

MEMORANDUM

TO: Board of Managers
FROM: Terry Jeffery, District Administrator and Scott Sobiech, PE, District Engineer
DATE: February 16, 2023
RE: Permit 2021-068: Erhart Farm Request for Reduced Financial assurance

Proposed Board Action

Manager _____ moved and Manager _____ seconded adoption of the following resolutions based on the information that follows and the presentation of the matter at the March 1, 2023 meeting of the managers:

Resolved that the financial assurance for application for Permit 2021-068 be reduce from \$328,405 as approved at the October 6, 2021 meeting of the managers to \$181,500.

Upon vote, the resolutions were adopted, _____ [VOTE TALLY].

At the October 6, 2021 meeting, the Board of Managers conditionally approved permit 2021-068 for the Erhart Farm development, including approval of two variance request. Proposed redevelopment of a roughly 118-acre site into 24 single-family residential lots with seven outlots. There are two existing single-family residences on the site. The project proposes construction of a wet pond, two infiltration basins, a biofiltration basin with elevated draitile to promote infiltration, and filtration of runoff through a natural conservation area and wetland buffer to provide stormwater quantity, volume, and rate quality control.

Since the Board's conditional approval, the applicant received construction quotes from a contractor, fulfilled all the conditions of approval, and commenced land-disturbing activities. In November 2022, the applicant submitted a written request asking RPBCWD to consider a reduction in the financial assurance amount for this project. RPBCWD worked with the applicant to receive and review additional information to support an adjustment in the financial assurance computation based on the contractors quote for the construction of the stormwater management facilities rather than the prior engineer's opinion of probable cost. The following financial assurance computations highlight's the recommended revisions to the various components of the assurance in response to the applicant's request.

Items	October 6, 2021 Approved Financial Assurance	Recommended Adjusted Financial Assurance	Reasoning
Rules C: Silt fence: 5100 L.F. x \$2.50/L.F.	<u>\$12,750</u>	<u>\$12,750</u>	No adjustment because additional land-disturbing activities remain
Inlet protection: 16 x \$100	<u>\$1,600</u>	<u>\$1,600</u>	
Rock Entrance: 1 x \$900	<u>\$250</u>	<u>\$250</u>	
Restoration: 15.76 ac x \$2,500/ac	<u>\$37,250</u>	<u>\$37,250</u>	
Rule D: Wetland and Creek Buffers	<u>\$5,000</u>	<u>\$5,000</u>	No adjustment
Rules J: Stormwater Management wet pond, two infiltration basins and biofiltration basin): 125% of engineer's opinion of cost (\$193,360)	<u>\$241,700</u>	<u>\$108,150</u>	Adjustment based on 125% of contractor construction quote (\$86,520)
Contingency (10%)	<u>\$29,855</u>	<u>\$16,500</u>	
Total Financial Assurance	<u>\$328,405</u>	<u>\$181,500</u>	