

# **STORMWATER PROGRAM AND USER FEE CREDIT MANUAL**



**July 2014**

# TABLE OF CONTENTS

1. Introduction .....	1
1.1. Overview .....	1
1.2. Stormwater Credits .....	1
2. Definitions .....	2
3. General Credit Policies .....	3
3.1. Eligibility .....	3
3.2. Credit Types .....	4
3.3. Calculation of Credits .....	4
3.4. Maximum Credit .....	4
3.5. Single Household Detached Credits .....	5
3.6. Water Quality Credit .....	5
3.7. Volume Control Credit .....	5
3.8. Peak Flow Credit .....	6
3.9. Application .....	7
3.10. Application Forms .....	7
3.11. Application Fee .....	7
3.12. Documentation Requirements .....	7
3.13. Credit Approval .....	7
3.14. Appeal of Credit Determination .....	8
3.15. Issuance of Credits .....	8
3.16. Credit Renewal .....	8
3.17. Site Inspections .....	8
3.18. Termination of Credits .....	8

## Appendices

Appendix A. Stormwater Fee Credit Application Form

Appendix B. Standard Maintenance Agreement

# **BOROUGH OF EBENSBURG CAMBRIA COUNTY, PENNSYLVANIA**

## **STORMWATER PROGRAM AND USER FEE CREDIT MANUAL**

### **1. Introduction**

#### **1.1. Overview**

The Borough of Ebensburg (the “Borough”) has established a Stormwater Program and User Fee to create a dedicated funding source for the operation and maintenance of the Borough’s extensive stormwater infrastructure. All developed parcels in the Borough are required to pay the fee, which is based on the impervious coverage of the parcel.

A credit program has been developed per Section 11 – “Credits Applicable to Stormwater Charges” of the Borough of Ebensburg’s Stormwater User Fee Ordinance (Ordinance #612) to allow owners to apply for credits for implementing and maintaining stormwater best management practices (BMPs) on their parcel(s) to reduce the rate and volume of stormwater that enters the storm sewer system or to provide on-site stormwater quality benefits. By implementing such measures, parcel owners are helping to reduce the demand on the existing system or related Borough services. This manual has been prepared to detail the policies and application procedures for available credits.

The primary goals of the Borough’s credit program are to:

- Increase public support for the stormwater fee by enhancing the equity of the fee by recognizing ongoing stormwater management activities on private property which can result in cost avoidance for the Borough’s Stormwater Program;
- Maintain a high level of functionality of the existing stormwater infrastructure and maximize the system’s current capacity;
- Limit the need for expansion of the Borough’s stormwater related infrastructure and defray the associated future capital costs;
- Encourage private investment in installing and maintaining private stormwater management systems.

The Credit policy, which encourages and incentivizes the ongoing operation and maintenance of BMPs on private property, will focus on those activities that help to minimize peak flows and runoff volumes as well as on-going management of those facilities that help to protect local water quality by managing stormwater pollution.

#### **1.2. Stormwater Credits**

Owners that install BMPs to reduce the stormwater flow or pollutant loading from their parcels can qualify to receive a reduction in their stormwater fee. BMPs are measures or facilities that prevent or reduce the transport of pollutants and/or control stormwater runoff volume or rate. Implementing such measures reduces the impact a site has on the downstream storm drainage system (both natural and man-made).

## 2. Definitions

**Best Management Practice (BMP):** Activities, facilities, measures, or procedures used to manage the volume, rate and water quality of stormwater runoff from a developed parcel.

**Credit:** The Borough's Stormwater Credit Program entails three types of credits:

**Peak Flow Attenuation:** For Stormwater BMPs which manage peak flow in accordance with the Borough's Stormwater Management Ordinance.

**Volume Control:** For Stormwater BMPs which manage the volume of runoff in accordance with the Borough's Stormwater Management Ordinance.

**Water Quality:** For Stormwater BMPs which manage water quality in accordance with the Borough's Stormwater Management Ordinance.

**Constructed Wetland:** A shallow marsh system planted with emergent vegetation that is designed to treat stormwater runoff.

**Detention basin:** An earthen structure constructed either by impoundment of a natural depression or excavation of existing soil, that provides temporary storage of runoff and functions to reduce stormwater peak flows.

**Developed Parcel:** A parcel altered from a natural state that contains impervious surface equal to or greater than 400 square feet. Excludes parcel adjoining a Single-Household Detached, owned by the same owner, on which the only development is an impervious surface(s) that is an appurtenant residential use that would customarily have been created on the adjoining Single-Household Detached parcel had the adjoining lot not existed and been owned by the same owner; i.e. a garage, driveway, shed, pool, patio, etc. Also excludes cemeteries for human remains.

**Equivalent Residential Unit (ERU):** The measure of impervious ground cover for a typical single-household detached residential property used in assessing the fees for each parcel of developed property, and which has been determined to be 2,830 square feet.

**Green Roof:** A roof cover with stormwater storage, growth media, and plant material designed to provide water quantity benefits by filtering stormwater and rainfall retention and detention through storage and plant uptake.

**Impervious Surface:** A surface that prevents or retards the infiltration of water into the ground in a manner that such water entered the ground under natural conditions pre-existent to development. Impervious surface (or area) includes, but is not limited to: roofs, additional outdoor living spaces, patios, garages, storage sheds and similar structures, parking or driveway areas (including pavement, concrete, pavers, brick, compacted aggregate), and any private streets and sidewalks. Any travel areas proposed to initially be gravel or crushed stone shall be assumed to be impervious surfaces.

**Infiltration Basin:** A shallow impoundment that stores and infiltrates runoff over a level, uncompacted, preferably undisturbed area with relatively permeable soils.

**Infiltration Trench:** A linear stormwater BMP consisting of a continuously perforated pipe at a minimum slope in a stone-filled trench.

**Non-single household detached (NSHD):** Any developed parcel not fitting the definition of single-household detached. NSHD shall include, but not be limited to, attached single-family houses, multi-family houses, townhouses and condominiums, apartments, boarding houses, hotels and motels, churches, industrial properties, commercial properties, manufactured home or mobile home parks, commercial and office buildings, storage areas, parking lots and other impervious areas, parks, recreation properties, public and private schools and universities, hospitals and convalescent centers, office buildings, government properties, and mixed-use properties

**Owner:** Any person, firm, corporation, individual, partnership, trust, company, association, government agency, society or group owning real property in the Borough of Ebensburg.

**Porous Pavement:** A permeable surface such as porous asphalt, porous concrete, or various porous pavers, which allows water to infiltrate into the subsurface. A stone bed underneath the permeable surface provides temporary storage for peak rate control and promotes infiltration.

**Raingarden (or bio-retention facility):** An excavated shallow surface depression planted with specially selected native vegetation to treat and capture runoff.

**Single Household Detached (SHD):** Developed parcel containing one (1) structure which contains one (1) or more rooms with a bathroom and kitchen facilities designed for occupancy by one (1) family and shall include single family houses, single family units, manufactured homes, and mobile homes located on individual lots or parcels of lands. Developed parcels may be classified as 'single-household detached' despite the presence of incidental structures associated with residential uses such as garages, carports or small storage buildings. 'Single-household detached' shall not include developed land containing: structures used primarily for non-residential purposes; manufactured homes and mobile homes located within manufactured home or mobile home parks; or other multiple unit residential properties such as apartments, condominiums and town homes.

**Stormwater:** Water from a rain or snowfall event that flows across the land and eventually into rivers, creeks, lakes, ditches and canals resulting in debris, sediment, pollutants, bacteria and nutrients from sidewalks, streets, parking lots, and other impervious surfaces washing into gutters, through storm drains, and eventually flowing into creeks and rivers.

**User Fee:** Sums assessed, imposed and to be collected from each developed lot, parcel, building or portion thereof which uses, benefits from or is serviced by the Stormwater Management System or which discharges stormwater, directly or indirectly, into the public Stormwater Management System, for the use of and the service rendered and improvement of such system. The stormwater fee applied to each base billing unit, or 2,830 square feet of impervious surface. In the Borough of Ebensburg, the stormwater user fee rate, as of September 1, 2014, is \$48 per ERU per year. Effective January 1, 2016 the stormwater user fee rate will increase to \$96 per ERU per year.

### **3. General Credit Policies**

#### **3.1. Eligibility**

To be eligible to receive credits, applicants must be current with their stormwater fees. All developed properties will be eligible for credit provided that a stormwater BMP has been installed and that the owner can demonstrate that the facility is functioning as intended. To ensure consistency and to ensure that reductions in peak rate, volume and water quality pollution are measurable, the policy will only include those facilities that can demonstrate compliance with the Borough's Stormwater Management Ordinance and/or the Pennsylvania State Best Management Practices Manual. To provide a legal framework for enforcement, a signed or documented maintenance agreement with the Borough will be required. A copy of the Borough's standard maintenance agreement is included in Appendix B.

An application demonstrating that the BMP has been installed and that the facility is functioning as intended must be completed and submitted to the Borough.

### **3.2. Credit Types**

The Borough of Ebensburg currently offers two types of credits for Single Household Detached parcels and three types of credits for Non-Single Household Detached parcels:

#### Single Household Detached (SHD)

- Rain Barrel(s)
- Dry Well

#### Non-Single Household Detached (NSHD)

- Peak Flow Credit
- Volume Control Credit
- Water Quality Credit

### **3.3. Calculation of Credits**

Credit will only be applied to the impervious area on-site which drains to an eligible BMP facility. That is, credit will only be applied to the portion of the fee for which the associated impervious area is managed by an approved stormwater BMP.

### **3.4. Maximum Credit**

Credits may be applied cumulatively based upon credit type and will only be applied to the impervious area on-site which drains to an eligible BMP facility.

For Stormwater BMPs which manage water quality in accordance with the Borough's Stormwater Management Ordinance, the maximum credit will be 10%.

For Stormwater BMPs which manage the volume of runoff in accordance with the Borough's Stormwater Management Ordinance, the maximum credit will be 15%.

For Stormwater BMPs which manage peak flow in accordance with the Borough's Stormwater Management Ordinance, the maximum credit will be 40%. Credit will be granted in relation to the design storm managed by the BMP on the following basis:

- Up to 10% for management of the 10-year event
- Up to 20% for management of the 25-year event
- Up to 30% for management of the 50-year event
- Up to 40% for management of the 100-year event

Following the application of any approved credit, in no event shall any Non-Single Household Detached parcel be charged less than one Equivalent Residential Unit (ERU).

Parcels benefitting from the 30 ERU cap will be limited to credits under this section, OR the credit already afforded by the 30 ERU cap, whichever is greater.

### **3.5. Single Household Detached Credits**

A stormwater credit of up to 10% is available to applicants who have installed one or more rain barrels to control flow from downspouts. A combined barrel capacity of 100 gallons is required to obtain the 10% credit.

A stormwater credit of up to 10% is available to applicants who have installed a dry well to control flow from downspouts. A minimum size of one cubic yard is required.

The above credits are available to any parcel originally designed for use as a single-household detached, regardless of its current use.

### **3.6. Water Quality Credit**

A stormwater credit of up to 10% is available to applicants who have installed a BMP that provides water quality benefits for runoff from impervious surfaces on their site. Water quality functions are based on performance by BMP as stated in the Pennsylvania Stormwater BMP Manual. The Pennsylvania Best Management Practices Manual provides design standards, construction guidelines, and operation and maintenance requirements for Water Quality BMPs. A professional engineer will be able to provide you with the appropriate design documents. The PA BMP Manual can be accessed online at <http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-8305>.

The amount of credit earned is determined by the type of BMP installed, the number of BMPs installed, and the percentage of the impervious area on the site that drains to the BMP. The credit will only be applied to the portion of the impervious area on-site which drains to the eligible facility.

BMPs which may potentially be eligible for water quality credits may include the following:

- Raingardens / Bio-retention basins
- Constructed wetlands
- Porous pavement
- Green roofs
- Infiltration trenches

The Owner will be responsible for providing design documentation to support that the BMP meets the applicable performance standards. In addition, an operation and maintenance plan is required and must be documented with the Borough. Final awarded credit value is subject to Borough approval.

### **3.7. Volume Control Credit**

A stormwater credit of up to 15% is available to applicants who have installed a BMP that provides volume control for runoff from impervious surfaces on their site. Eligible BMPs must control volume in accordance with the Pennsylvania Stormwater Best Management Practices Manual.

Volume control should be calculated per the methodologies included in the Pennsylvania Stormwater BMP Manual. The Pennsylvania Best Management Practices Manual provides design standards, construction guidelines, and operation and maintenance requirements for Volume Control BMPs. A professional engineer will be able to provide you with the appropriate design documents. The PA BMP Manual can be accessed online at <http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-8305>.

The amount of credit earned is determined by the type of BMP installed, the number of BMPs installed, and the percentage of the impervious area on the site that drains to the BMP. The credit will only be applied to the portion of the impervious area on-site which drains to the eligible facility.

BMPs which may potentially be eligible for volume control credits may include the following:

- Infiltration Basins
- Raingardens / Bio-retention basins
- Porous Pavement
- Infiltration Trenches

The Owner will be responsible for providing design documentation to support that the BMP meets the applicable performance standards. In addition, an operation and maintenance plan is required and must be documented with the Borough. Final awarded credit value is subject to Borough approval.

### **3.8. Peak Flow Credit**

A stormwater credit of up to 40% is available to applicants who have installed a BMP that provides peak rate control for runoff from impervious surfaces on their site.

Eligible BMPs must control peak rate in accordance with the Borough's Stormwater Management Ordinance (Ordinance #576, June 2010), which can be accessed online at <http://ebensburgpa.com/wp-content/uploads/2012/05/Code-Chapter-18-Stormwater-Management.pdf>

Peak rate control should be calculated per the methodologies included in the Pennsylvania Stormwater BMP Manual. The Pennsylvania Best Management Practices Manual provides design standards, construction guidelines, and operation and maintenance requirements for Peak Rate Control BMPs. A professional engineer will be able to provide you with the appropriate design documents. The PA BMP Manual can be accessed online at <http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-8305>.

The amount of credit earned is determined by the type of BMP installed, the number of BMPs installed, and the percentage of the impervious area on the site that drains to the BMP and the storm event managed as follows:

- Up to 10% for management of the 10-year event
- Up to 20% for management of the 25-year event
- Up to 30% for management of the 50-year event
- Up to 40% for management of the 100-year event

The credit will only be applied to the portion of the impervious area on-site which drains to the eligible facility.



BMPs which may potentially be eligible for peak flow credits may include the following:

- Detention Basins
- Infiltration Basins
- Constructed Wetlands

The Owner will be responsible for providing design documentation to support the BMP meets the applicable performance standards of the Borough Ordinance. In addition, an operation and maintenance plan is required and must be documented with the Borough. Final awarded credit value is subject to Borough approval.

### **3.9. Application**

The parcel owner (or an approved representative thereof) must submit a completed Stormwater Fee Credit Application Form and all required documentation. Applications and documentation requirements are detailed in the following section.

### **3.10. Application Forms**

Application forms are provided in Appendix A and available on-line at <http://www.ebensburgpa.com>. Hard copies may be obtained at the Borough office.

### **3.11. Application Fee**

There is no application fee required with applications for water quality credits or volume control credits. The application fee for peak flow credits is \$125 (non-refundable) and must be included with the application form. The application fee is waived if the BMP was previously approved in connection with a land development application process.

The Borough will notify applicants if their applications are incomplete. If complete information is not provided, applications will expire one year from the date of the original submission. Once an application expires, the customer must submit a new credits application with all supporting documentation and fee.

### **3.12. Documentation Requirements**

At the time of application, the owner(s) will need to provide the following documentation:

- Complete and Signed Application Form
- Design documentation/engineering analysis of the BMP facility
- As-built plans and/or construction drawings acceptable to the Borough (for projects utilizing construction drawings, the plans must be accompanied by a Letter of Certification from the Engineer of Record that project was built in accordance with the construction plans)
- Owner's Operation and Maintenance Plan
- Owner's Inspection and maintenance logs for most recent period

#### **3.12.1. Maintenance Documentation Requirements**

In order to be eligible for a credit, the owner must demonstrate (at their expense) that the facility is being maintained. This requirement may be waived if the Borough has recently inspected the facility and has found it to be in good working order.

### **3.12.2. Maintenance Agreement**

In order to be eligible for a credit, a signed or documented maintenance agreement with the Borough is required. Under the maintenance agreement, the owner must allow the Borough access to the site to view and inspect the stormwater BMP at the Borough's discretion. A sample maintenance agreement is provided in Appendix B.

### **3.13. Credit Approval**

The Stormwater Program Staff will review the required documentation and final approval or denial of the credit application will be issued by the Borough Manager. The applicant will be notified by letter of the approval of credits.

### **3.14. Appeal of Credit Determination**

Appeal of the determination can be made in accordance with Section 12 – "Appeal Procedures" of the Borough of Ebensburg's Stormwater User Fee Ordinance.

### **3.15. Issuance of Credits**

Credits approved by the Borough will be applicable to the next bi-monthly billing. Credits will not be retroactive to any previous fees paid.

### **3.16. Credit Renewal**

Stormwater credits will be valid for three years after which they will require renewal. Prior to expiration, a credit renewal application must be submitted to the Borough along with annual maintenance records, if applicable, for the previous three years. The Borough will allow self-certification of maintenance and inspection records to be submitted at the time of renewal. Credits will need to be renewed in order for the owner to continue to receive credit on their stormwater fee. Should the owner fail to submit a renewal application, the credit(s) will expire. The Borough may require expired credits to undergo recertification/re-application.

### **3.17. Site Inspections**

After a customer submits a credit or credit renewal application, the Borough may inspect the parcel(s) to verify the information provided in the application and in the supporting documentation. It is the responsibility of the customer to allow the Borough access to the parcel. Following submission of a credit or credit renewal application, the customer shall grant the Borough, its employees or authorized agents permission to enter the parcel to inspect the parcel to ensure that the information provided in the application accurately represents the current parcel conditions. If a Borough inspection determines that the facility is not being maintained, the credit can be revoked. The Borough may choose to withhold credit until the owner can demonstrate the BMP has been restored to good working order and appropriate maintenance plans are in place.

### **3.18. Termination of Credits**

The Borough may review and terminate any approved credits at any time if the BMPs associated with those credits are found to be improperly maintained and/or not adequately functional or the owner fails to restore the BMP to good working order following notification by the Borough.

## Appendix A – Stormwater Fee Credit Application

## Appendix B – Standard Maintenance Agreement