

Keeping
it Clean



StormWater
MANAGEMENT

**City of Rochester
Stormwater Utility
Fee Credit and Incentives Manual**

February 2016

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1.0. Purpose

The City has adopted a Stormwater Utility to provide stable and equitable funding for its stormwater management activities. The impact of individual properties on the stormwater management system is quantified based primarily on the amount of impervious area on a parcel of property. The baseline Stormwater Utility Fee (Fee) does not take into account the value provided by some property owners that independently implement and maintain Best Management Practices (BMPs) that offset, to some extent, the impacts of their developed property on the natural and constructed components of the City's stormwater management system. Using a Fee Credit process, the City may make an adjustment to the baseline Fee for any non-residential customer that provides value-added stormwater management services that support and complement the City's stormwater management goals.

Residents don't qualify for Fee Credit because the Residential Fee equates to the base Fee every parcel of property must pay to support the community wide requirements of the stormwater permit and the benefits of stormwater management. Therefore, the Stormwater Utility Ordinance does not allow a reduction below the amount of the Residential Fee for any parcel. However, the Stormwater Utility Ordinance does include provisions for the City Council to adopt incentive programs for residential customers who implement best management practices that help the City's meet its stormwater management objectives. The City has developed its first residential incentive program: a cost-share grant program for residential customers interested in applying to receive a grant to co-fund the installation of residential raingardens. It is called *Realize Rain Gardens Rochester* and it is described in detail in Section 8.0 and Appendix B.

This Stormwater Utility Fee Credit and Incentives Manual ("Manual") describes the City of Rochester's Fee Credit and Incentives Programs:

1. Award of a Fee Credit is an administrative recognition of the intrinsic value of a variety of significant stormwater management activities provided by non-residential customers. Viable Credit applications will result in the reduction of an applicant's Fee for as long as the approved activities accomplish their intended purposes. The per-parcel adjusted Fee may not be reduced below the residential customer Fee. This Manual establishes eligibility criteria and application procedures to determine the proportional amount of Fee Credit due to providers of these benefits.
2. Award of *Realize Rain Gardens Rochester* cost-share grants will be to individuals that meet the criteria outlined in Section 8 and Appendix B. They will be one-time awards that pay 50% of raingarden costs, up to a maximum of \$750. The number of grants awarded in any given year will be limited by the amount of funding approved by the City Council in the Stormwater Utility operations budget.

2.0. Stormwater Management Overview

As Rochester grows and the amount of impervious surface increases, the ability of land to naturally absorb rain and snow melt decreases, causing increases in the volume of stormwater and the rate at which it discharges. Urban activities also increase the potential for surface and

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ground water pollution. Because of this, the City must thoughtfully and intentionally manage stormwater to:

- Reduce the potential for property damage by providing adequate conveyance of stormwater through constructed and natural pipes and channels
- Address resultant increases in the discharge rates and volumes of stormwater
- Reduce pollutant loading and protect the quality of our water resources through stormwater treatment and pollution prevention activities

Every City resident, business, and visitor uses and benefits from the City's stormwater management activities that achieve these objectives.

The City prepared a Comprehensive Stormwater Management Plan ("Plan") in 1997 to address these three facets of stormwater management. This Plan was updated in 1999 and was thereafter incorporated by reference into the Rochester Code of Ordinances. Several Stormwater Management Plan addenda and Reports have been prepared since 1999 to address future City growth areas. All of the stormwater management planning documents are formally adopted as part of the Stormwater Utility Ordinance (Rochester Code of Ordinances §77A, October 2003).

As of March 2003, the City became obligated to supplement its existing Plan with a Stormwater Pollution Prevention Program ("Program") that specifically addresses the permit requirements for Minnesota's Phase II Stormwater Permit for Municipal Separate Storm Sewer Systems (MS4). The goal of the permit is to maintain and improve the chemical, biological, and physical health of the waters of the state. More information about this permit can be found on the City's stormwater website (www.rochesterstormwater.com).

The City has adopted a Stormwater Utility to provide funding for its stormwater management activities. Taking into account the completion status of the storm sewer system, past methods of recovering stormwater management facility costs, the geophysical setting of the City, MS4 permit requirements, and other relevant factors, the City has determined that the amount of impervious area on a property is directly related to the water quality, quantity, and conveyance impacts on the Stormwater Management System. As such, impervious area is the most equitable factor to determine what an individual property owner's fair share payment should be for the availability, use, benefit, and protection of the system.

Important stormwater management activities funded by the Fee include:

- Planning and ordinance development
- Ordinance enforcement
- Response to citizen inquiries, violations reports, and complaints
- Education about pollution prevention techniques to improve stormwater quality
- Public participation opportunities
- Detection and elimination of illicit discharges to the stormwater system
- Storm sewer system mapping
- Grading and drainage plan review and approval
- Construction site inspection for proper erosion control and drainage
- Construction of water quality and quantity control structures
- Construction of stormwater conveyance facilities

- Stabilization of highly erodible creeks and other drainage ways
- Storm sewer, catch basin, and outfall inspection, maintenance, and replacement
- Street sweeping
- Materials management to reduce exposure to stormwater
- Record keeping and report preparation

All owners of developed properties are required by Rochester Code of Ordinances §77A to contribute to the Stormwater Utility that will be used to fund these activities.

3.0. Definitions

The following definitions are extracted from the Stormwater Utility Ordinance. Any changes to definitions adopted in future Stormwater Utility Ordinance amendments will take precedence over definitions cited in this Manual.

Credit - a conditional reduction in the amount of the Fee to an individual Non-Residential property owner based on the provision of and continuing presence of an effectively maintained and operated Structural Best Management Practice or the continuing provision of a Non-Structural Best Management Practice by a property owner, which system, facility, service, or activity reduces the City's cost of providing stormwater management services or System components according to the provisions of this Credit Manual.

Developed - real property that has been altered from its natural state by the addition to or construction of impervious area on all or part thereof.

Impervious Area - a surface area that is altered, in conjunction with the removal of vegetation, and compacted or covered with material that is resistant to the infiltration of water, including but not limited to, most conventionally surfaced streets, roofs, sidewalks, patios, driveways, parking lots, and any other oiled, graveled, graded, compacted, or other surface which impedes the natural infiltration of stormwater.

Incentive - a monetary gain, such as a rebate or a coupon, that is earned by a Residential property owner for implementing and maintaining Structural or Non-Structural Best Management Practices that benefit the City's Program and System.

Land Use Factor ("LUF") - a number used to integrate the amount of impervious area on a parcel, land use types and densities, stormwater run-off flow, and pollutant loading potential. A parcel-specific Land Use Factor is extrapolated for each Non-Residential parcel using parcel-specific impervious area measurements and the Land Use Factor parameters contained in Table 8.1 of the Rochester Stormwater Management Plan and expanded upon in Section 77A.05, subd. 2 of the Stormwater Utility Ordinance.

Non-Residential Parcels - all parcels other than exempt parcels and Residential parcels, including their commonly owned areas.

Non-Structural Best Management Practices - services or activities that help reduce the quantity and improve the quality of stormwater runoff.

Property Owner - any partnership, corporation or any person who (alone, jointly or severally with others) has:

- A. Legal title to any tangible or intangible real, personal or mixed property, with or without accompanying actual possession thereof; or
- B. Has charge, care or control of any dwelling or apartment as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the owner.

Any such partnership, corporation or person representing the actual owner shall be bound to comply with the provisions of this chapter to the same extent as if they were the owner.

Residential Parcels - any developed parcel containing single-family homes, duplexes, and townhouses.

Site – For the purposes of this Manual, a Site may be a single parcel or a combination of contiguous and adjacent parcels that are hydrologically connected. In the case of multi-parcel Sites, Fee Credits will be proportionally allocated to each affected parcel.

Storm Sewer System or Stormwater Management Facilities - a system of storm and surface water management facilities including, but not limited to: drains, inlets, catch basins, storm sewers, manholes, outfalls, channels, ditches, drainage easements, retention and detention basins and ponds, infiltration facilities, or any other constructed or natural features utilized to convey and/or treat surface water, stormwater or snowmelt.

Stormwater Management Plan Area Charges (“SWMP Charges”) - the Charges applied to new development or redevelopment projects for the availability of connection to the City’s stormwater system and to assist in providing regional stormwater quality improvements and water quantity control.

Stormwater Utility Fee (“Fee”) - the monthly Fee imposed on developed Residential and Non-Residential parcels so as to assist in implementing the City’s Stormwater Management Program.

Stormwater Utility Fund (“Fund”) - the fiscal and accounting entity created by the Stormwater Utility Ordinance (Rochester Code of Ordinances § 77A) with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, that are segregated for the purpose of implementing specific stormwater management activities or attaining stormwater management objectives in accordance with the Stormwater Management Program and R.C.O. § 77A.

Stormwater Management Program (“Program”) - synonymous with “Stormwater Pollution Prevention Program” (“Program”) and means the assemblage of NPDES Phase II MS4 permit requirements and any additional planning, design, construction, inspection, regulation, improvement, operation, maintenance, and replacement of the System and the implementation of activities related to the management of stormwater, such as, but not limited to: stormwater

education and public participation, water quality protection, drainage, grading and erosion control, pollution prevention, and illicit discharge detection and elimination. The Program incorporates the Rochester Stormwater Management Plan by reference.

Structural Best Management Practices - structural improvements that help reduce the quantity (rates and/or volumes) and improve the quality of stormwater runoff.

Undeveloped Parcels - a parcel of real property is considered undeveloped for the purpose of charging a Fee if it has an inconsequential amount of impervious area and has established vegetative cover.

Water - for the purposes of stormwater management, water means stormwater, surface water or snowmelt.

4.0 Non-Residential Fee Credit Structure Overview

4.1 Restrictions

- a. No public or private property shall receive Credit to offset Fees for any condition or activity unrelated to the City's cost of providing stormwater management services.
- b. No Credit will be applied to any parcel that reduces the Fee to an amount less than the Residential Fee.
- c. Credits will not apply to Stormwater Management Plan (SWMP) Charges attributable to new development or redevelopment projects.
- d. Credits will not be given for drainage easements.

4.2 Terms

- a. Credits will be applied to the calculation of the Fee for the Site parcel(s) providing the BMP benefit(s) and thereby incorporated into the aggregate Fee presented in the monthly Rochester Public Utilities bill. In most cases the Fee Credit will be applied to a single property owner for one or more adjacent parcels and pro-rated back to each parcel. In some cases, BMPs were designed and constructed to provide benefit to multiple property owners. In these cases, the overall benefit and Fee Credit will be pro-rated back to each property owner. In situations where a Private Stormwater Management District (PSWMD) has been created, the cost participation ratios outlined in the executed agreement will be used to pro-rate Fee Credits back to each owner.
- b. Credits will only be allowed if requirements outlined in this Manual are met, including, but not limited to: completion of on-going maintenance, guaranteed right-of-entry for inspections, and submittal of annual self-reports.
- c. Credits will be defined as percent (%) reductions applied as a Credit adjustment to the Fee calculation equation.
- d. Credits are additive for each Credit category described in Sections 4.3 – 4.9.
- e. As long as the BMPs are functioning as approved (as demonstrated by the self-reports and City inspections), the Credit reduction will be applied to the Fee. If

the approved practice is not functioning as approved or is terminated, the Credit reduction will be canceled and the Fee will return to the baseline calculation. Once the Credit reduction has been canceled, a customer may not reapply for Credit for a period of 12 months and only if the deficiency has been corrected, as determined by City inspection. (See Section 7 for more details.)

4.3 Integrated Non-Structural BMP Program Credit

Credits may be issued for a Site with ongoing implementation of an integrated suite of fundamental non-structural BMPs that will help the City meet its permit objectives. Documentation must be provided to verify that all of the following BMPs have been met to receive a 10% Credit adjustment as applied to the Fee calculation equation:

- BMP 1: Educational Program
- BMP 2: On-Site Refuse Control Program
- BMP 3: On-Site Stormwater System Maintenance and Cleaning Program
- BMP 4: Paved Area Sweeping Program
- BMP 5: Generator's Used Motor Oil Recycling Program
- BMP 6: Sanitary Sewer/Storm Sewer Cross-Connection Inventory
- BMP 7: Landscaping for Run-Off Rate Control and Water Quality

If any particular criteria are not applicable to an applicant's property or land use, the applicant may apply for an exemption. Each exemption submittal should include a short description covering Site history and justification for the exemption request.

Upon completion of a stormwater Credit application, application approval, and satisfactory on-Site inspection to insure that all criteria are being met, Credit will be applied. All requests will be reviewed on an individual basis with findings of the review transmitted back to the customer within sixty (60) days of receipt.

4.3.1 Educational Program

Non-residential customers who wish to receive a Fee Credit for educating employees in the area of water quality awareness and protection must agree to meet the following minimum standards:

- a. Devote fifteen minutes per quarter (or an hour annually) to educating employees about water quality awareness and protection. Additionally, provide basic stormwater management information to new employees. Organizations will be required to submit programs or agendas to Rochester Public Works for environmental education sessions that will include information concerning number of attendees, time(s), place(s), and topic(s) covered during each session along with confirmation that a 50% employee participation goal was met. Pre- and post-session surveys are recommended. Topics must rotate on at least an annual basis.
- b. Post stormwater and water quality-specific educational information obtained from Rochester Public Works, the Minnesota Pollution Control Agency, the Environmental Protection Agency, the Board of Water and Soil Resources, the University of Minnesota Extension Service, or other reputable educational resource center in clearly visible, employee

- frequented areas. Topics must rotate on at least an annual basis. Provide copies of posted materials to Rochester Public Works.
- c. Distribute stormwater and water quality-specific literature obtained from Rochester Public Works, the Minnesota Pollution Control Agency, the Environmental Protection Agency, the Board of Water and Soil Resources, the University of Minnesota Extension Service, or other reputable educational resource center to all employees on a quarterly basis and provide copies to Rochester Public Works with the annual self-report. Topics must rotate on at least an annual basis.

Additionally, non-residential customers that wish to receive a Fee Credit for educating their Rochester regional customer base in the area of water quality awareness and protection must agree to meet the following minimum standards:

- d. Disseminate stormwater and water quality-specific information obtained from Rochester Public Works, the Minnesota Pollution Control Agency, the Environmental Protection Agency, the Board of Water and Soil Resources, the University of Minnesota Extension Service, or other reputable educational resource center to customers on a quarterly basis using high traffic area kiosks, advertised special events, customer mailings, product label advertisements, public service announcements, ads, educational curricula, or other mass distribution techniques. Topics must rotate on at least an annual basis. Copies of disseminated materials must be provided to Rochester Public Works along with estimates of the number of customers reached in each annual self-report.

4.3.2 On-Site Refuse Control Program

The following minimum criteria must be satisfied to receive Credit for the On-Site Refuse Control Program:

- a. Identify or develop the organization's on-Site refuse control plan and submit a copy to Rochester Public Works.
- b. Initiate and maintain a solid waste recycling program that meets Olmsted County's minimum recycling requirements.
- c. Keep refuse containers covered to eliminate exposure to wind, rain, and snow and where possible, place refuse containers in areas that do not drain to storm sewers.

4.3.3 On-Site Stormwater System Maintenance and Cleaning Program

In order to receive Credit for the On-Site Stormwater System Maintenance and Cleaning Program, a detailed management plan for maintaining on-Site (non-public right-of-way) stormwater structures must be submitted along with documentation that the planned activities were completed. At a minimum, the management plan must address the following structures, where applicable:

- a. Building rain gutters – must be directed to vegetated areas wherever possible and cleaned at least annually.
- b. Catch basins – must be cleaned of litter, debris, and sediment at least twice per year

- c. Stormwater outfalls to private ditches, ravines, or creeks on private land – must be cleaned at least twice per year.
- d. Curb and gutter – must be cleaned at least four times per year.

4.3.4 Paved Area Sweeping Program

The following minimum criteria must be satisfied to receive Credit for the Paved Area Sweeping Program:

- a. Submit a detailed paved area sweeping plan to include definition of areas to be swept, frequency of sweeping (a minimum of twice per month from May through October), and type of sweeper used.
- b. Provide documentation of plan implementation, such as copies of paid invoices or employee timesheets, or a certification of work accomplished prepared and signed by an officer of the company.

4.3.5 Generator's Used Motor Oil Recycling Program

The following minimum criteria must be satisfied to receive Credit for the Generator's Used Motor Oil Recycling Program:

- a. Provide documentation to confirm disposal of the Generator's used motor oil at used oil recycling sites (i.e., waste oil generated on-Site by the property owner).
- b. Display Olmsted County's current list of used oil recycling sites in clearly visible and publicly frequented locations.

4.3.6 Sanitary Sewer/Storm Sewer Cross-Connection Inventory Program

The following minimum criteria must be satisfied to receive Credit for the Sanitary Sewer/Storm Sewer Cross-Connection Inventory Program:

- a. Conduct a visual building and grounds survey to identify and inventory the locations of all sanitary and storm sewer connection points.
- b. Provide building and Site plans to Rochester Public Works that document the locations of all sanitary sewer and storm sewer connection points and sanitary and storm sewer line locations on a parcel of property.
- c. If instances are found where sanitary sewage plumbing is connected to a storm sewer, the cross connection must be eliminated within thirty (30) days.

4.3.7 Landscaping for Run-Off Rate Control and Water Quality Program

The following minimum criteria must be satisfied to receive Credit for the Landscaping for Run-Off Rate Control and Water Quality Program:

- a. Develop a landscape maintenance plan for properties with landscaped areas, utilizing lawn and garden practices that reduce stormwater run-off rates and protect water quality, including, but not limited to, the following recommended practices:
 - i. Unless otherwise indicated by current soil tests, use phosphorous free fertilizer.
 - ii. Apply all yard and garden chemicals sparingly, using the correct rates and recommended times, and not before a rainstorm.

- iii. Direct sprinklers to vegetated areas and not overlap onto impervious surfaces.
- iv. Where turf is considered necessary, maintain it by mowing grass to a height of 2-3". If necessary, seed in the spring & fall, and aerate & de-thatch in the fall. Leave grass clippings on the lawn as a natural fertilizer.
- v. Select hardy plants most suited to this climate and, where possible, reduce the amount of maintained turf and increase naturalized areas.
- vi. Mulch flowerbeds, shrubs and trees to retain water on-Site.
- vii. Keep lawn & garden chemicals, garden debris, lawn clippings, and leaves off hard surfaces.

If appropriate to Site conditions, the following practices are also recommended:

- viii. Maintain a 15' to 25' filter strip of tall grass or plantings along water bodies.
 - ix. Plant rain gardens in depressions that otherwise have standing water or to receive roof run-off.
- b. Provide a copy of the landscape management plan to Rochester Public Works along with documentation of employee training for landscape management or landscape contracts that include the above provisions.

Customers that provide services above and beyond the basic Landscape Program described above may be eligible for additional Credit. The City will evaluate requests for additional Credit on a case-by-case basis.

4.4 NPDES Industrial Stormwater Permit Credit

The MPCA, on behalf of the EPA, requires certain types of industry to obtain and comply with an NPDES Industrial Stormwater Permit to manage and monitor stormwater run-off from industrial sites. When an NPDES Stormwater Permit issued to a non-residential customer requires the specified industry to conduct water quality monitoring, they may be eligible for a maximum 5% Credit if:

- a. Water quality testing results are consistently at least 10% below their permit-required discharge limits during each sampling event,
- b. Copies of the water quality test results are provided to the City, and
- c. Industry is in compliance with all permit requirements.

In order to be considered for a Credit to be applied to a permittee's Site, these customers must submit: documentation showing how the permitted discharges are providing a positive impact and value that complement the City's stormwater management system goals. At a minimum, water quality results, discharge volumes, rates, and frequency must be provided. The amount of Credit will be determined on a case-by-case basis.

4.5 Other Non-Structural BMP Credit

Non-residential customers may have unique opportunities or approaches to improving water quality. For instance, a non-residential customer may also be an NPDES MS4 permittee that must implement a Stormwater Pollution Prevention Program for its facility.

The City will review and evaluate these types of unique requests on a case-by-case basis to determine the Credit value for a Site to which the BMP is being applied. Maximum Credit for this category is 5%.

4.6 Conveyance Credit

Some non-residential customers manage and maintain private stormwater conveyance systems (ditches, pipes, and ravines) for their Site that discharge directly to the Zumbro River or one of its six (6) major tributaries. If at least 50% of flows generated on-Site are directed through the private conveyance system, then a Site is eligible for up to 10% conveyance Credit using the equation presented in Appendix A and based on a 10-year, 24-hour storm event. The amount of Credit given for private conveyance systems, if there is adequate documentation of sufficient maintenance, will be proportional to the level of service provided.

4.7 Stormwater Quality Control Structural BMP Credit

When BMPs listed below in Table 1 improve water quality, they will be eligible for a Fee Credit up to 15% if flows generated on-Site are directed through the BMP, according to the equation presented in Appendix A based on a 10-year, 24-hour storm event. This Credit will be based upon hydrologic data, water quality data, design specifications, and other pertinent data supplied by qualified, licensed professionals on behalf of property owners. Credits for on-Site stormwater facilities shall be generally proportional to the benefit that such systems have on complementing or enhancing the water quality benefit to the City's stormwater management system. Property access, adequate and routine facility maintenance, and self-reporting must be provided by the property owner to the City to verify that the BMP structure is providing its intended benefit in order to receive Credit reduction as applied to the Fee calculation equation. The actual percentage received will be determined through an evaluation of the system benefits provided at the time stormwater leaves the customer's property. BMPs may provide a single benefit or a combination of benefits, in which case credits will be additive.

The Minnesota Pollution Control Agency (MPCA) has identified structural BMPs that have proven effective in removing pollutants to improve the quality of stormwater runoff. The most common structural BMPs approved for use to improve water quality are listed in Table 1, below. All stormwater BMP structural controls must be designed in accordance with criteria as outlined in MPCA's "Protecting Water Quality in Urban Areas Manual." Any other water quality structural control system will be considered on a case-by-case basis. Plans and design calculations are required for consideration of Credits for all water quality protection control systems, including those listed in Table 1. A qualified, licensed professional shall prepare these plans and design calculations and shall include an estimate of percent pollutant removal capabilities along with a schematic design of the proposed system. Innovative solutions addressing stormwater quality treatment are welcomed. As technologies emerge and are approved by the MPCA or other reputable regulatory agency, they will also be considered for credit. Schematics of each of the BMPs listed below can be found on-line in "Protecting Water Quality in Urban Areas Manual" at <https://www.pca.state.mn.us/water/stormwater-best-management-practices-manual>

Table 1: Common Water Quality Best Management Practices

| Detention Ponds: | Vegetative Filtration: | Infiltration and Filtration: |
|-------------------------|-------------------------------|-------------------------------------|
| - Detention Ponds | - Filter Strips | - Filter Systems |
| - Constructed Wetlands | - Vegetated Swales | - Infiltration Trenches or Basins |

The percentage of Credit will be calculated using the equation shown in the Credit application (see Appendix A), with a maximum Credit of 15%. The property owner must complete and submit for acceptance data that quantifies and demonstrates the achievement of water quality goals. This documentation must be prepared by a qualified, licensed professional and be accompanied by testing, modeling, design, and/or construction data that substantiates the % TSS Removal being claimed.

4.8 Stormwater Run-Off Rate Reduction Structural BMP Credit

When BMPs listed in Table 1 reduce post-development run-off rate so that they are equal to or less than the pre-development rate, they will be eligible for a Fee Credit up to 15% if flows generated on-Site are directed through the BMP, according to the equation presented in Appendix A. Run-off rate analysis is to be based on a 10-year, 24-hour storm event.

Credits for run-off rate reduction BMPs will be based upon hydrologic data, design specifications, and other pertinent data supplied by qualified, licensed professionals on behalf of property owners. Credits for on-Site stormwater facilities shall be generally proportional to the benefit that such systems have on complementing or enhancing the water quantity benefit to the City’s stormwater management system. Property access, adequate and routine facility maintenance, and self-reporting must be provided by the property owner to the City to verify that the BMP structure is providing its intended benefit in order to receive a Credit reduction as applied to the Fee calculation equation.

4.9 Stormwater Volume Control Credit

Stormwater volume control can be achieved through infiltration by two primary mechanisms:

- A. Careful installation of approved structural BMPs, like infiltration trenches, or
- B. Preservation of significant vegetated open spaces.

If flows generated on-Site are directed through the BMP or are controlled with on-Site vegetated open spaces, then a Site is eligible for up to 70% volume control Credit using the equations presented in Appendix A and based on a 10-year, 24-hour storm event.

Credits for stormwater volume controls will be based upon hydrologic data, water quantity data, design specifications, and other pertinent data supplied by qualified, licensed professionals on behalf of property owners.

On-Site volume control credits awarded for structural BMPs shall be generally proportional to the benefit that such systems have on complementing or enhancing the water quantity benefit to the City’s stormwater management system. Property access, adequate and routine facility maintenance, and self-reporting must be provided by the property owner to the City to verify that the BMP structure is providing its intended

benefit in order to receive Credit reduction. The percentage of Credit received will be determined through an evaluation of the system benefits provided at the time stormwater leaves the customer's property. The percentage of Credit will be calculated according to the % of total drainage flow that does not leave the property boundary, based on a 10 year, 24-hour storm event. The discharge location, volume reduction, and down gradient impact must be described. Construction of structural volume control BMPs must not be implemented unless a Site sensitivity analysis has been conducted, as per the instructions in MPCA's "Protecting Water Quality in Urban Areas" BMP Manual. The Credit will be based on the equation presented in Appendix A.

Non-residential customers having parcels with a parcel-specific impervious area percentage < 25% that preserve vegetated open spaces (above and beyond existing landscape requirements to meet zoning regulations) and that allow for stormwater infiltration are eligible for a volume control credit based on the equation presented in Appendix A.

Structural infiltration BMPs designed to prevent degradation of wetlands and fens are not eligible for credit.

4.10 Example Fee Recalculation

BMPs may provide a single benefit or a combination of benefits, in which case credits will be additive. The first six credit options listed above have a maximum additive credit capacity of 30%. The stormwater volume control credit options have a maximum credit capacity of 70%. In cases where 100% Credit is achieved, the minimum per parcel Fee = Residential Fee. As an example of how a Fee Credit would be applied, imagine a parcel that receives the following Credits:

| | |
|--|----------------------------------|
| 1. Integrated Non-Structural BMP Credit | 8% (max 10%) |
| 2. NPDES Industrial Stormwater Permit Credit | 2% (max 5%) |
| 3. Other Non-Structural BMP Credit | 1% (max 5%) |
| 4. Conveyance Credit | 0% (max 10%) |
| 5. Stormwater Quality Control Structural BMP Credit | 12% (max 15%) |
| 6. Stormwater Run-Off Rate Reduction Structural BMP Credit | 10% (max 15%) |
| <u>OPTIONS 1-6 CREDIT SUBTOTAL</u> | <u>33% defaults to 30% (max)</u> |
| 7. Stormwater Volume Control Credit | |
| <u>(25% infiltration trenches + 14% open space preservation)</u> | <u>39% (max 70%)</u> |
| TOTAL STORMWATER CREDIT | 69% |

To determine the example 2016 Fee, assume a ten-acre parcel with 60% impervious area and a Land Use Factor of 2.3. The baseline Fee calculation would be as follows:

$$\text{Fee} = (\text{Land Use Factor}) \times (\text{Parcel Size, in Acres}) \times (\text{Rate})$$

$$\text{Fee} = (2.3)(10 \text{ acres})(\$15.00/\text{acre}/\text{month}) = \$345/\text{month}$$

Assuming documentation has been provided to prove that all the Program criteria described in the Manual have been and continue to be met, this example customer would receive a 69% Credit adjustment, changing the equation to:

2016 Fee = (2.3)(10 acres)(15.00/acre/month)(1-0.69) = \$106.95/month, a savings of \$238.05/month, which represents an annual savings of \$2,856.60 for all of 2016; a savings of 69%.

**For the 2016 - 2020 Stormwater Utility Rates visit:*

<http://www.rochestermn.gov/departments/public-works/stormwater-management/permits-plans-fees-ordinances/ordinances>

5.0 Non-Residential Customer Fee Credit Application Procedures

A property owner must comply with the procedures outlined in this Manual when submitting a Credit application. All information necessary for the Public Works Director to make a determination on a request for Credit must be supplied, as outlined in the Manual and the Credit application. Failure to comply with the procedures outlined in the Manual will result in a denial of the Credit application.

In cases requiring a hydrologic analysis, a qualified professional engineer registered in the State of Minnesota must prepare and certify the documentation provided to verify the hydrologic benefit.

6.0 Review Process and Non-Residential Customer Fee Credit Implementation

The Public Works Director or designated agent will review Credit applications within sixty (60) days of receipt, once the application is complete and contains the information necessary for review and determination of the Credit. A determination of the Credit value will be simultaneously mailed to the applicant and to Rochester Public Utilities for account adjustment. Adjustments of Fees shall be made retroactive for the time period that the service was in place, but for no more than the previous six monthly billing cycles (based on the date the Credit application is received by the City). Credit adjustments cannot pre-date the January 1, 2004 implementation of the Fee.

Appeals of Credit decisions may be brought to the Rochester City Council by sending a formal written Request for Appeal of Stormwater Credit Determination to the City Clerk. If the Council awards an alternate Credit determination, adjustments of Fees shall be made retroactive for the time period that the service was in place, but for no more than the previous six monthly billing cycles (based on the date the Credit application is first received by the City).

Questions on the Credit policy may be directed to the City of Rochester Public Works Department GIS Specialist (507) 328-2482.

7.0 Non-Residential Customer Fee Credit Enforcement Policy

As long as the private property owner's structural and/or non-structural BMPs are functioning as approved, the Credit reduction will be applied to the Fee. The City reserves the right to review the application for accuracy and/or inspect structural BMPs and review documentation confirming the provision of non-structural BMPs at any time. If, after its review or inspection, the City finds the application to be inaccurate or the projected level of service is not being achieved, the customer will be notified in writing and given 45 days to correct the problem. The property owner must provide written documentation to the City Engineer within 45 days of the original notice by the City that the structural BMP is now meeting its operational and design specifications or the non-structural BMP is being provided as agreed along with evidence that the deficiency has been corrected. If the deficiency is not satisfactorily corrected, the Fee Credit attributable to the deficiency will be terminated on the following billing cycle and will remain in effect for a minimum of 12 months. Reapplication for Fee Credit may not proceed until the delinquent BMP has been adequately reinstated for three continuous months and evidence of the corrections has been provided with the reapplication.

Annual self-reports will be required by every January 30 to document service provision for the preceding calendar year. If the self-reports are incomplete or are not submitted to the City by the required date, the property shall be considered to be in non-compliance with the Credit Program requirements. Non-compliant properties will lose the Credit benefit for ALL Credit options and the Fee Credit suspension will remain in effect for a minimum of 3 months and will not be reinstated until the complete annual report is received with documentation that the program is being implemented as intended.

All structural water quality control systems that are not listed in Table 1 *may* require, at the request of the City and at no cost to the City, periodic certified laboratory water quality sampling and reporting to insure that water quality standards are being met.

If the approved BMP is not functioning as approved or is terminated, the corresponding Credit reduction will be canceled and the Fee will be increased accordingly. Once the Credit reduction has been canceled, a customer may not reapply for that particular Credit for a period of 12 months and only if the deficiency has been corrected, as determined by City inspection. It will be the responsibility of the customer to prove the stormwater management goals are met prior to the Credit being reissued.

8.0 Customer Incentive Program: Realize Rain Gardens Rochester

The City of Rochester is funding a cost-share program for residential and non-profit (501(c) 3) stormwater utility customers wishing to install native landscaping in a rain garden as a means to restore and maintain water quality. This program will also help educate its citizens about the value of clean water and their connection to it. Complete program details and the application form can be found at www.rochesterstormwater.com/rrr or by calling 507-328-2440.

Funding is a 50% match of eligible expenses, up to a maximum level of \$750.00 per project. Previously completed projects and projects in progress prior to application are not eligible for funding. Cost-share funding is a reimbursement for documented costs only. Before the reimbursement is granted, participants must have submitted a completed *Realize Rain Gardens Rochester* Registration Form and hosted a Rain Garden Party.

Proposals received will be reviewed together and ranked according to the program's eligibility and ranking criteria. Grants will be awarded to the highest ranking projects until cost-share funding for that fiscal year is expended. Total funding availability will be determined annually by the City Council. Applicants must maintain the project for a minimum period of five (5) years. Cost-share recipients must also authorize access by City staff to inspect the project and submit photos of pre-project conditions, construction activities, post-construction conditions, and annually thereafter for five years to document the ongoing success of the project.

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Please Print or Type, throughout.

Check One:

- This is the first application for Credit for this property.**
- This is a reapplication for renewed Credit after a Credit suspension.**

If this is a first application, please address all questions and provide documentation and certification that implementation of structural and non-structural BMPs will be in place within 60 days of submitting this application. Existing BMPs will require proof of implementation, while new BMPs will require the submittal of implementation plans.

If this is a reapplication for renewed Credit after a Credit suspension, please complete Part 1 and whichever Options listed in Part II that were suspended. Evidence that the deficiency resulting in the Credit suspension was corrected for *at least three months prior to reapplication* must be attached to the reapplication.



PART I. GENERAL INFORMATION

1. RPU Customer Number: _____

2. Customer Contact Information:

Name/Title _____

Address _____

Phone _____ E-mail _____

3. Property Parcel ID #(s): _____

4. Property Address/Description: _____

5. Authorized Representative (if applicable) Contact Information:

Name/Title _____

Address _____

Phone _____ E-mail _____

APPENDIX A

Stormwater Fee Credit Application

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NOTE: Please provide specific responses to the following questions, using additional pages if necessary, to provide a complete and comprehensive application.

PART II. INDIVIDUAL CREDIT OPPORTUNITIES

Option 1. Integrated Non-Structural BMP Program Credit

Please refer to Section 4.3 in the Credit Manual and provide the necessary background information and documentation to prove that the following programs are in place and functioning on a continuing basis. Documentation may include such things as: contracts, invoices, operating procedures, plans, maps, etc. All of the following criteria must be met to receive the 10% Fee Credit for this category. If any of the criteria listed below do not pertain to your non-residential property, please write “does not apply” followed by a description explaining the exception. If a representative other than the one identified under Part I is overseeing this component of the credit program, please provide the following information:

Name/Title, Address, Phone #, and e-mail address of the person responsible for coordinating non-structural BMPs, along with the time of day the person may be reached:

(BMP 1) Educational Program

1. Describe the audience(s) that will receive the water quality information, how the information will be selected and disseminated.

2. Describe where stormwater and water quality-specific educational information will be posted.

(BMP 2) On-Site Refuse Control Program

1. Identify where solid waste disposal and recycling information will be posted.

2. Describe your on-Site recycling program (number of collection site, types and volumes of materials recycled each year, collection frequency, recycling destination, etc.)

3. Describe how outdoor solid waste and recycling containers are protected from exposure to wind, rain, and snow and connection to storm sewers.

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4. Describe your refuse control plan.

(BMP 3) On-Site Stormwater System Maintenance and Cleaning Program

1. Using a Site plan, identify the locations of stormwater management structures located on the property, but not in the public right-of-way.

2. Define the maintenance and cleaning schedule for each of the on-Site stormwater structures:

- Rain gutters
- Catch basins:
- Curbs and gutters:
- Outfalls:
- Other structures (describe):

(BMP 4) Paved Area Sweeping Program

1. Provide a Site plan that identifies the paved area being swept, define the frequency (days and times) of paved area sweeping, and describe the type of equipment used to complete the sweeping.

2. If using a contracted firm to conduct sweeping, please indicate the contract information (company name, address, contact person, telephone number, contract number, contract length, and contract expiration date).

(BMP 5) Generator's Used Motor Oil Recycling Program

1. Is used motor oil reprocessed on-Site? Yes [] No []

2. If it is not reprocessed on-Site, identify the name of the company that collects and/or recycles your used motor oil. (Provide company name, address, contact person, telephone number, contract number, contract length, and contract expiration date.)

3. Indicate the amount of used motor oil collected on-Site each month.

4. Indicate where Olmsted County's current list of used oil recycling sites will be displayed.

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(BMP 6) Sanitary Sewer/Storm Sewer Cross-Connection Inventory Program

1. Using a Site plan, identify the locations of all sanitary and storm sewer connection points and sanitary and storm sewer line locations on the property.

2. If instances are found where sanitary sewage plumbing is connected to a storm sewer, identify what steps were taken to eliminate the cross connection and the date the work was completed.

(BMP 7) Landscaping for Run-Off Rate Control and Water Quality

1. Provide a copy of a landscape maintenance plan that identifies what lawn and garden practices are utilized to reduce stormwater run-off rates and protect water quality, using the practices recommended in the Credit Manual as a baseline.

2. Describe the employee landscape management training plan or provide contract and contact information for firms contracted to complete landscape maintenance using the provisions in the landscape maintenance plan.

Option 1. Integrated Non-Structural BMP Program Credit Awarded

_____ %
(10% max)

(date)

(initials)

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Option 2. NPDES Industrial Stormwater Permit Credit

1. Attach a copy of your NPDES Industrial Stormwater Permit.

2. Attach copies of water quality monitoring data with a comparison to the permit-required discharge limits.

3. Attach data that defines discharge volumes, rates, and frequency of discharges.

4. Describe how the permitted discharges are providing a positive impact and value that complements the City's stormwater management system goals and provide any supporting documentation.

Option 2. NPDES Industrial Stormwater Permit Credit Awarded

_____ %
(5% max)

(date)

(initials)

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Option 3. Other Non-Structural BMP Credit

1. Describe any additional non-structural approaches to improve water quality implemented by this customer, along with an assessment of its benefit to the City.

Option 3. Other Non-Structural BMP Credit Awarded

_____ %
(5% max)

(date)

(initials)

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Option 4. Conveyance Credit

1. Using a Site plan, identify the locations of private stormwater conveyance systems (e.g., pipes, ditches, ravines) on your property and the name of the public water body receiving the discharge.

2. Provide design evaluations and construction specifications and documentation that describe the conveyance capacity of the structures and calculate the percentage of flow from the Site that is conveyed by the private structures.

3. If the percent of flow generated on-Site that is routed through this BMP is $\geq 50\%$, calculate the Credit using the following equation:

$$\text{Credit} = (\% \text{ total flow conveyed by private system}) \times (0.10 \text{ Max Conveyance Credit})$$

4. Describe the maintenance plan for these structures and provide documentation of maintenance already completed on these structures.

Option 4. Conveyance Credit Awarded

_____ %
(10% max)

(date)

(initials)

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Option 5. Stormwater Quality Control Structural BMP Credit Computation

1. Please attach the following items to show that the property meets the Fee Credit criteria. If applying for Credit for multiple BMPs, please attach additional required sheets.

- Site Plan(s) showing:
 - Property location with parcel boundaries
 - Impervious areas (IA)
 - Description and location of BMP(s)
 - Topography and drainage boundaries for BMPs and their associated % discharges
 - Drainage discharge locations to off-Site properties (natural and constructed)
- BMP plans and design calculations
 - Total Site Area = _____ acres
 - Drainage Area (D_A) to BMP = _____ acres
 - Estimates of percent total suspended solids removal capabilities for the BMP, accompanied by testing, modeling, design, and/or construction data supporting the estimates

2. For the flow generated on-Site that is routed through this BMP, calculate the Credit using the following equation:

$$\text{Credit} = (\% \text{ Total Drainage Flow to BMP}/100) \times (\text{BMP \% TSS Removal}) \times (0.15 \text{ Max Water Quality Credit}),$$

Where TSS = total suspended solids

Option 5. Stormwater Quality Control Credit Structural BMP Awarded

_____%
(max 15%)

(date)

(initials)

APPENDIX A
Stormwater Fee Credit Application
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Option 6. Stormwater Run-Off Rate Reduction Structural BMP Credit Computation

1. Please attach the following items to show that the property meets the Fee Credit criteria. If applying for Credit for multiple BMPs, please attach additional required sheets.

- Site Plan(s) showing:
 - Property location with parcel boundaries
 - Impervious areas (IA)
 - Description and location of BMP(s)
 - Topography and drainage boundaries for BMPs and their associated % discharges
 - Drainage discharge locations to off-Site properties (natural and constructed)
- BMP plans and design calculations
 - Total Site Area (T_A) = _____ acres
 - Site Drainage Area (D_A) to BMP = _____ acres
 - Percent Run-off to BMP = $D_A / T_A \times 100 =$ _____ %

2. For the flow generated on-Site that is routed through this BMP, show your calculations for pre- and post-development run-off rates based on 10-year, 24-hour storm events and published average run-off coefficients for the land use applicable to this property. Any deviations from City-approved methods of calculations must be performed by a qualified professional engineer licensed in the State of Minnesota and be presented in a format similar to that shown below.

Pre-Development (Q_{pre}) run-off for D_A to BMP = _____ cfs

Post-Development (Q_{post}) run-off without BMP for D_A to BMP = _____ cfs

Post-Development (Q_{post}) run-off with BMP for D_A to BMP = _____ cfs

% Run-Off Rate Reduction Calculation = $\frac{(Q_{post} \text{ without BMP} - Q_{post} \text{ with BMP}) \times \% \text{ run-off through BMP}}{Q_{post} \text{ without BMP} - Q_{pre}}$

% Reduction = _____ %

Run-off Control Credit = % Reduction X $\frac{D_A \text{ to BMP}}{T_A} \times 0.1 =$ _____ %

Option 6. Stormwater Run-off Rate Reduction Structural BMP Credit Awarded

_____ %
(max 15%)

(date)

(initials)

APPENDIX A
Stormwater Fee Credit Application
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Option 7. Stormwater Volume Control Credit Computation

1. Please attach the following items to show that the property meets the Fee Credit criteria. If applying for Credit for multiple BMPs, please attach additional required sheets.

- Site Plan(s) showing:
 - Property location with parcel boundaries
 - Impervious areas (IA)
 - Description and location of BMP(s)
 - Topography and drainage boundaries for BMPs or open spaces and their associated % discharges
 - Drainage discharge locations to off-Site properties (natural and constructed)
- BMP plans and design calculations
 - Total Site Area = _____ acres
 - Drainage Area (D_A) to BMP = _____ acres

2. For the flow generated on-Site that is routed through this BMP or open space preservation area, calculate the Fee Credit using the following equations. **NOTE: In calculating a structural BMP or open space preservation Credit under this section, the applicant may not use the same area of the parcel for calculating both Credits.**

A. Structural BMPs

i.) Summarize the key points of the Site sensitivity analysis to describe potential down gradient impacts to surface or ground water from drainage captured on-Site.

ii.) Calculate credit: = (% Total Drainage Flow Captured By BMP) X (0.70)

Structural Credit = _____%

B. Preservation of significant vegetated open spaces.

| Parcel ID # | Parcel Size (acres) | % IA | Is the %IA < 25%? (circle one) | Credit Calculation = (100% - IA%) x (0.7) |
|-------------|---------------------|------|--------------------------------|---|
| | | | Yes or No | |
| | | | Yes or No | |
| | | | Yes or No | |
| | | | Yes or No | |

Preservation Credit = _____%

Option 7. Stormwater Volume Control Credit Awarded

Structural Credit and/or Preservation Credit = _____%
(max 70%)

(date)

(initials)

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The application packet should consist of the completed application form and a copy of all necessary documentation, including the applicable Site plans that will allow for a complete review of the Site and existing stormwater management BMPs. Incomplete applications will not be processed. Submit the application, plans, and calculations to:

Rochester Public Works
ATTN: Troy Erickson, Water Resources Manager
201 4th St. SE, Room 108
Rochester, MN 55904

| | |
|---------------------------|-------------|
| Signature of Owner | Date |
| | |

| | |
|---|-------------|
| Signature of Licensed Professional Providing Hydrologic Evaluation | Date |
| | |

| | |
|--|----------------------------|
| <u>Summary Credit Calculation</u> | FOR OFFICE USE ONLY |
|--|----------------------------|

- OPTIONS 1-6 WITH MAXIMUM ADDITIVE CREDIT CAPACITY = 30%**
- | | |
|--|-----------------|
| 1. Integrated Non-Structural BMP Credit | _____ (max 10%) |
| 2. NPDES Industrial Stormwater Permit Credit | _____ (max 5%) |
| 3. Other Non-Structural BMP Credit | _____ (max 5%) |
| 4. Conveyance Credit | _____ (max 10%) |
| 5. Stormwater Quality Control Structural BMP Credit | _____ (max 15%) |
| 6. Stormwater Run-Off Rate Reduction Structural BMP Credit | _____ (max 15%) |

| | |
|-----------------------------|-----------------|
| OPTIONS 1-6 CREDIT SUBTOTAL | _____ (max 30%) |
|-----------------------------|-----------------|

- OPTION 7 WITH MAXIMUM CREDIT CAPACITY = 70%**
- | | |
|---|-----------------|
| 7. Stormwater Volume Control Credit (Structural and/or Preservation Credit) | _____ (max 70%) |
|---|-----------------|

| | |
|---|---------|
| TOTAL STORMWATER CREDIT (Options 1 through 6 + Option 7) | _____ % |
|---|---------|

| | |
|---|-------|
| Fee Credit Adjustment Factor = 1 - (% credit/100) = | _____ |
|---|-------|

NOTE: In cases where 100% Credit is achieved, the minimum per parcel Fee = Residential Fee

| |
|-----------|
| _____ |
| (date) |
| _____ |
| (initial) |

