



Water Quality Fee CREDIT APPLICATION PROCESS

I. Introduction:

The purpose of the Water Quality Credit Program is to incentivize property owners to implement best management practices that benefit the City of Chattanooga's (City) stormwater collection system and to improve overall water quality within the City. The benefit to the property owner is a reduction in the water quality fee as a result of performing an activity that would reduce flows or improve the quality of runoff from their property.

II. Credit/Reduction Criteria:

The property owner/user can reduce the amount of water quality fees being assessed to their property by performing activities that reduce stormwater volume and improve downstream water quality. Credits are offered for performing activities that would result in:

- Reducing the impact of stormwater (either quantity or quality) runoff from a property to an acceptable standard; and/or
- Reducing the stormwater cost of service to the City by performing activities that otherwise would have to be performed by and be the responsibility of City staff; and/or
- Reducing the impact of stormwater runoff from properties into the City stormwater system.

III. Adjustments to the Water Quality Fee:

(a) Increase adjustments (debit) can be made to non-residential service charges by property owners adding additional impervious area such as rooftops, parking lots, driveways and walkways. Decrease (credit) adjustments can be made to non-residential service charges by property owners performing activities that reduce the impact of storm water runoff to the water quality system.

(b) Upon application, and with adequately supported documentation, the user shall be entitled to an adjustment of their water quality fee as provided in this section. The water quality credits (applied in 5% increments) are offered to non-residential property owners billed three (3) or more Equivalent Residential Units (ERUs) performing an activity or activities (i.e. implementing stormwater Best Management Practices; BMPs) that reduce the burden on the City storm water system and provide water quality benefit. The Water Quality Manager shall promulgate a Water Quality Fee Credits Outline to provide guidance on combining multiple credits and showing examples of credit and credit calculation methods.

(c) A Credit Fee cap is placed at 65% for all BMPs, unless a Low Impact Development (LID) practice is implemented then the cap is placed at 75%. The Credit cap for an approved and installed Retrofit/Mitigation plan is 85%.

(d) Proper maintenance of BMPs is required in order to receive initial and annual credits. Maintenance shall be performed according to the BMP manuals adopted by the City. The owner must document that the BMPs have been properly inspected, maintained and serviced before the credit packet will be accepted as complete. Many BMPs require multiple inspections and maintenance activities every year. BMPs are subject to inspection and verification of proper maintenance by the Water Quality Manager or his designee. Failure to provide this documentation annually will result in the denial of these credits.

1) Retrofit/Mitigation Plan (25% 1st year, maximum of 85% 2nd and 3rd year). A water quality fee credit of 25% for the 1st year will be offered to those sites submitting a proposal that results in the installation of structural measures (BMPs) that reduce the City's stormwater burden.

- (i) After completion and inspection of proposed stormwater BMP, a maximum of 85% credit will be offered for year 2 and 3. After the 3rd year the allotted credit will follow the appropriate BMP category found in the Credits Outline promulgated by the Water Quality Manager upon submission of as-built drawings following completion of the work.
- (ii) Maximum credit offered for years 2 and 3:
 - 85% for LID practices (see City BMP Manual for examples) or Detention Retention Facilities controlling the 24-hr storm event for the 1, 2, 5, 10, 25, 50 and 100 year storm flow design to a pre-construction runoff rate.
 - *80% for Detention/Retention Facilities controlling the 24-hr storm event for the 1, 2, 5, 10, 25 and 50 year storm flow design to a pre-construction runoff rate.*
 - 75% for Detention/Retention Facilities controlling the 24-hr storm event for the 1, 2, 5, 10 and 25 year storm flow design to a pre-construction runoff rate.
 - 50% for Water Quality Devices
- (iii) As-Built Drawings must be submitted upon completion of the improvements to obtain credit in years 2 & 3.
- (iv) Fee credits will be offered only for those impervious areas impacted by the proposed improvements.
- (v) Proposed improvements must be approved by the City Water Quality Manager to qualify for the first year of credits.

- (vi) Improvements shall be constructed as approved. Those sites not constructing the approved BMPs within 12 months of the design approval will forfeit those credits and will be liable for repayment of any credits received.
- 2) Tree Planting (20% max). A maximum of 20% credit will be offered for planting of new trees and/or maintenance of existing trees. Maximum credit will be given upon implementation of a tree planting plan that will provide mature tree canopy over 25% of the impervious area. Credit will be prorated (in 5% increments) for plans that do not achieve 25% coverage.
- (i) New trees must be planted in accordance with a tree planting plan (per City Tree Planting Guide) and follow the City of Chattanooga Landscape Ordinance.
 - (ii) Tree planting plans must be submitted to and approved by the City Water Quality Manager.
 - (iii) Trees that do not survive must be replanted as required.
- 3) Water Quality Education (up to 35% for calendar year 2009, up to 30% for calendar year 2010, up to 25% thereafter). A maximum of 25% credit will be offered to Public and Private Schools, K through 12, which integrate a curriculum in each grade level, approved by the City, for the purpose of providing water quality and watershed management education programs. A similar credit may be offered to non-traditional watershed based institutions (i.e. museums, arboretums, and community gardens) that provide appropriate water quality and watershed management education programs.
- 4) Water Quality Devices (up to 30%)
- (i) Skimmers: A maximum of 15% credit will be offered for floatable skimmers that are used to control oil, floatable materials, and sediments from entering the City storm water system.
 - (ii) Proprietary Devices: A maximum of 30% credit will be offered for water quality propriety devices that have verifiable independent testing to reduce the average annual total suspended solid (TSS) loadings by 80 percent or effectively remove other pollutants of concern as determined by the Water Quality Manager.
 - (ii) Other Water Quality Devices could receive up to 30% credit.

- 5) Detention/Retention Facilities (up to 40%). Detention/Retention Facilities designed to control the 24-hour storm event in the categories set forth below shall receive the corresponding credit.

Storm Flow Design Credit Offered

(i)	No hydrology report	10%
(ii)	2, 5, 10 year storm flow design:	10%
(iii)	1, 2, 5, 10 year storm flow design:	15%
(iv)	2, 5, 10, 25 year storm flow design:	20%
(v)	1, 2, 5, 10, 25 year storm flow design:	25%
(vi)	2, 5, 10, 25, 50 year storm flow design:	25%
(vii)	1, 2, 5, 10, 25, 50 year storm flow design:	30%
(viii)	2, 5, 10, 25, 50, 100 year storm flow design:	35%
(ix)	1, 2, 5, 10, 25, 50, 100 year storm flow design:	40%

As-built drawings must be submitted with the credit application. One-time additional credit (up to 10%, not to exceed cap) will be given for submitting as-built drawings.

- 6) Low Impact Development (LID) (up to 75%). A maximum of 75% credit will be offered for the installation and proper maintenance of green storm water controls such as green roofs, cisterns/rain barrels, bio-retention areas (rain gardens), bio-swales, wetlands, porous pavement, grass strips, or other proven LIDs approved by the Water Quality Manager.

- (i) Cisterns/rain barrels must be capable of capturing the runoff from at least one (1) inch rainfall over the entire impervious area. Captured runoff shall be connected to an irrigation system or similar re-use system.
- (ii) Bio-retention areas, when used in conjunction with other LID or green storm water controls, shall be eligible for:
 - Up to 65% credit when controlling the 1, 2, 5, 10 and 25 year storm flow event
 - *Up to 70% credit when controlling the 1, 2, 5, 10, 25 and 50 year storm flow event*
 - Up to 75% credit when controlling the 1, 2, 5, 10, 25, 50 and 100 year storm flow event
- (iii) Filter strips and swales designed in compliance with the BMP Manual adopted by the City shall be eligible for up to 15% credit.

As-built drawings must be submitted with the credit application. One-time additional credit (up to 10%, not to exceed cap) will be given for submitting as-built drawings.

- 7) LEED Certified Development (up to 60%). A maximum of 60% credit will be offered for a property that has received LEED certification and has obtained 5 credits for "Sustainable Sites" which includes Credits 6.1 (*Storm Water Design Quantity Control*) and 6.2 (*Storm Water Design Quality Control*).
- 8) Stream Buffers or Conservation Easements (up to 40%). A credit will be offered for constructing and/or maintaining a natural buffer on either side of the stream or jurisdiction wetland:
- (i) Stream buffer credit (up to 25%) for buffers up to three (3) times the average stream width (measured from top of the bank) with a maximum of 100 feet.
 - (ii) Conservation easement credit (up to 15%) adjacent to streams or jurisdictional wetlands.
 - (iii) All credits and buffers designs are subject to the review and approval by the City Water Quality Manager.
- 9) Property Line Buffers (up to 10%). A maximum of 10% credit for property line buffers required by zoning and maintained per an approved landscape plan.
- 10) NPDES Permitted Facilities (up to 20%). A maximum of 20% credit will be offered to properties that have an NPDES stormwater permit in good standing for at least 12 months prior to the application date.
- 11) State or Federal Law or Regulations. All credits shall be subject to any changes in federal or state law and regulation, or changes to the City's NPDES Permit that increase restrictions on stormwater discharges.
- (e) The user shall make application to the Water Quality Manager requesting reductions in the water quality fee pursuant to this section. Each application shall be accompanied by proper documentation to demonstrate the accuracy of the claim. To the extent that the Manager is satisfied that the reductions applied for are warranted by the circumstances, he or she shall reduce the bill as provided herein. If the fees shall have been paid, a refund or credit on future billing shall be authorized to the extent warranted by the reduction.
- (f) The Manager shall ask upon any application for a reduction in fees within ninety (90) days of the receipt thereof. In the event that he or she shall not have acted upon same within this time, then the application shall be deemed to have been denied.
- (g) The user may appeal the denial by the Manager of any claimed water quality fee reduction to the Storm Water Regulations Board by filing a written notice of appeal in care of the Administrator of Public Works within thirty (30) days following the action of the Manager. No particular form for a notice of appeal shall be required and any written notice setting forth with reasonable particularity the grounds for the appeal shall be acceptable, but the Manager shall develop and maintain a form for such purposes. A copy of the notice of appeal shall be filed with

the Manager. Unless the Storm Water Regulations Board shall consent to an enlargement of the administrative record, the appeal shall be decided upon the plans and data submitted by the applicant in support of the claimed reduction and any information relating thereto generated by the Administrator in review of the application. The Storm Water Regulations Board shall schedule a meeting to consider the appeal and both the applicant and the Manager shall be allowed to make a written and oral argument before the Board in support of their respective positions.

IV. Credit Application Process Guidelines:

The credits offered by the City Water Quality Program are based on the following guidelines. It is recommended reviewing this information when preparing your credits application:

1. Current "state of the art" evaluation and stormwater Best Management Practices;
2. City of Chattanooga/Hamilton County/Town of Signal Mountain - Best Management Practices (BMP) Manual; <http://www.hamiltontn.gov/waterquality/BMP.aspx>
3. The City of Chattanooga Water Quality Program staff will adhere to the following protocol for property owners that are approved for and accepted into the Water Quality Credits Program:
 - The credit policy applies to **new, retrofitted** and **existing** stormwater control structures.
 - Properties that currently **have no stormwater controls** would qualify for credit when **installing** and operating **stormwater control devices** into their existing stormwater system.
 - Properties that currently **have stormwater controls** would qualify for **additional** credit when installing and operating **additional** stormwater control devices into their existing stormwater system.
 - Credits will be applied in no less than **5% increments** at the discretion of Water Quality Program Manager.
 - Each property will be limited to a **maximum of 65% total credit/reduction for existing practices or new facilities** and a **maximum of 85% total credit/reduction for retrofits or improved controls**.
 - **For 2009 and 2010 tax years, credit application and other documentation must be received by June 1, 2010.** For the following tax years (2011 and beyond), maintenance forms and other documentation and new credit applications must be received by June 1 of the assessed tax year.
 - Upon receipt of needed documentation, the City may reinstate the credit for the following year.

Once a credit is established and approved by City staff, an annual maintenance update ([FORM I/M – BMP Inspection & MAINTENANCE CREDIT FORM](#)) will need to be submitted (by **June 30th of the assessed tax year**) by the property owner as an on-going verification that the BMPs are being inspected and well maintained. For Education Credit, [Form E – EDUCATION CREDIT APPLICATION FORM](#) would need to be submitted annually (by **June 30th of the assessed tax year**) by the educational institution for verification of on-going water quality related education activities.

IV. Credit Application Procedures:

Provide the following applications and supporting documents to the City Water Quality Program. Supporting documents are listed within the application forms.

- [FORM B - BMP CREDIT APPLICATION FORM](#) (Requesting Water Quality Fee Reduction for the proper stormwater control structures for multi-family residential and non-residential properties with 3 ERUs or more).
- [FORM E – EDUCATION CREDIT APPLICATION FORM](#) (Requesting Water Quality Fee Reduction for Environmental Education for K-12 Education institutions). This FORM needs to be submitted **annually (by June 30th of the assessed tax year)** to continue to receive **Education** credit.

Submit to: **(via email preferably)**

Water Quality Manager [Subject: Water Quality Fee Credit Application](#)
1250 Market Street, Suite 2100
Chattanooga, TN 37402-2713
Phone: (423) 643-5877
ChattanoogaWQ@chattanooga.gov