



Stormwater Fee Credit Opportunities

A customer may be eligible for a credit under the following circumstances: 1) the customer has installed an onsite Stormwater Control Measure to the standards specified in this document, 2) the customer holds and is in compliance with an NPDES Industrial Permit, or 3) the customer holds and is in compliance with an NPDES MS4 General Permit. The maximum allowable credit for any combination of the three possible credits is 85 percent. Customers may not receive credits for both an NPDES Industrial General Stormwater Permit and an NPDES Municipal Separate Storm Sewer (MS4) Phase II permit.

Single-Family Residential Developed Lands are only eligible for Credits if the Stormwater Control Measure subject to the credit is wholly owned and operated by one entity (such as a Neighborhood Association or other legally recognized organization) and it can be demonstrated that the activity reduces the stormwater management burden caused by each Customer. In such instances, each dwelling unit demonstrated to contribute runoff to the qualifying Stormwater Control Measure may be eligible for its equal pro-rata share of the credit unless other arrangements for billing the Stormwater Fee to the Homeowner's Association was made pursuant to the Stormwater Utility Ordinance.

The following sections describe the three types of Stormwater Fee Credit opportunities, eligibility requirements, credit enforcement, and the process of applying for the credit program. The reader should not view this document as a sole source but as a guide to assist in interpreting policies set forth in the Stormwater Utility Ordinance.

3.1 Stormwater Control Measure Credit

The County Land Development Code mandates engineered stormwater controls to minimize the qualitative and quantitative impacts of runoff and ensure compliance with federal point source discharge requirements based on the permit conditions provided in NPDES Permit No. FLS000032 or for development that disturbs more than one (1) acre including smaller projects that are part of a larger common plan of development or sale. For installing and maintaining Stormwater Control Measures exceeding County requirements specified or incorporated by reference in the Stormwater Utility Ordinance, Customers will be eligible for a maximum Credit of 60 percent. To qualify, Customers must demonstrate that their Existing Stormwater or New Stormwater Control Measure controls the volume and quality of stormwater generated from their immediate property and/or upstream tributary areas. In addition, the Control Measure

must exceed design criteria existing at the time the original site plan was approved outlined in the Land Development Code, effectively reducing County stormwater management costs by reducing the County's stormwater service responsibilities and costs. The Stormwater Control Measure must also meet all applicable laws of the State of Florida. The structure of the Stormwater Control Measure Credit is explained below. Credit opportunities are available for Customers with a Stormwater Control Measure that controls runoff from an upstream tributary area, which means a customer is controlling runoff from offsite. A Customer controlling runoff from an upstream area is eligible for a maximum credit of 30 percent. The credits available for controlling runoff from offsite are additive with those available for controlling runoff from onsite. In the case of a Control Measure controlling upstream drainage area, the Post-Developed Condition must be calculated based on complete build-out of the upstream drainage area as determined from current zoning and available County planning documents, subject to review and approval by the County.

3.2 NPDES MS4 Phase II Permit Credit

Customers holding National Pollution Discharge Elimination System (NPDES) MS4 permits or those Customers that provide services that help the County comply with specific requirements included in its NPDES MS4 Phase II Permit will be eligible for a Credit of an amount to be determined by the County on a case-by-case basis and not to exceed 25 percent. The Credit will be determined based on a comparison between the County's NPDES Phase II program and the Customer's NPDES Phase II program. Credit will be given for elements of the programs that reduce the burden on the County to provide stormwater services related to its NPDES MS4 Phase II Permit. The negotiated credit for the Customer's additional efforts will be based on the relative benefits offered to the County, based on the population served, protection provided, contributing drainage area, or other appropriate metrics. The NPDES MS4 permit credit may be received in addition to the Stormwater Control Measure Credit listed above. Therefore, a customer receiving all credits is eligible for a credit of up to 85 percent.

3.3 NPDES Industrial General Stormwater Permit Credit

Customers holding NPDES Industrial General Stormwater permits will be eligible for a Credit of an amount to be determined by the County on a case-by-case basis not to exceed 25 percent. The customer will only be eligible for the Credit if the customer is performing activities in excess of the basic requirements of the NPDES Industrial permit that help the County comply with specific requirements included in its NPDES MS4 Phase II Permit. The negotiated credit for the Customer's additional efforts will be based on the relative benefits offered to the County, based on the population served, protection provided, contributing drainage area, or other appropriate metrics. Customers meeting the minimum requirements of their NPDES Industrial General Stormwater Permit will not be eligible for a Credit. The NPDES Industrial Permit Credit may also be received in addition to the Stormwater Control Measure Credit listed above

for a credit of up to 25 percent. However, a customer cannot receive Credit for both the MS4 Permit and the Industrial Permit.

3.4 Agricultural BMP Credits

Customers that have DOR codes 50 to 69 are identified as Agricultural and will be eligible for a credit for the implementation of FDACS approved best management practices. In order to be eligible, the agricultural parcel will have to submit and provide approval of a Notice of Intent to Implement approved BMP(s) according to Section 403.067(7)c), Florida Statutes. Agricultural parcels that provide to the County documentation of such approval are eligible to an 85 percent credit, subject to the minimum ERU assignment of 1.0 ERU. Application for the Agricultural BMP Credit is defined in Subsection 3.11 below.

3.5 Eligibility for Credits

Customers must pay a fee for Stormwater Services provided by the County, must meet requirements detailed in Section 3, et seq., and must apply the credit to Developed Lands containing the credited Stormwater Control Measure or in the case of Agricultural Property, apply for an Agricultural BMP Credit, to be eligible for a Credit. For developments with credited stormwater Control Measures in common areas owned and operated by a Homeowners' Association or other similar entity recognized by the County, each dwelling unit demonstrated to contribute runoff to the credited Stormwater Control Measure shall be eligible for its equal pro-rata share of the credit unless other arrangements for billing the Fee are made pursuant to the Stormwater Utility Ordinance. Other Single-family developed lands are not eligible for Credits. Applications and requirements for Credits for Stormwater Control Measures apply only to non-Agricultural Properties.