix L-6 serves as a representative diagram of the Storm Water System. See also Appendix K-6 for a map of the Storm Water System.

b) Demarcation of all storm water systems discharging from any building is 5' from the building envelope. The Concessionaire is responsible for the Storm Water System starting at the point that is five feet from the structural barrier between the interior and exterior of each building on the University Campus.

5) Design Standards

a) The Concessionaire shall maintain and update on an annual basis an accurate Storm Water System asset condition report which will indicate any deficiencies in the capacity or design of the Storm Water System. This Storm Water System report will also be used to:

i. Inform new buildings being constructed adjacent to the Storm Water System; and

ii. Verify and maintain Storm Water System capacities according to Design Standards.

b) The Concessionaire shall cause the Storm Water System to adhere to the following storm water pipe velocity limits:

i. Storm Water System shall be capable of removing the water from a 75-year rain event without any failures or pooling.

c) Storm Water System distribution piping shall be direct buried.

6) Unplanned Outage

a) An Unplanned Outage for the Storm Water System shall mean the occurrence of one of the following:

i. Storm Water System fails to remove the storm water from any portion of the University Campus such that the water causes damage to any property or facility during a 75-year rain event (or less) (provided that the foregoing shall not constitute an Unplanned Outage to the extent that such damage results from damage resulting from a deficiency existing at the Closing

Date (which is proven by the Concessionaire to the University's reasonable satisfaction) to the extent that the Concessionaire has included the remediation of such deficiency in its initial Five-Year Plan and is diligently pursuing the remediation steps on the timetable set out in such initial Five-Year Plan).

ii. Storm water flow is interrupted and is not removed from the University Campus such that the water causes damage to any property or facility due to a closed or inoperable distribution valve, leakage, pipe failure, or other system failure on the Storm Water System; except in the case where the valve has been closed upon the request of the University.

b) The Concessionaire shall notify the University by calling the University Front Desk Number if there is a reasonable possibility that the Storm Water System capacity is not sufficient to meet these Performance Standards.

c) If an Unplanned Outage for the Storm Water System occurs which causes a loss of service to a portion of the Utility System, the Concessionaire shall promptly and diligently, including 24-hour a day service, commence active work, regardless of potential delay by others, to correct the Storm Water System Unplanned Outage and restore service; unless otherwise approved by the University in its sole discretion.

d) If operational issues occur that result in a reduced Storm Water System capacity event, the Concessionaire shall:

i. Notify the University by calling the University Front Desk Number if any portion of the University Campus is affected;

ii. Begin necessary corrective action; and

iii. Provide updates every 24 hours to UI Facilities Management by calling the University Front Desk Number if an incident exceeds 24 hours or more.