

**Swatara Township Authority**

**Stream Preservation Fee  
Credit & Adjustment Policy**



11/17/17

## Contents

1.	Introduction.....	3
2.	Definitions.....	3
3.	General Credit Policies .....	6
3.1	Eligibility .....	6
3.2	Credit Application Process .....	7
3.3	Maximum Credit.....	7
3.4	Credit Renewals & Expiration.....	8
3.5	Credit Termination.....	8
3.6	BMP Inspections and Inspection Report.....	8
3.7	Inspection.....	9
4.	Available Credits .....	10
4.1	Structural BMP Credits.....	10
4.1.1	Volume Control Credit .....	10
4.1.2	Rate Control Credit.....	11
4.1.3	Riparian Buffer Area Preservation Credit.....	11
4.1.4	Stream Restoration Credit.....	12
4.2	Non-Structural Credits .....	12
4.2.1	Education Credit .....	12
4.2.2	Fertilizer Management Program Credit .....	14
4.3	Institutional Credits.....	14
4.3.1.	Separate NPDES STORMWATER Permit Credit .....	14
5.	Informal Inquiry Process.....	15

Appendix A - Credit Application

Appendix B - Inquiry Form

## 1. Introduction

Inadequate management of Stormwater in Swatara Township (“Township”) could pose significant threats to the public’s health and safety. Such threats include flooding, erosion, and water quality degradation. To avoid these situations, Swatara Township maintains a Stormwater Management System of sewers, drains, basins, infiltration and filtration facilities, inlets, manholes, ditches, outfalls and other infrastructure to collect, convey and manage Stormwater in the Township. This System protects and preserves the Township streams and other water bodies.

In order to effectively implement a comprehensive Stormwater Management program and comply with the Township’s Municipal Separate Storm Sewer (MS4) Permit, the Township has decided to assess a Stream Preservation Fee on all Developed Parcels that are connected with, use, or are directly or indirectly benefited by the Township’s management of Stormwater. As part of its equitable and uniform assessment, and collection of Stream Preservation Fees, the Township has adopted this Stream Preservation Fee Credit & Adjustment Policy (the “Manual”) to establish a process for Owners of Non-residential Parcels to obtain Credits and file inquiries for Stream Preservation Fee adjustments with the Township.

## 2. Definitions

For the purposes of this Manual, certain terms and words used herein shall be interpreted as follows:

**2.1. Authority.** The Swatara Township Authority.

**2.2. Best Management Practices (“BMPs”).** The methods, procedures and analyses specified in the Pennsylvania Stormwater Best Management Practices Manual to reduce flooding potential and control the volume, flow rate and water quality of Stormwater.

**2.3. Credit Application.** The Stream Preservation Fee Credit Application that is attached hereto as Appendix “A” and must be used to apply for the Credits described in this Manual.

**2.4. Credit.** A Stream Preservation Fee reduction that a property Owner receives for implementing and complying with the practices and policies contained in this Manual.

**2.5. Developed Parcel.** A parcel altered from a natural state that contains Impervious Surface equal to or greater than 300 square feet. Excludes public roads and common area parcels (i.e. parcels without dwelling units) owned by homeowner associations. Developed Parcels do not include land under initial development prior to issuance of a certificate of occupancy; however, a parcel undergoing initial development that does not receive a certificate of occupancy within three years from start of construction will be considered a Developed Parcel.

**2.6. Equivalent Residential Unit (“ERU”).** The measure of impervious ground cover for a typical single-family residential Property used in assessing the fees for each Developed Parcel, and which has been determined to be Two-Thousand Six-Hundred and Seven (2,607) square feet.

**2.7. Education Credit.** The education credits described in section 4.2.1 of this Manual. The Education Credit consists of either a Tier One Education Credit or a Tier Two Education Credit.

**2.8. Fertilizer Management Credit.** The fertilizer management credit described in section 4.2.2 of this Manual.

**2.9. Impervious Surface.** A surface that prevents the infiltration of water into the ground. Impervious surfaces (or areas) shall include, but are not limited to, roofs, additional indoor living spaces, patios, garages, storage sheds and similar structures, roads, cartways, and paths; whether paved, gravel, dirt, or any other non-vegetated surface. Any surface area proposed to initially be gravel or crushed stone shall be assumed to be impervious, unless designed as an infiltration BMP. All areas not sufficiently stabilized (reference [Pa Code Title 25, Chapter 102](#)) with vegetation shall, for the purposes of this policy, be considered impervious. For the purposes of this policy, the following are not measured as Impervious Surface: water surface area of a swimming pool and sidewalks adjacent to and parallel to public streets.

**2.10. Inspection Report.** The periodic inspection report(s) set forth in Section 247-30. C. (1) of the Stormwater Management Ordinance.

**2.11. Inquiry Form.** The inquiry form that is attached hereto as Appendix “B” that property Owners must file if they believe that the Stream Preservation Fee for their property has been calculated incorrectly.

**2.12. NPDES.** Created by the 1972 Federal Pollution Control Act, the National Pollutant Discharge Elimination System (NPDES) Program authorizes discharges to waters of United States. An NPDES permit is typically a license for a facility to discharge a specified amount of a pollutant into a receiving water under certain conditions. The two basic types of NPDES permits issued are individual and general permits.

- An individual permit is a permit specifically tailored to an individual facility. Once a facility submits the appropriate application(s), the permitting authority develops a permit for that particular facility based on the information contained in the permit application (e.g., type of activity, nature of discharge, receiving water quality). The authority issues the permit to the facility for a specific time period (not to exceed five years) with a requirement that the facility reapply prior to the expiration date.
- A general permit covers a group of dischargers with similar qualities within a given geographical location. General permits may offer a cost-effective option for

permitting agencies because of the large number of facilities that can be covered under a single permit.

**2.13. Non-Residential Properties.** All Developed Parcels other than Single Family Residential Properties, including multi-family properties such as apartments and mixed use parcels (i.e. parcels with both residential and commercial use). Non-Residential Properties also include mobile home parks, commercial, institutional, governmental and industrial parcels.

**2.14. Operation and Maintenance Agreement.** An agreement pertaining to the operation and maintenance of Stormwater Management BMPs as described in Section 247-43. A. (2) of the Township's Stormwater Management Ordinance.

**2.15. Owner.** Any person, firm, corporation, individual, partnership, company, association, organization, society or group owning real property in the Township.

**2.16. PAG.** Pennsylvania General permit form; e.g. PAG-03 Discharges of Stormwater Associated with Industrial Activities or PAG-13 General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems.

**2.17. Pennsylvania Stormwater Best Practices Manual.** The most recent version of the Pennsylvania Stormwater Best Management Practices Manual.

**2.18. Rate Control Credit.** The Credit described in Section 4.1.2 of this Manual.

**2.19. Riparian Buffer Area (RBA).** A portion of the property of at least 100 ft. measured landward from the stream bank (or from the edge of the ordinary high water) as a riparian buffer area. The buffer must extend along the entire length of the stream/creek within the property.

**2.20. Riparian Buffer Area (RBA) Preservation Credit.** The Credit described in Section 4.1.3 of this Manual.

**2.21. Single Family Residential Properties ("SFR").** Developed Parcels containing single family residential homes, attached homes, townhouses, condominiums, duplexes and row homes. Developed Parcels may be classified as "SFR" despite the presence of incidental structures associated with residential uses such as garages, carports or small storage buildings. "SFR" shall not include Developed Parcels containing: (a) structures used primarily for non-residential purposes, (b) mobile homes located within mobile home parks, or (c) apartment buildings. A Developed Parcel which does not contain a dwelling unit (e.g. it contains a garage, shed, driveway, parking area or other Impervious Surface) will be classified as SFR if the parcel is zoned as a residential parcel.

**2.22. Stormwater.** Runoff water from all precipitation events, snowmelts, and springs.

**2.23. Stormwater Management System.** The system of runoff avoidance, infiltration, collection and conveyance, including but not limited to storm sewers, pipes, conduits, mains, inlets, culverts, catch basins, gutters, manholes, ditches, channels, basins and detention ponds, streets, curbs, drains and all devices, appliances and Stormwater BMPs, such as infiltration and filtration facilities, used for collecting, conducting, pumping, conveying, detaining, infiltrating, reducing, managing, avoiding the generation of, and treating Stormwater, which is owned or maintained by the Township. The proposed Stream Preservation Fee revenue will be used to maintain this system.

**2.24. Stormwater Management Ordinance.** The Township's Stormwater Management Ordinance located in Chapter 247 of the Township's Code of Ordinances.

**2.25. Stream Preservation Fees.** Fees assessed, imposed, and to be collected from each property which uses, benefits from, or is serviced by the Swatara Stormwater Management System, or discharges Stormwater, directly or indirectly, into the Township's Stormwater Management System for the use of such system and the service rendered by, and improvement of, such system.

**2.26. Stream Restoration Credit.** The Credit described in Section 4.1.4 of this Manual.

**2.27. Structural BMPs.** Structural BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale retention ponds and constructed wetlands, to small-scale underground treatment systems, infiltration facilities, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. Structural Stormwater BMPs are permanent appurtenances.

**2.28. Township.** Swatara Township, Dauphin County, Pennsylvania.

**2.29. Volume Control Credit.** The volume control credits described in section 4.1.1 of this Manual.

### **3. General Credit Policies**

An annual reduction in an applicable Stream Preservation Fee is available to certain property Owners who demonstrate compliance with the requirements of this Manual. The general credit policies are as follows:

#### **3.1. Eligibility**

To be eligible for a Credit, the subject property must be a Non-Residential Property and there must not be any outstanding and unpaid Stream Preservation Fees against the subject Property. Property Owners must submit a complete Credit Application with other documentation required by the Authority or its designee.

### **3.2. Credit Application Process**

Credit Applications must be submitted to the Authority or its designee no later than sixty (60) days prior to the start of the first billing period to which the Credit will be applied. Credits will not be applied retroactively. No refunds shall be given for any Stream Preservation Fees that were paid prior to the Authority's final approval of the Credit Application. There is no application fee associated with submitting a Credit Application.

The Authority or its designee will review all plans, materials, and documentation related to the Credit Application for accuracy. If, after review, the Credit Application and/or accompanying documentation is found to be deficient, the applicant will be notified in writing within 60 days upon receipt of the deficient Credit Application and/or accompanying documents. If all deficiencies are corrected and the Credit Application is approved, then the applicable Credits will take effect on the next billing period after notice of approval is given to the applicant. The Credit Application process does not relieve the property Owner of its obligations to make payments of Stream Preservation Fees that are assessed during the review process.

The Authority or its designee will provide written notification of the credit determination within sixty (60) days upon receipt of a complete Credit Application and all required documentation. If a response is not made within sixty (60) days, then the Credit Application will be deemed denied. The written notification shall state the conditions of the issuance of the Credit and effective date of the Credit. If the Authority or its designee does not approve the Credit Application in whole or in part, the property Owner shall also receive a written notice which includes the reason(s) for the decision.

If the property Owner disagrees with the Authority or its designee's decision, the Owner shall submit a request in writing to the Authority for a meeting to discuss such decision. The Authority or its designee will notify the property Owner as to the date and time of the meeting when the Credit Application will be considered. If the Authority does not approve the Credit Application in whole or in part, the property Owner shall receive a written notice which includes the reason(s) for the decision.

### **3.3. Maximum Credit**

Eligible properties may be approved for multiple Credits. However, the maximum aggregate Credit for each eligible property is fifty percent (50%) of the original Stream Preservation Fee regardless of how many individual Credits the subject property may qualify for. In no event will the aggregate Credit for each eligible property reduce the applicable Stream Preservation Fee to an amount that is less than the applicable fee for one (1) ERU.

The Stream Preservation Fee for parcels with approved Credits will be calculated using the formula:

$$\text{Stream Preservation Fee} = \text{Original Stream Preservation Fee} * [1 - \text{Approved Credit(s)}]$$

### **3.4. Credit Renewals & Expiration**

Approved Credits will be applied for a period of five (5) years. Credits will automatically expire at the end of such five (5) year period. Owners may re-apply to continue to receive Credits in accordance with policies that are in existence at the time of such renewal. Applications for renewals will be administered in the same way as first-time applications.

Credits will automatically expire when a property changes ownership. New property Owners are required to submit a Credit Application in order to be eligible for a Credit. Applications for new property Owners will be administered in the same way as first-time applications.

An Owner must submit the application sixty (60) days prior to the desired start date of the Credit. Therefore, in order to maintain a Credit that is expiring, the property Owner should submit the Credit Application at least sixty (60) days prior to the expiration of the Credit. If the application is not submitted in time, or if there are deficiencies in the application resulting in non-approval of the Credit Application within sixty (60) days, the Credit will not be applied. If the Credit is renewed based on approval of the Credit Application, the Credit will be applied on the billing period following the approval. Credits will not apply retroactively for a missed billing period.

### **3.5. Credit Termination**

Upon written notice, the Authority or its designee, in its sole discretion, may revoke a Credit for failure to meet Credit conditions or failure to meet minimum operation and maintenance requirements. The Authority reserves the right to review for accuracy all plans, materials, and documentation related to a Credit Application and accompanying documentation at any time. If, after review, the Credit Application or accompanying documentation is found to be inaccurate, the Owner will be notified in writing and given sixty (60) days to correct the deficiency. The applicant must provide written documentation to the Authority or its designee within sixty (60) days of the original notice that the deficiency has been corrected. If, in the opinion of the Authority or its designee, the deficiency is not satisfactorily corrected, the Credit currently applied to the property will be terminated effective the following billing cycle.

### **3.6. BMP Inspections and Inspection Report**

If a property has been granted a Credit for Structural BMPs, the property Owner must inspect and submit to the Township or its designee periodic Inspection Reports in accordance with Section 247-30. C. of the Stormwater Management Ordinance. The property Owner must also submit the periodic Inspection Reports to the Township MS4 Coordinator. If such reporting requirements are not met, then Credits will be suspended.

The Inspection Report must be submitted annually or more frequently if required by an Operation and Maintenance Agreement, except for Riparian Buffer Areas. The Inspection



Report for Riparian Buffer Areas shall be submitted biannually or more frequently if required by an Operation and Maintenance Agreement.

The Inspection Report must show or document compliance with all program requirements for the preceding calendar year. If the Inspection Report is incomplete or is not submitted by the deadline for reporting as required by this Manual or established in the Operation and Maintenance Agreement, the property shall be considered to be in non-compliance with the Credit program requirements and the Credit will be suspended. The Credit suspension will not be reinstated until the completed Inspection Report is submitted and demonstrates compliance with applicable requirements and that the program for which the Credit is being given is being implemented as intended. There is no fee associated with submitting an Inspection Report.

### **3.7 Inspection**

In accordance with Section 247-31 of the Stormwater Management Ordinance, the Township or its designee may enter at reasonable times any property to inspect the condition or operation of BMPs. If, after its review or inspection, the Township or its designee finds the Credit Application or any Inspection Report to be inaccurate or any BMP(s) to be out of compliance, the property Owner will be notified in writing with a notice and given sixty (60) days to correct the inaccuracy or non-compliance (“Notice of Non-Compliance”).

Within 60 days following the Owner’s receipt of the Notice of Non-Compliance, the Owner must provide to the Township or its designee written documentation and evidence satisfactory to the Township or its designee that the issues described in Notice of Non-Compliance have been corrected and/or that the facility (BMP) is in compliance with all applicable program requirements. If the issues in the Notice of Non-Compliance have not been corrected or the facility (BMP) is not in compliance as required by the Notice of Non-Compliance, or if the property Owner fails to provide a response to the Township or its designees within the sixty (60) day period, the Credit will be suspended on the following billing cycle.

The Credit suspension will remain in effect for six (6) months, after which time the property Owner may reapply for the Credit. The reapplication must include evidence satisfactory to the Township or its designee that the issues stated in the Notice of Non-Compliance have been corrected or that the BMP has been in compliance with program requirements for at least three (3) months prior to reapplication.

## 4. Available Credits

Credits will be provided based on the matrix presented in Table 1.

*Table 1 Credit Matrix*

Credit Description	Structural	Non-Structural	Institutional	Maximum Credit Amount
Rate Controls	X			25%
Volume Controls	X			25%
Riparian Buffer	X			50%
Stream Restoration	X			50%
Education Program		X		20%
Fertilizer Management Program		X		15%
NPDES SW Permit			X	50%

### 4.1. Structural BMP Credits

Credits are available for Structural BMP(s) that comply with applicable rules and regulations. Current requirements are set forth in the Township's Stormwater Management Ordinance (Section 247-12, Volume Controls and Section 247-13, Rate Controls).

Structural BMP Credits are applicable to Non-Residential Properties with Structural BMPs that have a valid Operation and Maintenance Agreement as required by Section 247-43. A. (2) of Stormwater Management Ordinance. If an existing BMP does not have a valid Operation and Maintenance Agreement, then the Credit applicant shall prepare and submit with the Credit Application an executed Operation and Maintenance Agreement prepared in accordance with the requirements of the Stormwater Management Ordinance.

To apply for a Structural BMP Credit, property Owners must submit information documenting that the BMP has been inspected by a professional engineer licensed in Pennsylvania. The inspection shall be a visual inspection to document that the BMP is operating in accordance with its intended function and identify any required BMP maintenance or repairs to allow it to remain in good operating condition. If information on the design standards and design of the BMP is not available, the applicant may contact the Township or its designee to determine to what extent the BMP may be eligible for a credit.

#### 4.1.1. Volume Control Credit

Structural BMPs that control the volume of Storm Water runoff from a parcel (e.g. infiltration basin) are eligible for the Volume Controls Credit. Examples of volume controls are included in the Pennsylvania Stormwater Best Practices Manual. The credit for BMPs that comply with Section 247-12 - Volume Controls of the Stormwater Management Ordinance

shall be a maximum of twenty-five percent (25%). The credit for Volume Control BMPs shall be calculated as follows:

$$\text{Credit} = 25\% * \% \text{ of Impervious Surface area managed.}$$

#### **4.1.2. Rate Control Credit**

Structural BMPs that control the rate of Stormwater runoff from a parcel (e.g. constructed wetlands) are eligible for the Rate Controls Credit. Examples of rate controls are included in the Pennsylvania Stormwater Best Practices Manual. The credit for BMPs that comply with Section 247-13 Rate Controls of the Stormwater Management Ordinance for newly developed properties (i.e. assuming the pre-development condition had no Impervious Surface) shall be a maximum of twenty-five percent (25%). The credit for rate control BMPs shall be calculated as follows:

$$\text{Credit} = 25\% * \% \text{ of Impervious Surface area managed.}$$

#### **4.1.3. Riparian Buffer Area Preservation Credit**

This credit is applicable to properties adjacent to streams and creeks within the Township that preserve the riparian buffer by dedicating a portion of the property of at least 100 ft. measured landward from the stream bank (or from the edge of the ordinary high water) as a Riparian Buffer Area (RBA). The buffer must extend along the entire length of the stream/creek within the property. The amount of credit applied is at the discretion of the Authority up to a maximum of twenty-five percent (25%) per bank for properties with less than 1,000 linear feet (LF) of stream bank. If the property contains more than 1,000 LF of stream bank and the entire stream bank located within the property is preserved as RBA, the property may receive an additional 15 percent (15%) credit; therefore, the maximum possible RBA credit for a property with one stream bank is forty percent (40%). The credit is applicable to both banks; therefore, a property that contains both banks of the creek/stream may obtain the maximum 50% credit when preserving and dedicating buffers on both sides of the creek/stream.

**Buffer Preservation.** Buffers dedicated as RBAs are the corridors of environmentally sensitive land that lie alongside or near the shorelines of creeks or streams which drain into local waterways and eventually into the Chesapeake Bay. In their natural condition, RBAs protect water quality, filter pollutants out of stormwater runoff, reduce the volume of stormwater runoff, prevent erosion and perform other important biological and ecological functions. Property Owners are encouraged to plant indigenous trees and bushes in the buffer. In order to maintain the buffer preservation credit no mowing or removal of existing trees or bushes is allowed.

**Signs.** The property owner must post a sign provided by the Township that states “Environmental Protection Area, Do Not Disturb, Swatara Township and Swatara Township Authority, do not remove or relocate this sign”. A sign should be posted at the landward limit

of the buffer. For properties that extend more than 200 feet along a creek/stream, a sign should be posted every 200 feet along the creek/stream.

**Permitted Buffer Modifications.** The property owner needs to inform the Authority if any modifications are planned in buffers dedicated as RBAs. Buffer modifications should be minimized. Some of the permitted buffer modifications include:

- Dead, diseased, or dying trees may be removed
- Thinning of trees permitted, pursuant to sound horticultural practice
- Trees may be pruned or removed to provide for sight lines and vistas. Removed trees must be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution.
- Trees and vegetation may be removed for shoreline erosion control projects.

**Fences.** Fences are permitted in an RBA subject to compliance with the following design requirements that collectively maintain the functional value of the buffer. Fences should be designed so that they do not inhibit or alter surface flow (i.e., water must be able to flow under and through the fence unimpeded), and vegetation may only be removed to provide for the actual placement of the fence. Where vegetation is removed, it must be replaced with other native vegetation that is equally effective in retarding runoff, preventing erosion and filtering nonpoint source pollution from runoff. Fences should be located to avoid the removal of trees. If the fence were to be placed in an area that was an existing maintained lawn, the revegetation requirement would not be applicable.

**Walkways and Access Paths.** A walkway or access to the creek/stream is allowed and its width should be minimized. Walkways and paths should be constructed and surfaced to control erosion.

#### **4.1.4. Stream Restoration Credit**

A maximum Stream Restoration Credit rate of 50% may be given to a property Owner who completes and maintains a qualifying stream restoration project and/or who dedicates an easement suitable for stream restoration on their property. A qualifying stream restoration project consists of a minimum of twenty-five (25) contiguous linear feet and prevents channel or bank erosion that otherwise would be delivered downstream from an actively enlarging or incising urban stream. The amount of approved Credit is dependent upon specific site conditions and percentage of the stream completed. Property owners should contact the Township prior to initiating stream restoration projects. In order to qualify as a credit, the Township must be able to get credit for the project through its MS4 permit and its approved Pollutant Reduction Plan.

## **4.2. Non-Structural Credits**

### **4.2.1. Education Credit**

Education Credits are available to all public and private schools or school systems (K-12). In order for a school or school system to receive an Education Credit, the school must

implement an educational program that informs the students on the importance of preserving and restoring the source and integrity of water resources (stormwater, ground water and/or surface waters). The educational program may include educational posters, take-home materials, classroom lessons, field trips, etc. developed by the Pennsylvania Department of Environmental Protection (DEP), the Pennsylvania Department of Conservation and Natural Resources (DCNR), the United States Environmental Protection Agency (EPA) the United States Geological Survey (USGS), or a school official. Educational resources and example materials can be found at:

- EPA NPDES Stormwater Outreach Materials and Reference Documents (<http://cfpub.epa.gov/npdes/stormwatermonth.cfm#materials>)
- EPA Teacher Resources and Lesson Plans (<http://www.epa.gov/students/teachers.html>)
- EPA Water Science and Technology for Students and Educators (<http://water.epa.gov/learn/resources/>)
- USGS Education Resources (<http://education.usgs.gov/>)

To qualify for the Credit, the educational program must be approved by the Township or its designee. The program may be taught in grades Kindergarten (K) through twelve (12). A school with more than 50% of its students enrolled in levels below Kindergarten (i.e. pre-K, pre-school, daycare, etc.) is not eligible for an Education Credit. The school or school system may be granted a credit up to twenty percent (20%) of the original Stream Preservation Fee. The Credit will be tiered based on the proportion of grade levels taught as compared to the total number of grade levels within the school, as described below.

- **Tier One Education Credit:** A ten percent (10%) Tier One Education Credit is available to a school or school system for an approved educational program which educates 50% to 74% of the grade levels within the school or school system.
- **Tier Two Education Credit:** A twenty percent (20%) Tier Two Education Credit is available to a school or school system for an approved educational program which educates 75% to 100% of the grade levels within the school or school system.

A school district may apply for Credit for schools individually or make a single application for all schools in the school system. A school system may also include schools located outside the Township when determining its education tier if submitting a single Credit Application for all schools in its district. For schools that receive an Education Credit, documentation of the programs that were taught in the previous school year, number of students included in the education program, and programs that intend to be taught in the next school year, shall be submitted annually by June 15.

## 4.2.2. Fertilizer Management Program Credit

This credit is applicable to properties with lawns and/or landscaped areas where fertilizers are typically applied and which constitute at least twenty percent (20%) of the total parcel area. The amount of credit applied is at the discretion of the Township up to a maximum of fifteen percent (15%).

The property Owner and/or groundskeeper(s) must take a Fertilizer Management workshop provided by Penn State Extension, the Dauphin County Conservation District or other provider approved by the Township and implement recommended fertilizing practices. The course must be taken annually. Documentation, including proof of enrollment, implementation of recommendations, number of fertilizer applications annually, and amount of fertilizer used per application must be submitted annually.

## 4.3. Institutional Credits

### 4.3.1. Separate NPDES Stormwater (NPDES SW) Permit Credit

A Separate **NPDES SW** Permit Credit is applicable to parcels that are identified by the United States Environmental Protection Agency (EPA) as being required to obtain and comply with the terms of a NPDES SW permit. **This credit is NOT applicable to Construction Activity permits issued pursuant to 25 Pa. Code § 102.5.** Eligible parties may receive a 50% credit that will be applied to the portions of the parcel served by its separate NPDES SW permit. The portions of the parcel served by the NPDES SW permit will not be eligible for further credits above the 50% credit. Portions of the parcel with Impervious Surface area runoff that is not captured by the NPDES SW permit are not eligible for the 50% NPDES SW credit but may be eligible for credits in accordance with Sections 4.1 and 4.2 of this document.

NPDES SW Credit applicants must provide the following documents with their Credit Application:

- a. A complete copy of the applicable PAG Notice of Intent and/or permit application, including all supplemental documents.
- b. A complete copy of the NPDES SW permit and all referenced attachments
- c. A complete copy of all reporting documentation as required by the permit.

The credit for parcels with a separate NPDES SW permit will be calculated using the formula:

$$\text{Approved Credit} = 50\% * \% \text{ of Impervious Surface area served by separate NPDES SW permit}$$

## 5. Informal Inquiry Process

Prior to the first imposition of Stream Preservation Fees, owners of Non-Residential Properties in the Township will receive a letter from the Authority containing the property's Impervious Surface calculation and an estimated Stream Preservation Fee. Within thirty (30) days of receipt of such letter, property Owners may request a meeting with the Authority or its designee to challenge the Impervious Surface calculation.

Property Owners may, at any time, commence an informal inquiry process with the Authority, if the Owner believes that the Stream Preservation Fee for their property has been calculated incorrectly. The property Owner shall submit a fully completed Inquiry Form to the Authority or its designee. When submitting an Inquiry Form, property Owners must include a detailed statement of the basis for such inquiry and documents supporting the Owner's assertions. The Authority or its designee will review the Inquiry Form and supporting materials within sixty (60) days; and, if the inquiry is approved, adjust the Stream Preservation Fee accordingly.

If the Owner's request for an adjustment is approved, the property Owner will be credited any amount paid in excess of the adjusted Stream Preservation Fee from the date that the Inquiry Form was first filed. The credit will be applied to the subsequent billing period(s). **Adjusted fees will be applied retroactively from the date the inquiry was first filed and no further.**

**Examples:** (i) A property Owner believes that the real amount of Impervious Surface area on the site is less than the property is being billed for; (ii) the property is a Single-Family Residential Parcel, but is being billed as a Non-Residential Property; or (iii) recent construction has removed a portion of the Impervious Surface on site, and the Stream Preservation Fee has not been adjusted accordingly.

**Note:** If impervious structures are replaced with pervious structures (e.g. an asphalt parking lot is replaced with pervious concrete, etc.), this is considered a Structural BMP. In these situations, the property Owner should apply for a Credit, not file an inquiry for reduction of Impervious Surface area related to construction.

This resolution is effective this \_\_\_\_ day of \_\_\_\_\_, 2017.

### SWATARA TOWNSHIP AUTHORITY

BY: \_\_\_\_\_,  
Chairman

ATTEST: \_\_\_\_\_



# Appendix A

## Stream Preservation Fee Credit Application

Owner's Name: \_\_\_\_\_ E-mail: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Alt. Phone Number: \_\_\_\_\_  
 Property Address: \_\_\_\_\_  
 Mailing Address (if different from above): \_\_\_\_\_  
 Parcel Number: \_\_\_\_\_

**Select the credit(s) being applied for (check all applicable boxes):**

- Rate Control (up to 25%)
- Education Program (up to 20%)
- Volume Control (up to 25%)
- Fertilizer Management Program (15%)
- Riparian Buffer (up to 50%)
- Separate NPDES permit (up to 50%)
- Stream Restoration Credit (up to 50%)

**Attach Documentation**

Attach any supporting documentation as separate sheets. Include available drawings/sketches/plans pertaining to structural credits (rate and volume controls). Education program documentation must include lesson plans and an account of grade levels taught vs. grade levels in the school (system). Fertilizer Management Program documentation must include proof of enrollment, implementation of recommendations, number of fertilizer applications annually, and amount of fertilizer used per application. For NPDES SW credits, include copies of permits and annual reports.

**Please note that:**

- 1) The maximum combined credit available is fifty percent (50%) of the Stream Preservation Fee, regardless of the number of credits for which the property is eligible.
- 2) Each credit may be approved up to the maximum per-credit value indicated, but the actual per-credit value approved is at the discretion of the Authority, and may not match the maximum amount.

**Certification**

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. By signing below, I agree to allow Township staff or inspectors on site to review and verify the above information.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Print Name and Date**

- Check here to request quarterly billing (only applies to parcels with eleven (11) ERUs or more)

**Send completed form to: Swatara Township Authority  
PO Box 4920, Harrisburg, PA 17111-0920**





## Appendix B

### Stream Preservation Fee Inquiry Form

---

Owner's Name: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Alt. Phone Number: \_\_\_\_\_  
Property Address: \_\_\_\_\_  
Mailing Address (if different from above): \_\_\_\_\_  
Parcel Number: \_\_\_\_\_

---

**Select your reason for filing an inquiry (check one):**

- My property has less impervious surface area than was originally calculated (only applicable to Non-Residential Properties)
- My property has recently undergone construction which reduced the on-site impervious surface area. (only applicable to Non-Residential Properties)
- My property has been improperly identified by parcel type (Residential vs Non-Residential)
- The property has been sold to a new owner (fill out the top section with your information and attach a separate sheet with contact information for the new owner).
- Other (please explain): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please provide information relevant to your issue:**

Impervious surface area calculated by department: \_\_\_\_\_  
Corrected impervious surface area: \_\_\_\_\_  
Date change took place (date of sale, date construction ended, etc.): \_\_\_\_\_  
Location on property: \_\_\_\_\_

**Attach Documentation**

Attach as separate sheets any documents related to your inquiry (drawings/sketches/plans, bill of sale, survey, etc.). All drawings/sketches/plans must be signed by an engineer or surveyor licensed in Pennsylvania.

---

**Certification**

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. By signing below, I agree to allow Township staff or inspectors on site to review and verify the above information.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Print Name and Date

---

Send completed form to: **Swatara Township Authority**  
**PO Box 4920, Harrisburg, PA 17111-0920**