

**BIORETENTION BASIN  
OPERATION AND MAINTENANCE AGREEMENT**

**Project Name:** \_\_\_\_\_  
**Project Location:** \_\_\_\_\_  
**SCM as Identified on Approved Plans:** \_\_\_\_\_  
**PIN Number:** \_\_\_\_\_

Mail after recording to: City of Burlington  
Stormwater Division  
P.O. Box 1358  
Burlington, NC 27216

NORTH CAROLINA

ALAMANCE COUNTY

This STORMWATER OPERATION AND MAINTENANCE AGREEMENT,  
made this day \_\_\_\_\_ of \_\_\_\_\_, 20 \_\_\_\_\_  
by \_\_\_\_\_ whose principal address is  
\_\_\_\_\_ with, to, and for the  
benefit of the City of Burlington, a municipal corporation of the State of North Carolina, whose  
address is P.O. Box 1358, Burlington, North Carolina 27216.



## Bioretention Operation and Maintenance Agreement

I will keep a maintenance record on this Stormwater Control Measure (SCM). This maintenance record will be kept in a log in a known set location. Any deficient SCM elements noted in the inspection will be corrected, repaired or replaced immediately. These deficiencies can affect the integrity of structures, safety of the public, and the removal efficiency of the SCM.

Important operation and maintenance procedures:

- Immediately after the bioretention cell is established, the plants will be watered twice weekly if needed until the plants become established (commonly six weeks).
- Snow, mulch or any other material will NEVER be piled on the surface of the bioretention cell.
- Heavy equipment will NEVER be driven over the bioretention cell.
- Special care will be taken to prevent sediment from entering the bioretention cell.
- Once a year, a soil test of the soil media will be conducted.

After the bioretention cell is established, I will inspect it **once a month and within 24 hours after every storm event greater than 1.0 inches**. Records of operation and maintenance will be kept in a known set location and will be available upon request.

**Annually, by May 31, an inspection shall be completed by a qualified professional and submitted to the City of Burlington Stormwater Division.**

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

SCM element:	Potential problems:	How I will remediate the problem:
<b>The entire SCM</b>	Trash/debris is present.	Remove the trash/debris.
<b>The perimeter of the bioretention cell</b>	Areas of bare soil and/or erosive gullies have formed.	Regrade the soil if necessary to remove the gully, and then plant a ground cover and water until it is established. Provide lime and a one-time fertilizer application.
<b>The inlet device: pipe, stone verge or swale</b>	The pipe is clogged (if applicable).	Unclog the pipe. Dispose of the sediment off-site.
	The pipe is cracked or otherwise damaged (if applicable).	Replace the pipe.
	Erosion is occurring in the swale (if applicable).	Regrade the swale if necessary to smooth it over and provide erosion control devices such as reinforced turf matting or riprap to avoid future problems with erosion.
	Stone verge is clogged or covered in sediment (if applicable).	Remove sediment and clogged stone and replace with clean stone.

<b>SCM element:</b>	<b>Potential problems:</b>	<b>How I will remediate the problem:</b>
<b>The pretreatment area</b>	Flow is bypassing pretreatment area and/or gullies have formed.	Regrade if necessary to route all flow to the pretreatment area. Restabilize the area after grading.
	Sediment has accumulated to a depth greater than three inches.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and restabilize the pretreatment area.
	Erosion has occurred.	Provide additional erosion protection such as reinforced turf matting or riprap if needed to prevent future erosion problems.
	Weeds are present.	Remove the weeds, preferably by hand.
<b>The bioretention cell: vegetation</b>	Best professional practices show that pruning is needed to maintain optimal plant health.	Prune woody vegetation according to best professional practices.
	Plants are dead, diseased or dying.	Determine the source of the problem: soils, hydrology, disease, etc. Remedy the problem and replace plants. Provide a one-time fertilizer application to establish the ground cover if a soil test indicates it is necessary.
	Tree stakes/wires are present six months after planting.	Remove tree stake/wires (which can kill the tree if not removed).
	Weeds are present.	Remove the weeds, preferably by hand.
<b>The bioretention cell: soils and mulch</b>	Mulch is breaking down or has floated away.	Spot mulch if there are only random void areas. Replace whole mulch layer if necessary. Remove the remaining mulch and replace with triple shredded hard wood mulch at a maximum depth of three inches.
	Soils and/or mulch are clogged with sediment.	Determine the extent of the clogging - remove and replace either just the top layers or the entire media as needed. Dispose of the spoil in an appropriate off-site location. Use triple shredded hard wood mulch at a maximum depth of three inches. Search for the source of the sediment and remedy the problem if possible.
	An annual soil test shows that pH has dropped or heavy metals have accumulated in the soil media.	Dolomitic lime shall be applied as recommended per the soil test and toxic soils shall be removed, disposed of properly and replaced with new planting media.
<b>The underdrain system (if applicable)</b>	Clogging has occurred.	Wash out the underdrain system.
<b>The drop inlet</b>	Clogging has occurred.	Clean out the drop inlet. Dispose of the sediment off-site.
	The drop inlet is damaged	Repair or replace the drop inlet.
<b>The receiving water</b>	Erosion or other signs of damage have occurred at the outlet.	Contact the City of Burlington Water Resources Stormwater Division at 336-222-5091.

I acknowledge and agree by my signature below that I am responsible for the performance of the maintenance procedures listed above. I agree to notify the City of Burlington of any problems with the system or prior to any changes to the system or responsible party.

This Agreement shall be binding upon the undersigned and its successors and assigns and all current and future owners thereof, and their respective heirs, successors and assigns, in perpetuity, and shall be appurtenant to, run with, and burden the parcels of land referred to herein.

Project name: \_\_\_\_\_

SCM as Identified on Approved Plans: \_\_\_\_\_

Print name: \_\_\_\_\_

Title: \_\_\_\_\_

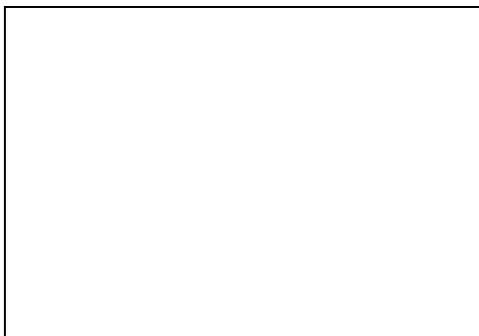
Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public for the State of \_\_\_\_\_, County of \_\_\_\_\_, do hereby certify that \_\_\_\_\_ personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and acknowledge the due execution of the forgoing bioretention maintenance requirements. Witness my hand and official seal,



SEAL

My commission expires \_\_\_\_\_