

**A RESOLUTION ADOPTING THE BEAUFORT COUNTY  
STORMWATER UTILITY ADJUSTMENT AND CREDIT MANUAL**

**WHEREAS**, the Beaufort County Stormwater Utility was created in 2001 with the mission to address the stormwater needs of the County while protecting its water resources; and

**WHEREAS**, the County's Stormwater Management Utility establishes a mechanism for billing the costs of operating and maintaining the County's stormwater management system and financing the necessary repairs, replacement, improvements and extensions; and

**WHEREAS**, to meet the increasing demands on the Stormwater Management Utility in the areas of federally mandated municipal Separate Stormsewer Systems (MS4) permitting, capital project needs, and cost of service and operations and maintenance, as well as evolving understanding of the impacts of the urban environment on water quality, the Stormwater Management Utility found it necessary to amend the structure in which rates are determined and adjust the rates charged to the citizens of Beaufort County to meet said demands in a fair and equitable manner; and

**WHEREAS**, to determine rate modifications required, Beaufort County engaged Applied Technology Management and Raftelis Financial Consultants to perform a comprehensive rate analysis; and

**WHEREAS**, Applied Technology Management and Raftelis Financial Consultants provided a rate study on July 10, 2015 which recommended certain amendments to the current stormwater rate structure; and

**WHEREAS**, Beaufort County Council adopted the Beaufort County Stormwater Rate Study, the recommendations contained therein and amended Chapter 99, Article II of the Beaufort County Code accordingly; and

**WHEREAS**, Beaufort County Council adopted the Adjustment and Credit Manual in August 2012 which outlines the guidelines under which the County will grant adjustments and credits to stormwater user fees, and grant credits to nonresidential and other privately owned stormwater facilities that provide value to the Utility by controlling stormwater quantity or quality; and

**WHEREAS**, based on the aforementioned modifications to the Beaufort County Stormwater Rate Study and the adoption of amendments to Chapter 99, Article II of the Beaufort County Code, it is appropriate and in the best interest of the citizens of Beaufort County to update and modify the Adjustment and Credit Manual.

**NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL**, that the Beaufort County Stormwater Adjustment and Credit Manual is hereby amended and replaced with the manual as provided in Exhibit A.

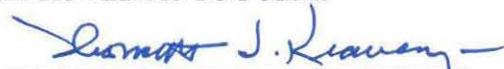
DONE this 25<sup>th</sup> day of April, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: 

D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

  
Thomas J. Keaveny, II, County Attorney

# STORMWATER ADJUSTMENT AND CREDIT MANUAL BEAUFORT COUNTY, SOUTH CAROLINA

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## **Section 1. Introduction**

Beaufort County established a Stormwater Management Utility on September 10, 2001. The utility provides the County with the authorization to establish and collect just and equitable rates, fees, and charges for the services and facilities provided by the utility system. The County is further authorized by the South Carolina Statutes to construct, reconstruct, improve, and extend the Stormwater Management system.

The County's Stormwater Management Utility establishes a mechanism for billing the costs of operating and maintaining the County's stormwater management system, and financing the necessary repairs, replacements, improvements, and extensions. The County's ordinance provides the mechanisms for billing and payment, accounting for capital contributions, and establishing the Stormwater Utility Fund. This Adjustment and Credit Manual outlines the guidelines under which the County will grant adjustments and credits to stormwater user fees.

### **1.1 Credit Program Goals**

The County is not required to develop or employ a stormwater credit program. Doing so is a business decision intended to improve the County's relationship with its customers, allow the County to nimbly address changing circumstances on the ground, and incentivize or reward activities or measures that, in turn, reduce the County's costs to provide stormwater management services. It is not the intent of this program to reduce fees based on a ratepayer's ability to pay, or to treat any particular class of customer differently other than based on rate metrics.

The County holds a National Pollutant Discharge Elimination System (NPDES) municipal separate storm system (MS4) permit, which will require certain control measures to improve the quality of water leaving the County and entering receiving water bodies. The permit requires some measures, such as public education, that can be at least partially supported through external activities and provide a non-structural way for utility customers to decrease the program's costs by providing a relevant service independently and reducing the need for the County to do so. For these reasons, the credit program aligns stormwater management related costs and the extent to which those costs can be reduced, to the reduced fees passed on to some customers that are driving down the demand for service.

### **1.2 Nexus with Revised Rate Structure**

In 2015, the County completed a rate study that included a recommended revised rate structure. Unincorporated Beaufort County adopted this new structure. The County's revised rate structure is built upon three elements of cost recovery. First, there is a fixed fee component that includes County costs related mostly to stormwater utility business operations and some services (like outreach and water quality monitoring) that are related more to the number of utility customers than the characteristics of those customers or their properties. In addition to the fixed fee, other costs are recovered through variable charges for both a property's impervious area and a property's gross area. Costs are split between these two factors approximately 80% and 20% respectively, a division determined in the rate structure analysis to

provide for the optimal blend of equitable cost allocability, reducing the impact of the rate structure change on sensitive customers, providing continuity with the previous rate structure, and ensuring appropriate cost recovery from undeveloped lands still greatly served through the County's stormwater service provision.

Given the three elements of the underlying rate structure, the County's credit policy can provide a nexus between reduction in costs and reduction in a customer's fee. That is, depending on the particular type of credit, it may be appropriate to reduce one or more component(s) of the fee to reflect the actual cost type and level. The recommended credit policy elements are in the following sections, and each references the component of the charge recommended to be eligible for reduction.

Users of this Credit Manual will find references to older rate structure based solely on the Single Family Detached Unit (SFU) billable unit. These are included for the benefit of the jurisdictions that have elected to continue with the older rate structure.

### 1.3 Definitions

The following definitions shall apply in the use of this Adjustment and credit Manual. Words used in the singular shall include the plural, and the plural, the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined herein shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

**ADJUSTMENT.** The adjustment of the user fee assessed to a particular parcel based on the more detailed assessment of the impervious area on that parcel.

**AGRICULTURAL USE EXEMPTION POLICY.** Properties under agricultural use as defined by South Carolina State law are exempt from having their stormwater fees increase by ordinary rate increases or rate structure changes. Beaufort County complies with this policy and automatically identifies these properties and suppresses their stormwater fees as needed. No credit application or other efforts by property owners are required.

**APPEAL.** The process of filing a dispute with the fee determination, fee adjustment or fee credit as recognized by the County.

**APPLICANT.** Any person, or a duly designated representative applying for a permit or other type of county, federal, or state regulatory approval to proceed with a project.

**AQUIFER.** An underground formation, group of formations, or part of a formation that is permeable enough to transmit, store, or yield usable quantities of water.

**AS-BUILT PLANS.** The final plans amended to include all locations, dimensions, elevations, capacities, features and capabilities, as actually constructed and installed.

**BEST MANAGEMENT PRACTICES (BMP), Manual for Stormwater Best Management Practices, Current Edition.** County manual defining acceptable programs, technologies, processes, site layout techniques and criteria, operating methods, measures, or devices to maintain or restore pre-development hydrology with regard to rate, volume, quality, and duration of the water flow.

**CHANNEL.** A natural stream that conveys water. A ditch, or passageway, excavated to permit or accommodate the flow of water.

**CLEARING.** The removal of trees, brush, and other ground cover from all or a part of a tract of land, but shall not include mowing.

**CONCENTRATED STORM RUNOFF.** Surface runoff that converges and flows primarily through water conveyance features such as swales, gullies, waterways, channels, or storm sewers and which exceeds the maximum specified flow rates of filters or perimeter controls intended to produce or control sheet flow.

**COUNCIL.** The County Council of Beaufort County, South Carolina.

**COUNTY.** Beaufort County, South Carolina and its authorized agents.

**CUSTOMER.** The owner of any parcel that is receiving a stormwater utility fee from Beaufort County, South Carolina.

**DETENTION or TO DETAIN.** The prevention of, or to prevent, the discharge, directly or indirectly, of a given volume of stormwater runoff into surface waters by providing temporary on-site storage.

**DEVELOPMENT or DEVELOPMENT ACTIVITY.** The alteration, construction, installation, demolition or removal of a structure, impervious surface, pipe, conduit, cable or line, above or below ground, or the clearing, scraping, grubbing, killing or otherwise removing the vegetation from a site; or adding, removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging or otherwise significantly disturbing the soil, mud, sand or rock of a site.

**DIRECTLY CONNECTED IMPERVIOUS AREAS.** Those impervious areas which are directly connected to the County's drainage system by a ditch, storm sewer, channel, or other man-made device for the conveyance of stormwater runoff.

**DISCHARGE.** The flow of water from a project, site, aquifer, drainage basin, or other drainage facility.

**DITCH.** An artificial waterway for the purpose of irrigation or for stormwater conveyance.

**DRAINAGE SYSTEM.** All facilities used for the movement of stormwater through and from a drainage area including, but not limited to, any and all of the following:

- conduits, pipes and culverts, including appurtenant features such as catch basins, inlets, manholes, and headwalls,
- channels, ditches, flumes, curbs, streets and other paved areas, and
- all watercourses, standing or flowing bodies of water, and wetlands.

While some such facilities may be isolated in a given storm event, all are interconnected in a given drainage system for a storm event exceeding a certain magnitude.

**DWELLING UNIT.** Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more families, but not including a tent, cabin, trailer or trailer coach, boarding or rooming house, or hotel.

**EASEMENT.** A grant by a property owner for a specified use of all or a specified portion of land to a person or the public at large.

**EROSION.** The wearing or washing away of soil by the action of water.

**EQUIVALENT IMPERVIOUS COVER (EIC)** – Metric that measures how effectively impervious surface runoff is reduced relative to pre-development pervious surface runoff.

**EVAPOTRANSPIRATION** – Retention of stormwater in a manner that allows for the runoff to return to atmosphere.

**FACILITIES.** Various drainage works that may include inlets, conduits, manholes, energy dissipation structures, channels, outlets, retention/detention basins, and other structural components.

**FREEBOARD.** The space from the top of an embankment to the highest water elevation expected for the largest design storm stored. The space is often required as a safety margin in a pond or detention basin.

**FREQUENCY YEAR STORM.** A rainfall event expressed as an exceedance probability with a specified chance of being equaled or exceeded in any given year, as follows:

One Year.....	100 percent
Two Year.....	50 percent
Ten Year.....	10 percent
Twenty-Five Year.....	4 percent
Fifty Year.....	2 percent
One-Hundred Year.....	1 percent

**GROUNDWATER.** Water below the surface of the ground, in known or defined natural channels, whether flowing or not.

**GROSS AREA.** The total area of a tax parcel as contained in the County’s geographic parcel data.

**HYDROGRAPH.** A graph of inflow and/or discharge versus time for a selected point in the drainage system.

**IMPERVIOUS AREA.** The surface area which has been compacted or covered with a layer of material so that it is resistant to infiltration by water, including semi-pervious surfaces such as compacted clay, most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar surfaces.

**INSPECTOR.** A person designated by the Stormwater Utility Manager who conducts the necessary inspection of stormwater related work to ensure conformance with the Approved Plan and the provisions of this chapter.

**INTENSITY.** The depth of accumulated rainfall per unit of time.

**MAINTENANCE.** The action taken to protect, preserve, or restore the as-built, functionality of any facility or system.

**NONRESIDENTIAL DEVELOPED PROPERTY.** A developed property that is not utilized for dwelling units with the County.

**NOTICE.** A written or printed communication conveying information or warning.

**OPEN CHANNEL.** An uncovered ditch, channel, or swale used to convey stormwater runoff.

**OWNER.** The person in whom the fee, ownership, dominion, or title of property (i.e., the proprietor) is vested. This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant including a developer.

**PARCEL or PARCEL OF LAND.** A tract, or contiguous tracts, of land in the possession of, owned by, or recorded as property of the same claimant person as of the effective date of the Stormwater Regulations.

**PEAK RATE OF FLOW.** The maximum rate of discharge resulting from a given storm event.

**PERMITTEE.** Any person who has been granted a permit to proceed with a project.

**PERSON.** Any individual, firm, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common business interest, or any other legal entity.

**POA (PROPERTY OWNER'S ASSOCIATION).** The legally recognized, non-profit group or organization representing the interest of the property owners within a specified jurisdiction.

**POST-DEVELOPMENT.** The hydrologic and hydraulic condition of a project site immediately following completion of the development for which a permit has been approved.

**PRE-DEVELOPMENT.** The hydrologic and hydraulic condition of a project site immediately before development or construction begins.

**PRIVATE.** Property or facilities owned by individuals, firms, entities, corporations, and other organizations and not by local, state or federal governments.

**PROFESSIONAL ENGINEER.** A professional engineer licensed by the State of South Carolina, skilled in the practice of civil engineering and the engineer of record for the project under consideration.

**PUBLIC.** Property or facilities owned by local, state or federal governments.

**RATE.** Volume of water, or other material, per unit of time.

**RECEIVING WATERS or WATER BODY.** Any water body, watercourse, or wetland into which surface water flows.

**RETENTION or TO RETAIN.** The prevention of, or to prevent, the discharge, directly or indirectly, of a given volume of stormwater runoff into surface waters by complete on-site storage.

**REUSE** – The retention of stormwater runoff to use for irrigation or other beneficial use.

**SEDIMENT.** Solid material, whether mineral or organic, that is in suspension, is being transported, or has been moved from its place of origin by water.

**SINGLE FAMILY DETACHED UNIT (SFU).** The statistical average estimated to be 4,906 square feet of impervious area for each single family detached residential dwelling unit within the County and as established by Ordinance.

**SITE.** Any tract, lot, or parcel of land or contiguous combination of tracts, lots, or parcels of land that is in one ownership, or contiguous and in diverse ownership, where development is to be performed as part of a unit, subdivision, or project.

**SOUTH CAROLINA STORMWATER MANAGEMENT AND SEDIMENT CONTROL HANDBOOK.** This handbook includes all existing South Carolina stormwater management regulations required for individuals to submit a stormwater management and sediment reduction permit application to the Department of Health and Environmental Control (SCDHEC).

**STORM EVENT.** A storm of a specific duration, intensity, and frequency.

**STORMWATER OR RUNOFF.** Refers to the flow of water which results from, and which occurs during and following a rainfall event.

**STORMWATER MANAGEMENT FEES AND CREDIT APPEALS BOARD.** The Stormwater Management Fees and credit Appeal Board will advise the County Administrator on appeals to decisions rendered by the Stormwater Utility Manager and will consist of three members.

**STORMWATER DESIGN STANDARDS.** The design standards presented in the Stormwater Regulations, and such other standards that may be adopted by the County from time to time.

**STORMWATER MANAGEMENT SYSTEM OR FACILITIES.** Refers to the existing, designed, and/or constructed features which collect, convey, channel, store, inhibit, or divert the movement of stormwater.

**STORMWATER MANAGEMENT PLAN.** The technical and policy manuals, plans, regulations and/or calculations, and any subsequent updates or amendments thereto, used by the Stormwater Utility Manager to administer the stormwater regulations.

**STORMWATER UTILITY MANAGER.** Person responsible for daily operations of the Beaufort County Stormwater Management Utility and reporting to the County Administrator.

**STRUCTURE.** Anything constructed or installed with a fixed location on or in the ground.

**SWALE.** An artificial or natural waterway which may contain contiguous areas of standing or flowing water following a rainfall event. A swale may be planted with or otherwise contain vegetation suitable for soil stabilization, stormwater re-treatment, and/or nutrient uptake; or may be designed to accommodate or account for soil erodibility, soil percolation, slope, slope length, and contributing area, so as to prevent erosion and reduce the pollutant concentration of any discharge.

**UTILITY.** The stormwater management utility provided for in Chapter 99 of Beaufort Code of Ordinances.

**VACANT LAND.** A lot or parcel of land that is without any building, structure or improvement, including impervious surfaces, but does not include recreation, green or open space created around private or public facilities nor parcels connected or contiguous thereto for the same or similar uses.

**WATER BODY.** Any natural or artificial pond, lake, reservoir, or other area that ordinarily or intermittently contains water, and which has a discernible shoreline.

**WATERCOURSE.** Any natural or artificial stream, creek, channel, ditch, canal, waterway, gully, ravine, or wash in which water flows either continuously or intermittently, and which has a definite channel, bed, or banks.

**WATER QUALITY.** Those characteristics of stormwater runoff from a land disturbing activity that relate to the physical, chemical, biological or radiological integrity of water.

**WATER QUANTITY.** Those characteristics of stormwater runoff that relate to the rate and volume of the stormwater runoff to downstream areas resulting from land disturbing activities.

**WET DETENTION.** A detention basin that contains a permanent pool of water that will retain runoff for a minimum period of 14 days for an average summer rainfall, and which has a littoral zone over a substantial portion of the pond surface area.

**WETLAND.** An area that is inundated or saturated by surface or groundwater with a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

**WORKS.** All artificial, manmade structures, including, but not limited to, canals, ditches, swales, conduits, channels, culverts, pipes, and other construction that connects to, draws water from, drains water into, or is placed in or across the waters of the state.

## Section 2. User Fee Adjustment and Credits

The following procedures address both adjustments and credits for Stormwater user fees. The County grants user fee adjustments when customers identify incorrect information contained in the County's billing database. Adjustments typically occur when the County has incorrectly delineated the impervious area within a nonresidential property, or when residential customers are assigned an incorrect stormwater billing unit.

User Fee credits are associated with the construction, operation, and maintenance of privately owned stormwater facilities that provide beneficial use to the County in meeting the objectives for the Utility set by County Council. Both residential and nonresidential customers can qualify for user fee adjustments; whereas only nonresidential customers and other stormwater facility operators such as Property Owner's Associations (POAs) qualify for user fee credits. **Appendix A** contains Stormwater Management Utility Forms that are used as part of the adjustment and credit policy.

The Stormwater Utility Manager, or his designee, will review adjustment and credit requests made during the first fiscal year that the revised stormwater user fee is imposed and when customers implement a change to their existing stormwater facility. These requests will be reviewed within a 3-month period from the date of filing of the request.

### 2.1 User Fee Adjustments

Requests for adjustment of the stormwater user fee shall be submitted through the Stormwater Utility Manager's office, which has authority to administer the procedures and standards, and review criteria for the adjustment of fees as established herein. All requests shall be judged on the basis of site characteristics.

The following procedures shall apply to all adjustment requests of the stormwater user fee:

- Any residential property owner who believes the impervious area or gross area components of his stormwater user fee to be incorrect may submit an adjustment request on a form supplied by the Stormwater Utility Manager, or his designee. Stormwater Management Utility Residential SWU Fee Adjustment Form is for residential fee adjustments.
- Any nonresidential property owner who believes the impervious area or gross area components of his stormwater user fee to be incorrect may submit an adjustment request on a form supplied by the Stormwater Utility Manager, or his designee. Stormwater Management Utility Non-Residential SWU Fee Adjustment Form is for nonresidential fee adjustments.
- The first step in the adjustment process will be a review of the County's calculation of the impervious and gross area. If resolution is not achieved, the County may request the customer to provide supplemental information to the Stormwater Utility Manager including, but not limited to, survey data prepared by a registered Professional Land Surveyor (P.L.S.) that represents the amount of impervious area on a parcel and/or engineering reports

prepared by registered Professional Engineer (P.E.). Failure to provide such information may result in the denial of the adjustment request.

- The Stormwater Utility Manager shall respond in writing to all adjustment requests. The response shall provide an explanation of adjustment approval or denial as well as requests for additional information.

Adjustment denials may be appealed to the Stormwater Management Fees and Credits Appeals Board as presented in Section 4.

### **2.1.1 Additional Stormwater Adjustments**

In addition to the requirements presented above, adjustments may also be given when an owner meets any of the following requirements:

- Owner demonstrates rainfall that occurs on an impervious area does not generate runoff (has no outlet), is completely watertight, and has at least 18 inches of freeboard. This adjustment is for unusual structures, such as swimming pools, hazardous material storage areas, etc. For these specific cases, a customer's SFUs will be adjusted by removing from the SFU calculation the amount of impervious area that does not generate runoff.
- Owner demonstrates that on-site gravel is not compacted, not used for vehicular traffic, and thus not impervious. The County may grant adjustments for non-compacted gravel areas used for landscaping or other purposes. The County considers all compacted gravel areas (drives, storage areas, etc.) as impervious areas, and as such, no adjustment will be granted. The Stormwater Utility Manager will make the decision regarding the intended purpose of gravel areas and the degree of imperviousness but will not allow more than 50% credit.

## **2.2 User Fee Credits**

Nonresidential customers and other privately owned stormwater facility operators may qualify for user fee credits when they can demonstrate that their existing or proposed stormwater facilities meet current stormwater standards and provide the County value in managing stormwater quantity, quality or auxiliary services. User fee credits provide incentive to the private facility operators to improve their facilities as County ordinances and standards are changed. For properties within incorporated jurisdictions, the portion of a property's stormwater fee that is the Countywide Infrastructure charge is creditable in the same percentages for gross and impervious area as it would be credited were it in the unincorporated County.

### **2.2.1 Restrictions**

- a. No public or private property shall receive credit to offset Fees for any condition or activity unrelated to the County's cost of providing stormwater management services.
- c. Credits will not apply to Stormwater Pollution Prevention Plan (SWPPP) Review and Inspection fees attributable to new development or redevelopment projects.

- d. Any BMP or portion(s) of the stormwater management within a permanent storm drainage easement maintained by the government (municipality, county or state), shall not be eligible for a fee credit.
- e. Credit shall only be given to the property owner of record. If there are multiple owners in credit application, then the owner who is the applicant is responsible for submitting a cooperation agreement from other owners participating in application.

### **2.2.2 Terms**

- a. Unless noted in the credit description, all credits require submittal of a complete application and approval by the County. No separate submittal is required for CWI credits.
- b. Credits will only be applied if requirements outlined in this Manual are met, including, but not limited to: maintaining compliance with stormwater standards at the time of initial credit, 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 credit adjustment to components of the Fee, as described for each credit type.
- d. Some credits can be combined for an additive reduction. The following table describes these allowable scenarios.

	Structural BMP Credit	Integrated Non-Structural BMP Program Credit	Other BMPs	NPDES Industrial Stormwater Permit Credit	Education Credit	Inundated Property Credit	Permanently Undevelopable Land Credit
<b>Structural BMP Credit</b>		Only POAs	Considered	No	No	Yes	Yes
<b>Integrated Non-Structural BMP Program Credit</b>	Only POAs		Considered	No	No	Yes	Yes
<b>Other BMPs</b>	Considered	Considered		Considered	Considered	Considered	Considered
<b>NPDES Industrial Stormwater Permit Credit</b>	No	No	Considered		No	Yes	Yes
<b>Education Credit</b>	No	No	Considered	No		Yes	Yes
<b>Inundated Property Credit</b>	Yes	Yes	Considered	Yes	Yes		Only if applied to different areas
<b>Permanently Undevelopable Land Credit</b>	Yes	Yes	Considered	Yes	Yes	Only if applied to different areas	

- e. As long as the BMPs are functioning as approved (as demonstrated by self-certification reports and County 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 cancelled and the Fee will return to the baseline calculation. Once the credit reduction has been cancelled, a customer may not reapply for credit for a period of 12 months and only then if the deficiency has been corrected, as determined by County inspection. (See Section 5 for more details).
- f. Stormwater utility customers seeking fee credit will be required to submit their credit application and supporting documents as of July 1 preceding the County's issuance of tax bills.
- g. Approved credit will be applied to each subsequent bill (as long as the credit is active) and will be retroactively applied to the current year's bill. Retroactive credits will be processed as an additional credit to the next year's

stormwater fee. In the event a retroactive credit exceeds the calculated billed amount for the next year's bill, a refund will be issued by the Beaufort County Treasurer upon approval of the credit.

- h. This credit manual is only applicable in jurisdictions that have adopted a rate structure consistent with a fixed fee, impervious area fee, and gross area fee as defined in the Beaufort County Rate Study completed in 2015. This is the rate structure consistent with that of the County. Jurisdictions that have not adopted this rate structure and continue to use a rate structure based solely on the SFU are eligible for stormwater fee credits in a manner similar to that under the prior Stormwater Fee Adjustment and credit Manual, dated December 2012. Each credit section below contains footnotes to define how SFU-based credit are to be calculated.

### **2.2.3 Structural BMP Credit - Water Quality, Peak Runoff, and Volume Controls**

Structural BMPs designed in accordance with the County BMP Manual will be eligible for a fee credit if flows generated on-site and from upstream areas greater than 0.5 sq. mi are directed through the BMP and provide

- reduction of target pollutants to acceptable levels in accordance with a 10% effective imperviousness site,
- control the peak runoff rate in accordance with the 25-year, 24-hour storm event,
- provide 100% retention, reuse, or reduction of the runoff volume in accordance with the 1.95", 24-hour storm event.

Structural BMPs are eligible for credit only if all three controls are met. 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. In order to receive credit reduction as applied to the Fee calculation equation, property access, adequate and routine facility maintenance, and annual self-reporting must be provided by the property owner to the County to verify that the BMP structure is providing its intended benefit.

The Credit will be applied as a 50% reduction in the impervious area component of the fee and the CWI portion of the fee.<sup>1</sup> For POAs, the flat structural BMP credit of 50% off the impervious area component of the fee may be added to the non-structural BMP credit of 25% for a

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<sup>1</sup> This credit calculation method is only applicable in jurisdictions that have adopted a rate structure consistent with a fixed fee, impervious area fee, and gross area fee as defined in the Beaufort County Rate Study completed in 2015. Jurisdictions that have not adopted this rate structure and continue to use a rate structure based solely on the SFU will be eligible for a flat Structural BMP credit of 10% of the stormwater fee for peak control and 35% of the stormwater fee for volume control, including CWI fees. Water quality control is assumed met with volume control and no additional credit is provided.

maximum of 75% off the impervious area component of the fee. The property owner must complete and submit data that quantifies and demonstrates the achievement of water quality, peak runoff, and volume control goals. This documentation must be prepared by a qualified, licensed professional engineer and be accompanied by one or combination of the following: testing, modeling, design, and/or construction data that substantiates the hydrologic peak flow reduction or volume control requirements obtained from the BMP Manual. All requests will be reviewed on an individual basis with findings of the review transmitted back to the customer within ninety (90) days of receipt of a completed application.

Water quality and volume reduction BMPs that are eligible for credit include, but are not limited to, the following:

- Wet or dry detention basins
- Bioretention, rain gardens, and other devices, and
- Rooftop practices such as green roofs, evaporative cooling on flat roofs
- Pervious pavement<sup>2</sup>
- Runoff capture used for irrigation
- Disconnection of impervious areas
- Swales for runoff from highways and roadways.

In order to receive credit, property access, adequate and routine facility maintenance and annual self-reporting must be provided by the property owner to the County to verify that the BMP structure is providing its intended benefit.

Credit will be perpetual until such time that the property owner fails to demonstrate adequate BMP performance.

## 2.2.4 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 County meet its permit objectives. To receive a 25% credit adjustment as applied to the impervious area component of the fee<sup>3</sup>, including the CWI portion of the fee, , documentation must be provided to verify that 6 of the 9 following BMPs have been met:

BMP1:	Educational Program
BMP2:	On-Site Refuse Control Program
BMP3:	On-Site Stormwater System Maintenance and Cleaning Program

<sup>2</sup> Pervious pavement, as a special category of structural BMP credit, will be credited as a 50% reduction in the impervious area charge for only the portion of the impervious area comprised of pervious pavement.

<sup>3</sup> This credit calculation method is only applicable in jurisdictions that have adopted a rate structure consistent with a fixed fee, impervious area fee, and gross area fee as defined in the Beaufort County Rate Study completed in 2015. Jurisdictions that have not adopted this rate structure and continue to use a rate structure based solely on the SFU will be eligible for a flat Integrated Non-Structural BMP Program credit of 10% of the stormwater fee, including CWI fees.

BMP4:	Paved Area Sweeping Program
BMP5:	Used Motor Oil Recycling Program
BMP6:	Sanitary Sewer/Storm Sewer Cross-Connection Inventory
BMP7:	Landscaping for Run-Off Rate Control and Water Quality
BMP8:	Storm Drain Stenciling Program
BMP9:	Designated Vehicle Washing Area

Upon receipt of completed 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 ninety (90) days of receipt of a completed application. Integrated non-structural BMP credit must be renewed annually.

#### **2.2.4.1 Educational Program**

Nonresidential customers who wish to receive Fee credit for educating employees in the area of water quality awareness and protection must agree to 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 the County 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 the County, state/federal environmental agencies, or from any other reputable educational resource center in employee frequented areas. Information posted must be clearly visible. Information topics must rotate on at least an annual basis. Copies of posted materials must be provided to the County.
- c. Distribute stormwater and water quality-specific literature obtained from the County, state/federal environmental agencies, or any other reputable educational resource center to all employees on a quarterly basis and provide copies to the County with the annual self-report. Literature topics must rotate on at least an annual basis.
- d. All materials to be used in presentations should be reviewed/approved by the Stormwater Utility Manager or his designee before use in this program.

Nonresidential customers who wish to receive Fee credit for educating the County regional customer base in the area of water quality awareness and protection must agree to meet the following minimum standards:

- a. Disseminate stormwater and water quality-specific information obtained from the County, state/federal environmental agencies, or any 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. Information topics must rotate on at least an annual basis. Copies of disseminated materials must be provided to the County along with estimates of the number of customers reached in each annual self-report.

- b. All materials to be used in presentations should be reviewed/approved by the Stormwater Utility Manager or his designee before use in this program.

#### **2.2.4.2 On-Site Refuse Control Program**

In order to receive credit for the On-Site Refuse Control Program, the following minimum criteria must be satisfied:

- a. Identify or develop the organization's on-site refuse control plan and submit a copy to the County.
- b. Initiate and maintain a solid waste recycling program that meets the 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.

#### **2.2.4.3 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 (nonpublic 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/downspouts – 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 once per year.
- c. Stormwater outfalls to private ditches, ravines, or creeks on private land must be cleaned at least once per year.
- d. On-site drainage ditches or channels must be cleaned of any litter and debris and obstructive vegetation should be trimmed at least once per year.

#### **2.2.4.4 Paved Area Sweeping Program**

In order to receive credit for the Paved Area Sweeping Program, the following minimum criteria must be satisfied:

- 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), debris disposal method, 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.

#### **2.2.4.5 Used Motor Oil Recycling Program**

In order to receive credit for the Used Motor Oil Recycling Program, the following minimum criteria must be satisfied:

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

#### **2.2.4.6 Sanitary Sewer/Storm Sewer Cross-Connection Inventory Program**

In order to receive credit for the Sanitary Sewer/Storm Sewer Cross-Connection Inventory Program, the following minimum criteria must be satisfied:

- 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 the County 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.
- d. If any discharges are in question, the owner should contact the County to determine if elimination for the discharge is required.

#### **2.2.4.7 Landscaping for Run-Off Rate Control and Water Quality Program**

In order to receive credit for the Landscaping and Run-Off Rate Control and Water Quality Program, the following minimum criteria must be satisfied:

- 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 phosphorus 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 and fall, and aerate and 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 and garden chemicals, garden debris, lawn clippings, and leaves off hard surfaces.

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

- viii. Landscapes should be designed to eliminate or at least minimize directly-connected impervious areas.
  - ix. Maintain a 15' to 25' filter strip of tall grass or plantings along water bodies.
  - x. 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 the County along with documentation of employee training for landscape management or landscape contracts that include the above provisions.

#### **2.2.4.8 Storm Drain Stenciling Program**

In order to receive credit for the Storm Drain Stenciling Program, the following minimum criteria must be satisfied:

- a. The County will provide suggestions to any owner/group interested in providing the labor.
- b. Post decals or stencil all storm drain inlets with information identifying that it drains to a local water resource. For example, "drains to river" or "drains to creek".
- c. Provide the County with number and location of storm drains on subject parcel.
- d. Provide the County with plan for maintaining stencils/decals.

#### **2.2.4.9 Designated Vehicle Washing Area**

In order to receive credit for the Designated Vehicle Washing Area, the following minimum criteria must be satisfied:

- a. Provide area for vehicles to be washed away from stormwater drains and water resources.
- b. Use environmentally sensitive cleaning materials.
- c. Post location of vehicle washing area.
- d. Provide the County with plan for location of vehicle washing area.

#### **2.2.5 Other BMPs**

Nonresidential customers that implement BMPs or provide services above and beyond the basic structural or non-structural BMPs described above may be eligible for additional credit.

Examples of BMPs creditable at a higher level include: structural control measures that

effectively receive and treat runoff from other properties, educational activities well in excess of the required minimums (described below), more than six non-structural BMPs, or a combination of structural and non-structural BMPs benefitting the same property or region.

The County will evaluate requests for additional credit on a case-by-case basis. The duration of the Credit will depend on the specific BMP and be as determined by the Stormwater Utility Manager.

### **2.2.6 NPDES Industrial Stormwater Permit Credit**

The South Carolina Department of Health and Environmental Control, on behalf of the USEPA, requires certain types of industry to obtain and comply with an NPDES Industrial Stormwater Permit to manage and monitor stormwater runoff from industrial sites. When an NPDES Stormwater Permit issued to a nonresidential customer requires the specified industry to conduct water quality monitoring, they may be eligible for a 10% credit on the impervious area component of the permitted property's fee<sup>4</sup>, including the CWI portion of the fee, 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 County, and
- c. Industry is in compliance with all permit requirements.

Credit must be renewed every five (5) years.

### **2.2.7 Education Credit**

Those schools, public or private, wishing to receive Fee credit for educating students and employees in the area of water quality awareness and protection must agree to the following minimum standards:

- a. Devote two hours per half (four hours annually) to educating one grade level of students (or split between two grade levels) about water quality awareness and protection. Educational institutions will be required to submit programs or agendas to the County for environmental education sessions that will include information concerning number of attendees, time(s), place(s), and topic(s) covered during each session. The County will assist with providing materials for the education program. Pre- and post-session surveys are recommended. Topics must rotate on at least an annual basis, or become part of the curriculum for the same grade level each year.
- b. Devote fifteen minutes per quarter (or an hour annually) to educating employees about water quality awareness and protection. Additionally, provide basic

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<sup>4</sup> This credit calculation method is only applicable in jurisdictions that have adopted a rate structure consistent with a fixed fee, impervious area fee, and gross area fee as defined in the Beaufort County Rate Study completed in 2015. Jurisdictions that have not adopted this rate structure and continue to use a rate structure based solely on the SFU will be eligible for a flat NPDES Industrial Stormwater Permit credit of 5% of the stormwater fee, including CWI fees.

- stormwater management information to new employees. Topics must rotate on at least an annual basis.
- c. Post stormwater and water quality-specific educational information obtained from the County, state/federal environmental agencies, or from any other reputable educational resource center student and employee frequented areas. Information posted must be clearly visible. Topics must rotate on at least an annual basis. Provide copies of posted materials to the County.
  - d. Distribute stormwater and water quality-specific literature obtained from the County, state/federal environmental agencies, or any other reputable educational resource center to target students and all employees on an annual basis and provide copies to the County with the annual self-report. Topics must rotate on at least an annual basis.

Credit for this category is applied as 30% off the impervious area component of the fee, including the CWI portion of the fee, for the property(ies) where educational activities take place.<sup>5</sup> Credit must be renewed annually.

### **2.2.8 Inundated Property Credit**

All along the coast, there are deeded parcels of land that have, since the time of their establishment, become inundated and have (in whole or in part) ceased to be functional properties. The County keeps these properties on the tax roll but does not levy a tax on the inundated portion of these properties as they have no value (at present). Because they exist as tax parcels, their stormwater fee is calculated using the same three-component structure, so the resulting fee includes fixed, gross area, and impervious area elements. In the case of entirely inundated properties, impervious area is nonexistent, so the fee in effect only includes the other two components. Given the circumstances of these properties, it is appropriate to exempt the inundated portion from the gross area component of the charge. Even properties that are entirely inundated will still be charged for the fixed portion, which covers administration of the utility. This reflects the fact that utility costs are not entirely negated by the property being inundated. Rather, that property still has to be considered with all others extant land parcels as far as how fees are administered.

Deeded parcels of land that are categorized by the County Assessor's office as marginal water will receive a 100% credit on the gross area component of their stormwater fee, including the CWI fee, for the proportion of the property that is inundated.<sup>6</sup> Credit will be granted in perpetuity, until a point in time when the characteristics of the land change.

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<sup>5</sup> This credit calculation method is only applicable in jurisdictions that have adopted a rate structure consistent with a fixed fee, impervious area fee, and gross area fee as defined in the Beaufort County Rate Study completed in 2015. Jurisdictions that have not adopted this rate structure and continue to use a rate structure based solely on the SFU will be eligible for a flat Education credit of 5% of the stormwater fee, including CWI fees.

<sup>6</sup> This credit calculation method is only applicable in jurisdictions that have adopted a rate structure consistent with a fixed fee, impervious area fee, and gross area fee as defined in the Beaufort County Rate Study completed in 2015. Jurisdictions that have not adopted this rate structure and continue to use a rate structure based solely on the SFU

### **2.2.9 Permanently Undevelopable Land Credit**

Maintaining lands in a permanently undevelopable state reduces the County's burden to maintain infrastructure and policies intended to preserve future developability. As such, land in this state is entitled to a fee credit. Saltwater marshlands that will remain in that state fall under this category of permanently undevelopable land, as do portion of properties with a conservation easement requiring no development. The credit for these areas is 100% on the gross area component of the charge, including the CWI portion of the fee, for the portion of the property included.<sup>7</sup>

To qualify for this credit, a customer must submit documentation of their intention to retain a property's undeveloped state, such as a conservation easement or notification of saltwater marshland status documented by the County Assessor. Credit will be granted in perpetuity, until a point in time when the characteristics of the land change.

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will be eligible for an Inundated Property credit of up to 100% of the stormwater fee, including CWI fees, proportional to the percent of property that is inundated.

<sup>7</sup> This credit calculation method is only applicable in jurisdictions that have adopted a rate structure consistent with a fixed fee, impervious area fee, and gross area fee as defined in the Beaufort County Rate Study completed in 2015. Jurisdictions that have not adopted this rate structure and continue to use a rate structure based solely on the SFU will be eligible for a Permanently Undevelopable Land credit of up to 100% of the stormwater fee, including CWI fees, proportional to the percent of property that is deemed permanently undevelopable.

### 2.2.10 Summary

The following table summarizes the available credit types, durations, and calculations. Within any jurisdiction that has adopted a fixed charge, impervious area, gross area rate structure, these credits extend to the CWI portion of any ratepayers fee automatically.

	Application Required	Credit Duration	Credit Amount	Credited Fee Component
<b>Structural BMP Credit</b>	YES	ONGOING	50% <sup>1</sup>	IMPERVIOUS AREA
<b>Integrated Non-Structural BMP Program Credit</b>	YES	ONE YEAR	25%	IMPERVIOUS AREA
<b>Other BMPs</b>	YES	VARIES	VARIES	IMPERVIOUS AREA
<b>NPDES Industrial Stormwater Permit Credit</b>	YES	FIVE YEARS	10%	IMPERVIOUS AREA
<b>Education Credit</b>	YES	ONE YEAR	30%	IMPERVIOUS AREA
<b>Inundated Property Credit</b>	NO	ONGOING	100%	GROSS AREA INUNDATED
<b>Permanently Undevelopable Land Credit</b>	YES	ONGOING	100%	GROSS AREA UNDEVELOPABLE

<sup>1</sup> FOR POROUS PAVEMENT AS A BMP, THIS PERCENTAGE IS THE PERCENTAGE OF IMPERVIOUS AREA THAT IS THE POROUS PAVEMENT.

### 2.2.11 Fee credit Calculation - Example 1

As an example of how a Fee credit would be applied to a POA that is responsible for stormwater management facilities and provides additional non-structural BMPs within its community:

- |   |  |       |  |
|---|--|-------|--|
| 1. Structural BMP credit  | 50% off impervious area component of fee |       |  |
| 2. Non-Structural BMP credit  | 25% off impervious area component of fee |       |  |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: right;">Total</td> <td style="width: 50%;">75% off impervious area component of fee</td> </tr> </table> |  | Total | 75% off impervious area component of fee |
| Total   | 75% off impervious area component of fee |       |  |

To determine the example fee, assume the parcel has 30,500 square feet of impervious area on 2 acres of land. The baseline fee and credit calculations would be as follows:

Fee Component	Rate	Units	Original Fee	Credit	Final Fee
Fixed	\$12.00	1	\$12.00		\$12.00
Gross Area	\$10.00	1	\$10.00		\$10.00
Impervious Area	\$65.00	7 <sup>#</sup>	\$455.00	75%	\$113.75
			\$477.00		\$135.75

# Impervious area calculated as 30,500 sq.ft. / 4,906 sq.ft. per SFU = 6.21 SFU, rounded up to 7 SFU.

For the original fee, the fixed charge in the County is \$12, the gross area charge is \$10 per equivalent unit (2 acres is unit), and the impervious area charge is \$65 per 4,906 square feet or a portion thereof. Thus, the original fee is \$477.00.

The credit is applied to the impervious area portion of the charge, resulting in a final fee of \$135.75.

### 2.2.12 Fee credit Calculation - Example 2

Consider a property of 30 acres with one Tier 2 single family home and on which 25 acres are placed under a conservation easement rendering them perpetually undevelopable. This would proportionally reduce the gross area component of the charge as follows:

Fee Component	Rate	Units	Original Fee	Credit	Final Fee
Fixed	\$12.00	1	\$12.00		\$12.00
Gross Area*			\$130.00	83%	\$21.67
Impervious Area	\$65.00	1	\$65.00		\$65.00
			\$207.00		\$98.67

\* Gross area determined by a declining block: \$10 for first 2 acres, then \$5 per acre up to 10 acres, then \$4 per acre up to 100 acres, and then \$3 per acre above 100 acres. In this example, \$10 + (\$5 x 8acres) + (\$4 x 20acres) = \$130.00

The original fee of \$207.00 is reduced to \$98.67 when the gross area component of the charge is reduced by 5/6 (or 83%).

### 2.2.13 Fee credit Calculation - Example 3

A POA represents a type of customer uniquely able to implement both structural and non-structural BMPs to achieve a greater beneficial impact to the stormwater impact. In the case of a POA property of 10 acres with 20,000 square feet of impervious area and a structural BMP, where six of the nine non-structural BMP requirements are satisfied, the credit is additive.

Fee Component	Rate	Units	Original Fee	Credit	Final Fee
Fixed	\$12.00	1	\$12.00		\$12.00
Gross Area*			\$50.00		\$50.00
Impervious Area	\$65.00	5 <sup>#</sup>	\$325.00	75%	\$81.25
			\$387.00		\$143.25

\* Gross area determined by a declining block: \$10 for first 2 acres, then \$5 per acre up to 10 acres, then \$4 per acre up to 100 acres, and then \$3 per acre above 100 acres. In this example,  $\$10 + (\$5 \times 8 \text{ acres}) = \$50.00$

# Impervious area calculated as 20,000 sq.ft. / 4,906 sq.ft. per SFU = 4.07 SFU, rounded up to 5 SFU.

This POA property can reduce its overall fee from \$357.00 to \$143.25 with the approval of both types of credit.

### 2.2.14 Fee credit Calculation – Example 4

A property that is both partially inundated (resulting in a gross area credit) and the holder of an NPDES Industrial Stormwater Permit would receive both credits in conjunction. The credit calculation would be as follows for a 20 acre property with 20,000 square feet of impervious area and where 10 acres are inundated:

Fee Component	Rate	Units	Original Fee	Credit	Final Fee
Fixed	\$12.00	1	\$12.00		\$12.00
Gross Area*			\$90.00	50%	\$45.00
Impervious Area	\$65.00	5#	\$325.00	10%	\$292.50
			\$427.00		\$349.50

\* Gross area determined by a declining block: \$10 for first 2 acres, then \$5 per acre up to 10 acres, then \$4 per acre up to 100 acres, and then \$3 per acre above 100 acres. In this example,  $\$10 + (\$5 \times 8 \text{ acres}) + (\$4 \times 10 \text{ acres}) = \$90.00$

# Impervious area calculated as 20,000 sq.ft. / 4,906 sq.ft. per SFU = 4.07 SFU, rounded up to 5 SFU.

The resulting fee is reduced from \$427.00 to \$349.50 when the credits are combined.

## Section 3. Application Procedures

A property owner seeking a Fee credit must comply with the procedures outlined in this Manual and must submit a Fee credit application (provided in Appendix A). It is recommended that a pre-application meeting with the Beaufort Stormwater Utility Department be held. All information necessary for the Stormwater Utility Manager to make a determination 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 South Carolina must prepare and certify the documentation provided to verify the hydrologic circumstances.

## **Section 4. Appeals**

### **4.1 Process**

Any person disagreeing with the interpretation or application of a provision in this manual, or the related laws or ordinances pertaining to Stormwater Management in Beaufort County, may appeal in writing by using Stormwater Management Utility Petition to Appeal Form.

All appeals will be processed first through Stormwater Utility Manager and then the Stormwater Management Fees and credits Appeals Board, for a recommendation, and then to the Beaufort County, County Administrator for final decision.

Any person still aggrieved may appeal the County Administrators decision to a court of competent jurisdiction.

### **4.2 Stormwater Management Fees and credits Appeals Board**

The Fees and credits Appeals Board exists for the purpose of advising the County Administrator on appeals to decisions rendered by the Stormwater Utility Manager, or his designee, in the determination of the correct amount of impervious surface located on a person's property and the proper application of the adopted mathematical calculation to determine the required stormwater fee and/or any adjustments to that fee provided for in Section 2.2 of this manual.

The Board shall also advise the County Administrator on appeals to decisions rendered by the Stormwater Utility Manager on applications for User Fee credits provided for in Section 2.2 of this manual.

The Board shall consist of three members (two primary and one designated third member) from the Stormwater Utility Board members who are appointed by County Council for two year terms. If the appeals board feels that they need technical support on a case the Utility will supply contracted technical support. On appeals involving fees in municipal jurisdictions, the ex-officio board member for that jurisdiction will be replacing the third board member.

## **Section 5. Enforcement Policy**

The County reserves the right to review the application for accuracy and/or inspect and review documentation confirming the provision of the BMPs at any time. If, after its review or inspection, the County finds the application to be inaccurate or the projected level of service is not being provided or continued, the customer will be notified in writing and given 45 days to correct the deficiency. The property owner must provide written documentation to the Stormwater Utility Manager within 45 days of the original notice by the Stormwater Utility Manager that the BMP is being provided or continued as agreed in addition to such evidence as

the Stormwater Utility Manager reasonably requires showing that the deficiency has been corrected. If, in the opinion of the Stormwater Utility Manager, 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 will not be reviewed 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 every July 31<sup>st</sup> to document service provision for the preceding calendar year. If the self-reports are incomplete or are not submitted to the County 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 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.**

Once the credit reduction has been canceled, a customer may not reapply for that particular credit for a period of 12 months and then only if the deficiency has been corrected, as determined by the County inspection. It will be the responsibility of the customer to prove the stormwater management goals are met prior to the credit being reissued.

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

## APPENDIX A

Beaufort County Stormwater Management Department

**Stormwater Credit Application**  
 (Please Type or Print)

This application is for:

	FIRST APPLICATION	RENEWAL APPLICATION (EXPIRED)	RENEWAL APPLICATION (SUSPENDED)
Structural BMP Credit			
Integrated Non-Structural BMP Program Credit			
Other BMPs			
NPDES Industrial Stormwater Permit Credit			
Education Credit			
Permanently Undevelopable Land Credit			

If this is a first application, please address all questions and provide documentation that 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 I and provide information on BMPs 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.

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

**PART I. GENERAL INFORMATION**

1. Customer Contact Information:

Name/Title \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

2. Property Parcel ID #(s): \_\_\_\_\_

3. Property Address/Description: \_\_\_\_\_

## PART II. INDIVIDUAL CREDIT OPPORTUNITIES

### Structural BMP Credit

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.
  - a) 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
    - Documentation on stormwater reuse
    - Drainage discharge locations to off-site properties (natural and constructed)
  - b) BMP plans and design calculations, including
    - Total Site Area = \_\_\_\_\_ acres
    - Drainage Area (DA) to BMP = \_\_\_\_\_ acres
2. 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.
3. Provide documentation of steps taken during regular maintenance activities and the most recent inspection report, if applicable.
4. Provide an executed Stormwater BMP Maintenance Agreement to the County. The agreement form can be found in the Beaufort County Stormwater Best Management Practices (BMP) Manual, current edition.

## Integrated Non-Structural BMP Program Credit

Please refer to Section 2.2.4 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 25% 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:

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Integrated Non-structural BMPs Selected:

BMP	Description	YES	NO
1	Educational Program		
2	On-Site Refuse Control Program		
3	On-Site Stormwater System Maintenance and Cleaning Program		
4	Paved Area Sweeping Program		
5	Used Motor Oil Recycling Program		
6	Sanitary Sewer/Storm Sewer Cross-Connection Inventory Program		
7	Landscaping for Run-Off Rate Control and Water Quality Program		
8	Storm Drain Stenciling Program		
9	Designated Vehicle Washing Area		

NOTE: A minimum of 6 BMPs must be implemented to be eligible for integrated non-structural BMP credit

**(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 (provide picture if possible).

**(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.
  
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) 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 Beaufort County's current list of used oil recycling sites will be displayed.

**(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.

**(BMP 8) Storm Drain Stenciling Program**

1. Provide a copy of the decal or stencil that will be used to mark storm drains.
2. Provide a plan showing location and number of storm drains to be labeled.
3. Provide a copy of storm drain stencil maintenance plan that identifies annual inspections and maintenance for decals/stencils.

**(BMP 9) Designated Vehicle Washing Area**

1. Provide a plan showing the location of the proposed vehicle washing area. Plan must indicate site topography and show any existing storm drains and water courses.

## **Other BMP Credit**

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

County staff will work with the customer to procure appropriate documentation.

## **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 County's stormwater management system goals and provide any supporting documentation.

## **Education Credit**

1. Provide copies of programs or agendas for environmental education sessions. Include information on the number of attendees, time(s), place(s), and topics covered during each session.
2. Provide planned questions for pre and post education surveys.
3. Provide copies of educational materials used for employees on water quality awareness and protection.
4. Provide copies of water quality-specific educational materials that will be posted. Indicate where the material will be posted.

## **Permanently Undevelopable Land Credit**

1. Provide a map prepared by a Licensed Land Surveyor of the property with permanently undevelopable lands shown clearly.
2. If this credit is sought for areas under conservation easement, provide a copy of the conservation easement.

**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:**

**Beaufort County Stormwater Management Department**

**Signature of Owner**

**Date**

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**Signature of Licensed Professional Engineer  
Providing Hydrologic Evaluation or Licensed  
Professional Land Surveyor providing a property survey**

**Date**

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For Office Use Only

Credit	Percent	Component of Fee	Eligible Proportion	Approved (Initial and date)
Structural BMP Credit*	50 %	Imp. Area	%	
Non Structural BMP Credit	25 %	Imp. Area	100 %	
Other BMPs	%	Imp. Area	100 %	
NPDES Industrial Stormwater Permit	10 %	Imp. Area	100 %	
Education Credit	30 %	Imp. Area	100 %	
Inundated Property Credit	100 %	Gross Area	%	
Permanently Undevelopable Land Credit	100 %	Gross Area	%	

**\*The eligible portion of impervious area to be credited will only be less than 100% if the credit is for pervious pavement. In this case, the eligible portion is the portion of the impervious area that is pervious pavement.**

Total Impervious Credit %: \_\_\_\_\_

Total Gross Area Credit % \_\_\_\_\_

<b>BEAUFORT COUNTY, SOUTH CAROLINA STORMWATER MANAGEMENT UTILITY RESIDENTIAL SWU FEE ADJUSTMENT</b>	
DATE:	
PARCEL I.D. #:	
TYPE OF RESIDENTIAL UNIT (CHECK APPROPRIATE BOX):	
<input type="checkbox"/> Singe Family Small (Tier 1) 0.5 SFU	<input type="checkbox"/> Apartment 0.39 SFU Apartment
<input type="checkbox"/> Average (Tier 2) 1.0 SFU	<input type="checkbox"/> Townhouse 0.60 SFU Townhouse
<input type="checkbox"/> Large (Tier 3) 1.5 SFU	<input type="checkbox"/> Mobile Home 0.36 SFU
<input type="checkbox"/> Condo 0.27 SFU	
Parcel Size (based on GIS measurement): _____	
REASON FOR SFU ADJUSTMENT:	
<input type="checkbox"/> Incorrect Residential Class	
<input type="checkbox"/> Incorrect Gross area	
<input type="checkbox"/> Apartment or multi-family complex is being billed more SFUs than the number of units in complex.	Number of SFUs being billed: _____
	Number of Units in complex: _____
<input type="checkbox"/> Other, explain	
APPLICANT'S SIGNATURE:	
APPLICATION REVIEWED BY:	
APPLICATION APPROVED: <input type="checkbox"/> Yes <input type="checkbox"/> No	
COMMENTS:	

<b>BEAUFORT COUNTY, SOUTH CAROLINA            STORMWATER MANAGEMENT UTILITY            NONRESIDENTIAL SWU FEE ADJUSTMENT</b>	
DATE:	
PROPERTY ADDRESS:	
PARCEL I.D. #:	
TYPE OF DEVELOPMENT:	
PARCEL GROSS AREA (acres):	
Billed Number of SFUs:	
REASON FOR SFU ADJUSTMENT:	
<input type="checkbox"/> <b>CONDITION 1</b> Incorrect amount of impervious area	
<input type="checkbox"/> <b>CONDITION 2</b> Incorrect gross area	
<input type="checkbox"/> <b>CONDITION 3</b> Gravel areas not used for regular vehicular traffic (ingress/egress or parking) included as impervious area on utility bill	
<input type="checkbox"/> Other, explain:	
If Condition 1 or 2 is checked, complete the following:  Property Impervious Area _____ (sq ft)  Revised Number of SFUs _____  Revised Parcel Gross Area _____ (acres)	If Condition 3 is checked, complete the following:  Non-vehicular Gravel Area _____ (sq ft)  Remaining Imp. Area _____ (sq ft)  Revised Number of SFUs _____
APPLICANT'S SIGNATURE:	
APPLICATION REVIEWED BY:	DATE:
APPLICATION APPROVED: <input type="checkbox"/> Yes <input type="checkbox"/> No	
CONDITIONS OF APPROVAL OR REASON FOR DENIAL AND COMMENTS:	

**BEAUFORT COUNTY, SOUTH CAROLINA  
STORMWATER MANAGEMENT UTILITY  
PETITION TO APPEAL SWU FEE**

DATE: \_\_\_\_\_

COMPLAINANT: \_\_\_\_\_

COMPLAINANT'S ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_

PARCEL I.D. NUMBER: \_\_\_\_\_

PARCEL'S ADDRESS: \_\_\_\_\_

\_\_\_\_\_

TYPE OF DEVELOPMENT (Check one)                       Residential     Non-residential

Reason for Appeal (State where a County ruling, interpretation, or order is erroneous and attach a copy of said ruling, interpretation or order from the County, or specify County provision or applicable County Code exemption):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Appeal has been reviewed by the Beaufort County Stormwater Appeals Board on \_\_\_\_\_, 20\_\_\_\_. On this date, The Stormwater Appeals Board

APPROVED                       DENIED

the requested appeal. Comments or conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Beaufort County Stormwater Utility  
 Credit Processing Workflow

