Stormwater Credit Program Manual

Authority and Purpose

The City of McKinney (City) adopted a Municipal Surface Water Drainage Utility System (SDUS) in 2002 to provide stable and equitable funding for its stormwater management program. Developed properties are charged a monthly rate based on the amount of impervious area on a parcel of property. The ordinance establishing the utility also gives the City the authority (Section 110-398(f)) to grant credits to rate payers. Non-residential properties may apply for, and the City may grant to such users credits against that portion of their respective SDUS fees attributable to the SFLUE based on their voluntary use of stormwater management techniques or best management practices ("BMPs") to offset the impacts of their property on stormwater runoff (the "Stormwater Credit Program" or "Program"). The BMP credit is applied as a percent discount to regular monthly surface water drainage utility system fees and will be administered pursuant to the City's Stormwater Credit Program.

The purpose of this Stormwater Credit Program Manual is to set out the specific conditions that must be achieved to qualify for the BMP credit and to establish the administrative procedures for applying the BMP credit to individual properties.

Eligibility

Only non-residential properties are eligible for the BMP credit.

Administration of the BMP Credit Program

The Stormwater Credit Program will be administered as follows:
- The Stormwater Administrator will be responsible for the overall administration of the program. This includes;
    - accepting and reviewing applications,
    - approving applications,
    - certifying the total amount of the BMP credit,
    - amending the stormwater account records to reflect changes in the BMP credit,
    - receiving and reviewing annual self-inspection reports, and
    - requesting independent inspections as appropriate to ensure proper maintenance.
- All appeals will be presented to the Director of Engineering for review in a manner consistent with the City's appeals ordinance.
- Applications received within 90 days of May 1, 2015 (effective date of ordinance), will receive credit for the time period between May 1, 2015 and the date of approval.

Application for the BMP Credit

The Stormwater Administrator will, following review of the complete application, determine the appropriate amount of BMP credit to which a property is entitled pursuant to the City's Stormwater Credit Program and subject to the Municipal Surface Water Drainage Utility System Ordinance. Such BMP credit will be valid for a period of one year from the date of the Stormwater Administrator's determination subject to continuing compliance of the BMP credit options on the property in question with the Stormwater Credit Program.

Application Review

The initial review of Stormwater Credit Program application will be completed within 60 days of the receipt of the application form and required documentation. The application form will be checked for completeness and accuracy. If deficiencies are found during the review, a deficiency letter will be sent to

the applicant's contact person. Upon receipt of required additional information, the review will resume and be completed within 30 days of receipt of additional information.

For certain BMP credit options, an inspection may be required. Where this is required, a City inspector will contact the applicant to schedule an initial facility inspection to establish current compliance status

Upon initial qualification, a letter will be sent to the applicant notifying them of approval of the BMP credit. The fee reduction will be applied to the next regular billing cycle. The BMP credit is valid for one year.

Engineering Documentation

Several of the individual BMP credit options apply to the treatment of runoff from specific impervious areas and may or may not apply to the property as a whole. Technical information may be required from a licensed Professional Engineer to establish the impervious area served by a particular BMP credit option as well as documenting compliance with the City's design standards. These requirements are cited on the following pages.

Expiration of the BMP Credit, Renewal Application and Annual Reporting.

(a)   BMPs with Annual Renewal. While the credit is renewable, theA BMP credit approved by the Stormwater Administrator pursuant to the City's Stormwater Credit Program for one of the following BMPs shall be valid for a period of one year from the date of approval, at which time the right to receive the BMP credit will expire.

> 1. Voluntary Community Cleanup Program (On-site or Downstream) and
> 2. Parking Lot Sweeping.

For the continuation of the foregoing BMP credits, Aa renewal application must be filed annually for voluntary community cleanup program and parking lot sweeping prior to the expiration of the then-current BMP credit year approved by the Stormwater Administrator. Annual self-reports and maintenance records together with any other documentation identified by the Stormwater Credit Program will be required to be submitted with the renewal application annually in order to document program compliance for the preceding year. If the complete renewal application is not received by the City by the expiration date, the BMP credit will automatically expire and the full amount of the SDUS fees collected for the property will be charged.

Timely filing of the complete renewal application with the City will stay the expiration of the BMP credit for the property in question until such time as the Stormwater Administrator reviews and approves, or disapproves, the renewal application. The Stormwater Administrator may increase, decrease, or terminate the amount of the BMP credit a particular property is eligible to receive based upon the Stormwater Administrator's review and evaluation of the renewal application, the annual self-report, and any and all other information then available. Failure to provide any required information in support of the renewal application shall result in the denial of the BMP credit for the property.

(b)   BMPs of Continuous Duration. A BMP credit approved by the Stormwater Administrator pursuant to the City's Stormwater Credit Program for one of the following BMPs shall be valid from the date of approval and for so long as the BMPs are inspected, properly maintained, and remain compliant with the applicable program requirements:

> 1.   Single Stage Detention/Retention Facilities;
> 2.   Aeration Fountain;
> 3.   Industrial Facility Compliance;

4.   Riparian Preservation
5.   Multi-Stage Detention;
6.   Extended Detention;
7.   Permanent Structural Controls; and
8.   Zero Discharge Credit.

Notwithstanding the continuous duration of the foregoing BMPs, the property owner or city service customer shall cause the BMPs to be inspected annually and maintained in accordance with the City's Stormwater Credit Program.

Maintenance

The applicant shall submit maintenance records for the parking lot sweeping each BMP credit option being requested with the annual renewal application. An inspection may also be required depending on the BMP credit option. If, after its review or inspection, the City finds the application to be inaccurate or the facility to be out of compliance, the applicant will be notified in writing and given up to 45 days to correct the deficiency. The applicant must provide written documentation to the City within 45 days of the original notice by the City that the facility is now meeting all program requirements along with evidence that the deficiency has been corrected. If the deficiency is not satisfactorily corrected, the BMP credit will be terminated on the following bill cycle. The BMP credit suspension will remain in effect a minimum of 6 months, after which time the facility may reapply for the BMP credit. The reapplication must include evidence that the deficiency has been corrected and the facility has been in compliance with program requirements for at least three months prior to reapplication.

Inspections

Upon application for BMP credit, the applicant shall grant the City right-of-entry to inspect the site at agreed upon times in order to verify the information submitted and to confirm compliance with applicable program requirements. If the applicant does not provide a right-of-entry, the application shall be denied. If, after its review or inspection, the City finds the application to be inaccurate or the facility to be out of compliance, the applicant will be notified in writing and given 45 days to correct the deficiency. The applicant must provide written documentation to the City within 45 days of the original notice by the City that the facility is now meeting all program requirements along with evidence that the deficiency has been corrected. If the deficiency is not satisfactorily corrected, notification will be provided by the City, and the BMP credit will be terminated on the following bill cycle. The credit suspension will remain in effect a minimum of six (6) months, after which time the facility may reapply for the BMP credit. The reapplication must include evidence that the deficiency has been corrected and the facility has been in compliance with program requirements for at least three months prior to reapplication.

Types of BMP Credit

Individual properties may be eligible for BMP credit against SDUS fees up to a maximum total combined BMP credit per property of 40%. Types of BMP credit are available up to the maximum percentage identified for the following onsite BMP credit options. BMPs credit options are further explained below along with the process to qualify for and obtain each BMP credit option.

Table 1 BMP Credit Options

BMP Credit Option	Maximum Percent Credit Allowable	Engineering Documentation	Maintenance	Inspection	Annual Self-Report
1. Voluntary Community	5				X

BMP Credit Option	Maximum Percent Credit Allowable	Engineering Documentation	Maintenance	Inspection	Annual Self-Report	
Cleanup Program						
2. Single Stage Detention/Retention Facilities	5	X	X	X	X	
3. Aeration Fountain	5		X	X	X	
4. Parking Lot Sweeping	5				X	
5. Industrial Facility Permit Compliance Credit	5		X	X	X	
6. Riparian Preservation	10	X		X	X	
7. Multi-Stage Detention	15	X	X	X	X	
8. Extended Detention	20	X	X	X	X	
9. Permanent Structural Controls	40	X	X	X	X	
10. Zero Discharge Credit	40	X	X	X	X	

Each BMP credit option listed above is given to encourage voluntary practices which will benefit the surface water drainage utility system and stormwater management program. Detention facilities shall only receive credit for the highest percent reduction.

1. **Voluntary Community Cleanup Program BMP Credit Option**

Civic groups or businesses that participate in the City's Voluntary Community Cleanup programs, ex. Texas Trash Off, Chunk Your Junk, Trinity Trash Bash, X-Stream Cleanup, etc., have the ability to identify a benefactor to receive a **5%** credit. Annual self-reporting will be required by the benefactors to ensure that the participation is in good standing.

2. **Single Stage Detention/Retention BMP Credit Option**

A **5%** credit will be given for impervious areas which drain to detention or retention facilities which are designed and constructed to control a single stage storm in accordance with City drainage criteria. Single stage detention can help keep trash, debris, and pollutants from ending up in the receiving stormwater facility, reducing the overall impact of the impervious area on the property.

3. **Aeration Fountain BMP Credit Option**

A **5%** credit will be given for impervious areas draining to a retention facility which is treated by an aeration fountain. Approval must be given for the final design of the fountain and should include the manufacturer's recommended maintenance frequency. Record of the maintenance performed must follow manufacturer's instructions. Annual self-reporting, including maintenance and inspection documentation, will be required. The purpose of this control is to help maintain nutrients in the water body at healthy levels, thereby making maintenance easier, water cleaner and aquatic life healthier.

4. **Parking Lot Sweeping BMP Credit Option**

A **5%** credit will be given when the entire parking lot is swept at least weeklymonthly. Annual self-reporting will be required to document coverage and sweeping frequency.

5. **Industrial Facility Permit Compliance BMP Credit Option**

A **5%** credit will be given for Industrial facilities within the City that are required by the Texas Commission on Environmental Quality (TCEQ) to obtain coverage under:

1. A Multi-Sector General Permit (TXR050000) for stormwater discharge,
2. An applicable stormwater general permit (TXR1110000, TXG340000), or
3. An individual facility permit.

The Industrial Facility Permit compliance BMP credit option is available for participation in a voluntary, self-assessed reporting system.

- The industrial facility must be consistently in compliance with all Permit requirements;
- Stormwater quality testing results must be consistently at or below benchmark levels or effluent limits during each sampling event. For results that exceed benchmarks or effluent limits, appropriate actions, documented in the Stormwater Pollution Prevention Plan that is applicable to the property which is the subject of the Stormwater Credit Program application, must be taken to reduce pollutant discharges. Continued elevated levels of pollutant discharges may result in suspension from the Stormwater Credit Program;
- Copies of stormwater quality test results must be submitted to the City;
- A copy of the facility's annual compliance inspection report required by the Permit must be submitted to the City; and
- A copy of the facility's Stormwater Pollution Prevention Plan required by the Permit must be submitted to the City.

Facilities with a No Exposure Certification (NEC) are also eligible for the Industrial Facility Permit Compliance credit if compliance with all NEC requirements is maintained.

6. Riparian Preservation BMP Credit Option

A **10%** credit will be given for properties adjacent to Cottonwood Creek, Rowlett Creek, East Fork Trinity River, Wilson Creek, Franklin Branch, and Stover Creek that preserve the riparian buffer by dedicating property within the natural erosion hazard setback limit and the natural fully developed 100-year floodplain to the City as an easement. The credit will be applicable to both banks; therefore, a property that contains both banks of the creek can obtain a 20% credit when dedicating property on both sides of the creek.

A **5%** credit (10% for both sides) will be given for properties dedicating the natural erosion hazard setback area for smaller natural streams. The dedicated area must equal at least 2% of the overall site area to receive the maximum credit. Proportionate reductions shall be applied if the EHSE area is less than 2%.

7. Multistage Detention BMP Credit Option

Up to **15%** credit will be given for impervious areas which drain to multistage detention facilities that meet the City's drainage criteria. Engineering documentation and annual maintenance will be required. The following is a breakdown of the maximum credits under the quantity criteria:

1. 5% for 1-stage detention (100-yr);
2. 10% for 2-stage detention (25-yr, 100-yr);
3. 15% for 3-stage or higher detention.

8. Extended Detention BMP Credit Option

A **20%** credit will be given for impervious areas draining to a detention or retention facility that is designed to discharge a one year storm over 24 hours. Engineering documentation will be required. The

purpose of this control is to reduce the impact of increased flows and velocities that are normally associated with urban development.

9. Permanent Structural Controls BMP Credit Option

Up to **40%** credit will be given for impervious areas which are treated with permanent structural controls in the levels listed in Table 2. Engineering documentation will be required to show that these permanent structural controls are designed and constructed in accordance with City standards. Where no standards exist, the North Central Texas Council of Governments (NCTCOG) integrated Stormwater Management (iSWM™) Technical Manual for Site Development Controls shall be used. ~~Annual self-reporting, including maintenance and inspection documentation, will be required.~~

Table 2 Permanent Structural Controls Levels

Level	Maximum Credit	Permanent Structural Controls
Tier 1	**40%**	– Bioretention Areas – Enhanced Dry Swale – Enhanced Wet Swale – Organic Filter – Planter Boxes – Sand Filters/ Underground Sand Filters – Infiltration Trench – Wet Ponds – Green Roof – Stormwater Wetlands
Tier 2	**10%**	– Grass Channel – Filter Strip – Dry Detention – Inlet Trash Collectors – Gravity (Oil-Grit) Separator

Permanent structural controls not included in Table 1 shall be submitted to the Stormwater Administrator for review and approval.

10.   Zero Discharge BMP Credit Option

Up to **40%** credit will be given for impervious areas which drain to permanent structural controls that are designed to infiltrate, evapotranspirate or re-use stormwater runoff so that it will not be discharged from the property. The credit amount will be prorated based on the percent of the property that does not drain into the City's storm sewer system and the frequency of the storm event that can be retained on-site. Engineering documentation will be required. The following is the maximum allowable credit for the full retention of runoff based on the storm event frequency:

1. 20% for 1-yr, 24-hr storm event (2.64 in.)
2. 30% for 2-yr, 24-hr storm event (3.60 in.)
3. 40% for 5-yr, 24-hr storm event (5.04 in.)