
 Rushern L. Baker, III County Executive	PRINCE GEORGE'S COUNTY CLEAN WATER ACT FEE REGULATION Office of the Director, 1801 McCormick Drive, Suite 500, Largo, MD 20774	 Prince George's County DEPARTMENT OF THE ENVIRONMENT Adam Ortiz Director
Subject Clean Water Act Fee	Number CB-45-2013, CR-59-2013	
Originating Department Department of the Environment	Effective Date: 7/2/2013	Revision Date: 8/4/2016

DEPARTMENT OF THE ENVIRONMENT
Authority: Subtitle 10, Division 20, Sec.10-304
Effective Date: 7/2/2013
(Revised: 8/4/2016)

Summary: These regulations establish procedures for determining the Clean Water Act Fee charge to properties, and the criteria by which certain property owners may qualify for financial hardship, fee appeals, fee reduction credits, and alternative compliance.

Address: To inquire about these regulations please contact us at:

Stormwater Management Division
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Issued by: Department of the Environment
Adam Ortiz, Director



PRINCE GEORGE'S COUNTY CLEAN WATER ACT FEE REGULATION



Office of the Director, 1801 McCormick Drive, Suite 500,
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Section 1. General Provisions

- A. Applicability. Prince George's County Council Bill-45-2013 establishes a Watershed Protection and Restoration Program; provides for the establishment, collection, and deposit of a Clean Water Act Fee into a Local Watershed Protection and Restoration Fund; provides for the purposes for which money in the Local Watershed Protection and Restoration Fund may be used; provides for biannual reporting on the operation of the Local Watershed Protection and Restoration Fund; requires the Department of the Environment to establish policies and procedures for the reduction of the Clean Water Act Fee; and generally relating to the Watershed Protection and Restoration Program.
- B. Purpose. These regulations are established for the purpose of administering the following programs:
- (1) Financial Hardship Exemption Program – a program to exempt the imposition of a Clean Water Act Fee in cases where a property owner can demonstrate substantial hardship as a result of the Clean Water Act Fee.
 - (2) Appeals Process – a policy and procedure to govern the consideration of appeals of the Clean Water Act Fee.
 - (3) Fee Reduction Credits – policies and procedures to reduce any portion of a Clean Water Act Fee to account for on-site and off-site systems, facilities, services, or activities that reduce the quantity or improve the quality of stormwater discharged from the property.
 - (4) Alternative Compliance – procedures by which qualified tax-exempt religious organizations or other 501(c) nonprofit organizations may apply for an exemption from the portion of the Clean Water Act Fee based upon the impervious area existing on the property owned by the organization.

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Section 2. Definitions

For the purposes of this regulation, the following terms, words, and phrases will have the meaning respectively ascribed to them in this regulation unless the context indicates otherwise:

Administrative Fee means an annual flat fee charge for the purpose of funding Watershed Protection and Restoration program costs associated with program administration, operation, and maintenance.

Best Management Practice (BMP) means a structural device or nonstructural practice designed to temporarily store or treat stormwater runoff in order to mitigate flooding, reduce pollution, and provide other amenities. [Section 32-171 (9) Prince George's County Code]

Department refers to the Department of the Environment.

Developed means a property with improvements, including impervious surfaces as defined under *Impervious Area* below.

Director means the Director of the Department of the Environment.

Disconnection means hydrologic runoff is dispersed on pervious surfaces away from storm drain conveyances and stream tributaries.

Environmental Site Design (ESD) means using small scale stormwater management practices, nonstructural techniques, and better site planning to mimic natural hydrologic runoff characteristics and to minimize the impact of land development on water resources. [Section 32-171 (27) Prince George's County Code]

Equivalent Service Unit (ESU) is equal to 2,465 square feet of *Impervious Area*, as that term is defined in Section 32-171(36) of the Prince George's County Code.

Farm means a property or contiguous properties under the same ownership that is/are designated for agricultural use by the Maryland State Department of Assessments and Taxation.



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Fee means the Clean Water Act Fee.

Fee Reduction Credit means a reduction of the Impervious Area Fee Rate resulting from the impervious area treatment of a property which installs/operates BMPs to improve water quality.

Impervious Area means an area that is covered with solid material or is compacted to the point where water cannot infiltrate underlying soils (e.g., parking lots, roads, houses, patios, swimming pools, compacted gravel areas, and so forth) and where natural hydrologic patterns are altered. [Section 32-171 (36) Prince George's County Code]

Impervious Area Impact Fee means an annual fee charge that is calculated based on the amount of impervious area on a property and used for the purpose of funding the County's watershed implementation retrofit program.

Off-Site Stormwater Management means the design and construction of a regional facility necessary to control stormwater from more than one development which is to be located outside the proposed area of development. [Section 32-171 (42) Prince George's County Code]

On-Site Stormwater Management means the design and construction of systems necessary to control stormwater within the proposed area of development. [Section 32-171 (44) Prince George's County Code]

Unimproved means a property with no impervious area.

Section 3. Fee Basis

A. The Clean Water Act Fee for each property parcel will be applied in the manner set forth in Council Resolution-59-2013 which includes a schedule of fees based on the following:

- (1) All property parcels will be charged one Administrative Fee of \$20.58 per tax account per year.



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- (2) All developed property parcels will be charged an Impervious Area Impact Fee Rate of \$20.90 per ESU per year for impervious area existing on the property as of July 1 of the tax year in which the fee is imposed.
 - (3) All unimproved parcels, regardless of zone, shall be charged the Administrative Fee, but shall not be subject to an Impervious Area Impact Fee.
- B. For the purpose of setting the Clean Water Act Fee, impervious area existing on the property shall be determined based upon any of the following methods:
- (1) Analysis of aerial photography;
 - (2) Measurement from approved engineering drawings including, without limitation, as-built drawings or site plans;
 - (3) Field surveys signed and sealed by a professional engineer or professional land surveyor license in the State of Maryland; or
 - (4) Inspections conducted by the Department of the Environment.

Section 4. Classification of Properties

For the purposes of calculating the Clean Water Act Fees imposed and collected in accordance with the fee schedule in Council Resolution-59-2013, properties are classified into one of the following based on zoning:

- A. Residential, Single-Family Tier One: RT, R20, R35, RU
- B. Residential, Single-Family Tier Two: R55, RS, R80, RR, RM
- C. Residential, Single-Family Tier Three: RE, ROS, RA, RL
- D. Other Land Uses



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- (1) Industrial
- (2) Commercial
- (3) Institutional
- (4) Multi-Family
- (5) Condominium
- (6) Common Area

E. All Properties Zoned OS

Section 5. Rates

- A. Single-Family Residential Properties: To calculate the Clean Water Act Fee for a single-family residence (based on zoning), add one (1) Administrative Fee rate per tax account to an amount equal to the Impervious Area Impact Fee multiplied by the corresponding ESU value for each tier, as follows:
 - (1) Residential, Single-Family Tier 1 – One (1) Administrative Fee per tax account plus Impervious Area Impact Fee Rate multiplied by 0.6 ESU
 - (2) Residential, Single-Family Tier 2 – One (1) Administrative Fee per tax account plus Impervious Area Impact Fee Rate multiplied by 1.0 ESU
 - (3) Residential, Single-Family Tier 3 – One (1) Administrative Fee per tax account plus Impervious Area Impact Fee Rate multiplied by 2.0 ESU
- B. Gravel: Areas that are covered with gravel material or compacted soil to the point where water cannot infiltrate into the underlying soils (e.g., parking lots, roads,



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railroads, unspecified compacted gravel areas, etc.) and where natural hydrologic patterns are altered will be assessed a fee as follows:

(1) Gravel Parking Lots and Railroad (ballast section)

- a. One (1) Administrative Fee per tax account.
- b. 100% Impervious Area Impact Fee, unless a hydrologic disconnection from culverts and tributaries can be demonstrated, in which case the Impervious Area Impact Fee can be reduced up to 50%.

(2) Gravel Agricultural Driveway (residence only)

- a. One (1) Administrative Fee per tax account.
- b. 100% Impervious Area Impact Fee, unless a hydrologic disconnection from culverts and tributaries can be demonstrated, in which case the Impervious Area Impact Fee can be reduced up to 50%.

B. Industrial, commercial, institutional, common area, and multi-family apartment properties: One (1) Administrative Fee per tax account plus an Impervious Area Impact Fee based on the following:

- (1) Impervious area on the property is divided by the ESU unit area. The resulting number of ESUs is multiplied by the Impervious Area Impact Fee Rate.
- (2) The Impervious Area Impact Fee is calculated based upon a direct measurement of the impervious acres as outlined in Section 3 (B) above.

C. Condominium properties: One (1) Administrative Fee per tax account plus an Impervious Area Impact Fee based on the following:





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- (1) Total impervious area on the combined parcels (dwelling units and common areas) for the condominium development is divided by the ESU unit area. The resulting number of ESU is multiplied by the Impervious Area Impact Fee Rate to determine the total Impervious Area Impact Fee for the condominium development. That total Impervious Area Impact Fee is divided by the number of property tax accounts, and that amount is charged to each account.
- D. All property zoned OS: One (1) Administrative Fee per tax account plus an Impervious Area Impact Fee based on the following:
- (1) Impervious area on the parcel is divided by the ESU unit area. The resulting number of ESUs, not to exceed 2.0 for residential properties, is multiplied by the Impervious Area Impact Fee Rate.
 - (2) The Impervious Area Impact Fee is calculated based upon a direct measurement of the impervious acres as outlined in Section 3 (B) above.
- E. Farms: A property that has an agricultural use assessment as determined by the Maryland State Department of Assessments and Taxation shall be subject to a Clean Water Act Fee, including both the Administrative and Impervious Area Impact Fee, based on the impervious area measurement only for the principal residential structure located on the property.
- F. Exemptions: The following shall not be assessed a Clean Water Act Fee:
- (1) Property located within the municipal limits of the City of Bowie.
 - (2) Property owned by the State, a unit of State Government, the County, a municipality, or a regularly organized Volunteer Fire Department that is used for public purposes.



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Section 6. Financial Hardship Program

- A. Financial Hardship. The County has established a Financial Hardship Exemption Program for residential property owners who have demonstrated substantial financial hardship as a result of the fee.
- B. Eligibility. The County will use the following criterion to determine eligibility for the Financial Hardship Exemption Program:
 - (1) Property owner must have received the Homeowners' Tax Credit from the Maryland State Department of Assessments and Taxation during the tax year for which the fee is billed.
- C. Identification of Accounts. The Maryland State Department of Assessments and Taxation provides data to the Office of Finance identifying those tax accounts that are eligible for the tax credit.
- D. Duration of Exemption. Residential property owners will need to apply annually to the Maryland State Department of Assessments and Taxation to be eligible to receive the tax credit. No application to the Department will be required.
- E. Amount of Assistance. Upon determination of homeowner eligibility, the Office of Finance shall provide a suspension of the fee in its entirety for the eligible tax year.

Section 7. Appeals

- A. The County has established policies and procedures governing the consideration of appeals of the Clean Water Act Fees. Appeals shall be in writing in a form suitable to the Department and shall be provided to the Director of the Department or his designee not later than October 1 of the year for which the Clean Water Act Fee is assessed.

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- B. The grounds for appeal shall be limited to the following:
- (1) For multi-family residential and nonresidential properties only, errors made regarding the impervious area measurement of the property;
 - (2) For single-family residential properties only, errors in the zoning classification of the property;
 - (3) Mathematical errors in the calculation of the fee; and
 - (4) Misidentification of the property owner.
- C. The Department has developed a fee appeal request form which property owners need to submit in order to initiate the appeals process. The form is available in the appendices.

Section 8. Fee Reduction Credits

- A. The Director of the Department or his designee shall establish policies and procedures to reduce any portion of the Clean Water Act Fee to account for on-site and off-site systems, facilities, services, or activities that reduce the quantity or improve the quality of stormwater discharged from the property. Fee reduction credits shall be determined in accordance with the following:
- (1) The Clean Water Act Fee reduction credit only applies to a reduction of the Impervious Area Impact Fee. The Administrative Fee will continue to be collected in its entirety.
 - (2) The Director of the Department or his designee shall make the final determination on the amount of fee reduction credit to award for on-site or off-site stormwater management.



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- (3) A property that does not contain a BMP may be credited if located within the same drainage area of another property that contains a BMP so long as both properties have the same owner.

B. Application for Fee Reduction Credits

- (1) To receive the credit, the property owner must apply to the Department in a form prescribed by the Director which will be made available to the public on the County's website.
- (2) Forms must be submitted to the Department on or before July 1 of the tax year in which the fee is imposed.
- (3) Forms submitted to the Department must include sufficient information and documentation to allow the Department to make a determination of eligibility for the fee reduction credit.
- (4) All BMPs for which credits are being requested are subject to an inspection and field verification by the Department. Access to the BMPs must be granted to the Department in order for credit to be awarded.
- (5) Once approved, credits are valid for three years. The County will re-evaluate the credit, each BMP must pass a triennial field verification/maintenance inspection conducted by the Department.

C. Amount of Fee Reduction Credit

- (1) Single-family residential properties or multi-family (apartments) properties: The Director may approve up to 100% of the Impervious Area Impact Fee for these types of properties that have installed BMPs on their property using the County's latest SWM ordinance standards for Environmental Site Design, and who maintain the BMPs in good condition. Fee reduction credits will be determined based on the BMP's ability to treat three different types of untreated impervious area: roof,

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driveway or parking lot, and “other” (sidewalks, sheds, patios, pool decks, etc.), as follows:

- a. Treating the roof will qualify for up to a 40% fee reduction credit (partial credits* are also available),
- b. Treating the driveway or parking lot will qualify for up to a 50% fee reduction credit (partial credits* are also available), and
- c. Treating “other” impervious areas will qualify for up to a 10% fee reduction credit (partial credits* are also available).

**as determined by a field inspection*

A summary table of the fee reduction credits is provided in Table 1 below. The application form for either single-family residential properties or multi-family (apartments) property owners can be found in the appendices. For an example of how the County will apply the fee reduction credits, see page two of this form.

Table 1: Fee Reduction Credits for Existing BMP(s) on Single-Family Residential Properties or Multi-Family (Apartments) Property Owners

Type of Impervious Area	% Reduction* in Impact Fee if Fully	Example BMP(s) needed to treat impervious surface
Roof	40% **	rain barrel at each downspout or cistern
Driveway or Parking Lot	50% **	permeable pavement, rain garden
Other (sidewalk, shed, patio, pool, etc.)	10% **	rain garden

**Note that the Administrative Fee (\$20.58) still applies to all accounts, and that multiple BMPs may be required to fully treat an impervious area type.*

***Partial credits are also available and are determined by a field inspection.*



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- (2) Condominium properties: The Director may award up to 100% of the Impervious Area Impact Fee for condominium property owners who have installed BMPs on their property using the County's latest SWM ordinance standards for Environmental Site Design, and who maintain the BMPs in good condition. Fee reduction credits for condominium properties will be calculated in a similar manner as the single-family residential in Section 8, C (1) above, except the fee reduction credit will be distributed equally among all the individual dwelling units. A summary table of the fee reduction credits is provided in Table 1 (same as single-family residential). The application form for condominium property owners is available in the appendices. For an example of how the County will apply the fee reduction credits, see page two of this form.
- (3) Non-residential properties-Environmental Site Design (ESD Only): The Director may award up to 100% of the Impervious Area Impact Fee for non-residential property owners (e.g., commercial, industrial) who have installed one or more structural or nonstructural BMP(s) or ESD practices on their property. Structural BMPs must have been approved and certified by the County. Fee reduction credits for non-residential properties will be determined using a Water Quality volume (WQv) method developed by the Maryland Department of the Environment (MDE) for one inch rainfall that accounts for the level of treatment provided by stormwater management facilities. The following factors will be considered.
- The type of BMP (roof treatment, parking lot treatment, green lawn care, or other), and
 - Parcels (contiguous properties – same owner) being treated by the BMP.

A summary table of the fee reduction credits is provided in Table 2. The application form for non-residential property owners is available in the appendices. For examples of how the County will apply the fee reduction credits, see this form.



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Table 2: Fee Reduction Credits for Existing BMP(s) and New Environmental Site Design Practices on Non-Residential Properties

BMP No.	Associated Tax Account Number	Type of BMP	Estimated Cost of BMP	% Reduction* in Impact Fee if Fully Treated
1		■ Roof Treatment		Up to 45% (partial credits** are available)
		■ Parking Lot Treatment		Up to 45% (partial credits** are available)
		■ Green Lawn Care***		5%
		■ Reforestation on Pervious Urban		Up to 5%

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***Partial credits are also available and are determined by a field inspection.*

****To qualify as a green lawn care company, the business must be listed in the Maryland Department of Agriculture's searchable pesticide database under the appropriate license category (http://mda.maryland.gov/plants-pests/Pages/pesticide_db.aspx).*

- (4) Legacy ponds-Non-residential properties: The Director may award up to 100% of the Impervious Area Impact Fee for non-residential property owners (e.g., commercial, industrial) who currently operate and maintain stormwater management ponds on their property and/ or provide an easement to the County to retrofit ponds to meet current standards. Legacy ponds must have been approved and certified by the County's triennial inspection. Fee reduction credits for non-residential properties will be determined using a Water Quality Volume method developed by the Maryland Department of the Environment (MDE) for one inch rainfall period that accounts for the year in which the stormwater management facility was built. Controlling less than 1.0 inch of rainfall will be eligible for partial fee credit upon county's determination.

Property owners will be able to obtain fee credit based on the era the pond was



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built (1985-2002, after 2002). Any stormwater management pond constructed prior to 1985 is most likely not providing water quality (WQ) treatment and may not be eligible for any fee reduction, except if pond was retrofitted to meet standard (as stated in Section 8-C.4) WQ treatment in later years.

The County will evaluate fee reduction credit applications for ponds built prior to 1985 that have been retrofitted.



Ponds built between 1985 and 2002 may provide partial water quality treatment and may be eligible for a partial fee reduction. The County will evaluate fee reduction credit applications for ponds built between 1985 and 2002.

Ponds constructed post-2002 are eligible for water quality treatment per current standards and qualify for fee reduction credits accordingly.

As discussed above, all ponds are eligible for full impact fee reduction if the property owners provide an easement to the County to retrofit pre-2002 ponds to meet the gap up to 1.0 inch rainfall for full water quality treatment per current standards. In addition, property owner agrees to maintain the facility post-retrofit. A summary table of the fee reduction credits is provided in Table 3.

Table 3: Fee Reduction Credits for Existing Legacy Stormwater Management Ponds Non-Residential Properties (Industrial, Commercial, and Institutional) will be evaluated based on the portion of the Water Quality Treated.

BMP No.	Associated Tax Account No.	Type of BMP	% Reduction* in Impact Fee if unable to determine an inch or fraction of the WQ treatment
1		Legacy Stormwater Management Ponds	No fee reduction credits for ponds built prior to 1985, unless provide easement to the County to retrofit for partial or full water quality treatment
			Up to 50% (partial credits are available) for ponds built between 1985-2002
			Up to 100% for ponds built post 2002

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**Note that the Administrative Fee (\$20.58) still applies to all accounts, and that multiple BMPs may be required to fully treat an impervious area type.*

D. Ineligibility. A credit may not be awarded:

- (1) For BMPs that are not functioning correctly due to lack of maintenance and/or have failed a Department triennial inspection;
- (2) To properties that are serviced by a BMP that is operated and maintained off-site by a different owner; and
- (3) If a property owner refuses to permit a Department inspector on their property.

E. Monitoring. For the purposes of monitoring and verifying the effectiveness of the on-site BMP, the Department may:

- (1) Conduct on-site inspections;
- (2) Authorize a third party, certified by the Maryland Department of the Environment, to conduct on-site inspections on behalf of the Department;
or
- (3) Require a property owner to hire a third party, certified by the Maryland Department of the Environment, to conduct an on-site inspection and provide to the Department the results of the inspection and any other information required by the Department.

F. Proration. The fee shall not be prorated for a credit approved by the County during the current billing year, and any approved credits shall be applied to the next billing cycle.

Section 9. Alternative Compliance Program



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- A. Under the Alternative Compliance Program, qualified tax-exempt religious organizations or other 501(c) nonprofit organizations may elect to participate in this program for a reduction in the Impervious Area Impact Fee for the property owned by the organization.
- B. Alternative compliance shall constitute one or more of the following:
- (1) Option 1: Provide Easements –50% reduction in Impervious Area Impact Fee
 - a. Property owner agrees to provide to the County a *Temporary Right-of-Entry Agreement* and *Temporary Construction Easement* for the installation of BMPs on property owned by the organization. To ensure impervious area impact fee reduction is retained, installed BMPs on private property must be maintained by the property owner of record and a Maintenance Agreement signed by the property owner is required. Installed BMPs are subject to a triennial inspection by the Department.
 - (2) Option 2: Outreach and Education – 25% reduction in Impervious Area Impact Fee
 - a. Property owner agrees to take part in the County's outreach and education activities that encourage other property owners, as well as members of their organization, to participate in the County's *Rain Check Rebate Program* which offers rebates for installing BMPs that protect and restore County watersheds.

AND/OR

- b. Property owner agrees to host County's representative to organize and/or conduct one (1) of the following activities:
 - On-site trash pick-up event.
 - On-site recycling and better waste management.

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- Host a *Rain Check Rebate Program*.
- Plant at least five (5) trees on site (trees provided through the County *Rain Check Rebate Program*).

To ensure impervious area impact fee reduction is retained, the property owner must pledge to perform either a. or b.

(3) Option 3: Green Care and Good Housekeeping – 25% reduction in Impervious Area Impact Fee

- a. Property owner agrees to use of lawn management companies* that are certified in the proper use and application of fertilizers in connection with their landscaping and lawns.

AND/OR

- b. Property owner agrees to good housekeeping practices for ensuring clean lots and pledges to annually organize and/or conduct at least three (3) of the following activities:
- Reduce or eliminate fertilizer and pesticide use and application.
 - Conserve water and use water-saving landscaping practices.
 - Establish and maintain healthy vegetative cover on the grounds of their property.
 - Keep their site clean by regularly sweeping up trash and debris.
 - Responsibly manage common chemicals used and stored on their property, and to properly dispose of hazardous products or materials.
 - Practice proper pollution prevention measures.
 - Other (activity must be approved by DoE).



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**Companies must be listed in the Maryland Department of Agriculture's searchable pesticide database under the appropriate license category (www.kellysolutions.com/md/pesticideindex.htm).*

- C. Subject to County approval, fee reduction credits for alternative compliance will be awarded as shown in Table 4.

Table 4: Fee Reduction Credits for Alternative Compliance

Option	% Reduction in Impervious Area Impact Fee
1	50%
2	25%
3	25%

- A. Apply for Alternative Compliance Status: Qualified tax-exempt religious organizations or other 501(c) nonprofit organizations may apply for alternative compliance status using the County's application form available in the appendices.



 Rushern L. Baker, III County Executive	PRINCE GEORGE'S COUNTY CLEAN WATER ACT FEE REGULATION Office of the Director, 1801 McCormick Drive, Suite 500, Largo, MD 20774	 Adam Ortiz Director
Subject Clean Water Act Fee	Number CB-45-2013, CR-59-2013	
Originating Department Department of the Environment	Effective Date: 7/2/2013	Revision Date: 8/4/2016

Section 10. Request for Grants

- A. Nonprofit organizations may apply for a grant to offset up to 100% of a project's cost for watershed restoration and rehabilitation projects relating to:
 - (1) Planning, design, and construction of BMPs;
 - (2) Stream and wetland restoration; and
 - (3) Public education and outreach related to stormwater management or stream and wetland restoration.
- B. County-based businesses shall be utilized for watershed restoration and rehabilitation projects by nonprofit organizations receiving grants, except where the Director of Central Services determines in writing that insufficient local business capacity exists for a particular good or service.

Section 11. Assistance and Support for County Residents

- A. Prince George's County DoE will provide assistance and support to County residents who have questions about financial hardship, appeals, fee reduction

 Rushern L. Baker, III County Executive	PRINCE GEORGE'S COUNTY CLEAN WATER ACT FEE REGULATION Office of the Director, 1801 McCormick Drive, Suite 500, Largo, MD 20774		 DEPARTMENT OF THE ENVIRONMENT Adam Ortiz Director
Subject Clean Water Act Fee	Number CB-45-2013, CR-59-2013		
Originating Department Department of the Environment	Effective Date: 7/2/2013	Revision Date: 8/4/2016	

credits, or any other DoE program related to the Clean Water Act Fees. One or more dedicated staff members will be made available to answer phone calls, emails, and 311 requests; investigate cases where errors in the Clean Water Act Fee are suspected; and process fee corrections as necessary.

- B. Contact information for the Stormwater Management Division will be made available as follows on the DoE's website to assist residents and answer questions:

Stormwater Management Division
Prince George's County
Department of the Environment
1801 McCormick Drive, Suite 500
Largo, MD 20774
Phone: (301) 883-5833

County residents may also submit a service request through the County Click 311 website at:

<http://countyclick.princegeorgescountymd.gov/>

GIS analysts will investigate service requests and respond in a timely manner.

Section 12. Grants Assistance

The Department will make available grant opportunities to nonprofit organizations for up to 100% of a project's cost for watershed restoration and rehabilitation projects relating to:

- A. Planning, Design, and Construction of stormwater management practices;
- B. Stream and Wetland restoration; and
- C. Public Education and Outreach related to stormwater management.





PRINCE GEORGE'S COUNTY CLEAN WATER ACT FEE REGULATION

Office of the Director, 1801 McCormick Drive, Suite 500,
Largo, MD 20774



Subject Clean Water Act Fee	Number CB-45-2013, CR-59-2013	
Originating Department Department of the Environment	Effective Date: 7/2/2013	Revision Date: 8/4/2016

The Department has partnered with the Chesapeake Bay Trust to administer the grant program on behalf of the County. The Department will identify an annual budget to support the grant program and associated costs. Project proposals will be evaluated based on water quality improvement merits, and awards will be on a first come first served basis. For more details about the County Specific Grant Program and grant opportunities, please visit our partner's website: http://www.cbtrust.org/site/c.miJPKXPCJnH/b.9134181/k.8C81/County_Specific.htm.

 Rushern L. Baker, III County Executive	PRINCE GEORGE'S COUNTY CLEAN WATER ACT FEE REGULATION Office of the Director, 1801 McCormick Drive, Suite 500, Largo, MD 20774		 Adam Ortiz Director
Subject Clean Water Act Fee		Number CB-45-2013, CR-59-2013	
Originating Department Department of the Environment		Effective Date: 7/2/2013	Revision Date: 8/4/2016

Appendices



Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING BMPs



Adam Ortiz | Director

FOR DETACHED SINGLE-FAMILY RESIDENTIAL PROPERTY OWNERS

2016C-SFR

APPLICATION DATE: _____

Please fill in the following information. Only Best Management Practices (BMPs) that were built or implemented according to County guidelines, and are properly maintained, will be considered for a Clean Water Act Fee reduction credit. Property owners may also qualify for a separate rebate through the Rain Check Rebate Program for installing certain approved stormwater management practices on their property.

Please fill in the following information.

Property Owner Name:

Property Mailing Address:

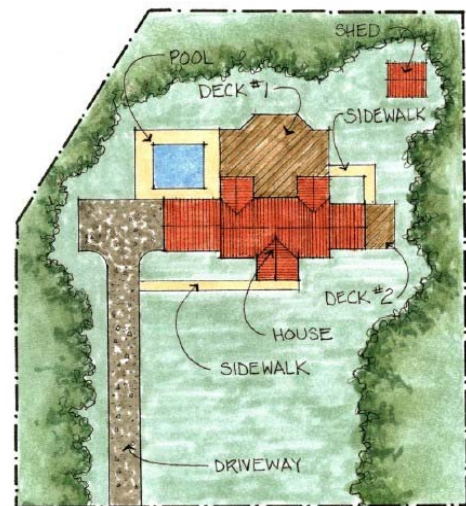
Property City, State, Zip Code:

Daytime Phone Number w/ Area Code:

E-mail Address:

Property Tax Account Number (s) for which you Applying for Credit:

TYPICAL IMPERVIOUS AREA ON A SINGLE-FAMILY RESIDENTIAL PROPERTY



Signature of Property Owner

Print Name

Date

Which of the following BMPs exist on the property? (select one or more)

- ☐ Rain Barrel
- ☐ Cistern
- ☐ Rain Garden
- ☐ Permeable Pavement
- ☐ Other, Describe:

Note: All BMPs are subject to inspections by the County

OFFICE USE ONLY – FINAL DETERMINATION

QAlert ID: _____

A. ☐ Approved

Recommended % Impact Fee Reduction: _____

Current CWAF (per unit): \$ _____

Adjusted CWAF (per unit): \$ _____

B. ☐ Not Approved

Reason: _____

C. ☐ Not Enough Information to Make Determination

Comments: _____

Reviewer Signature: _____

Date: _____

Owner Eligible for Rain Check Rebate? ☐ Yes ☐ No





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING BMPs



FOR DETACHED SINGLE-FAMILY RESIDENTIAL PROPERTY OWNERS

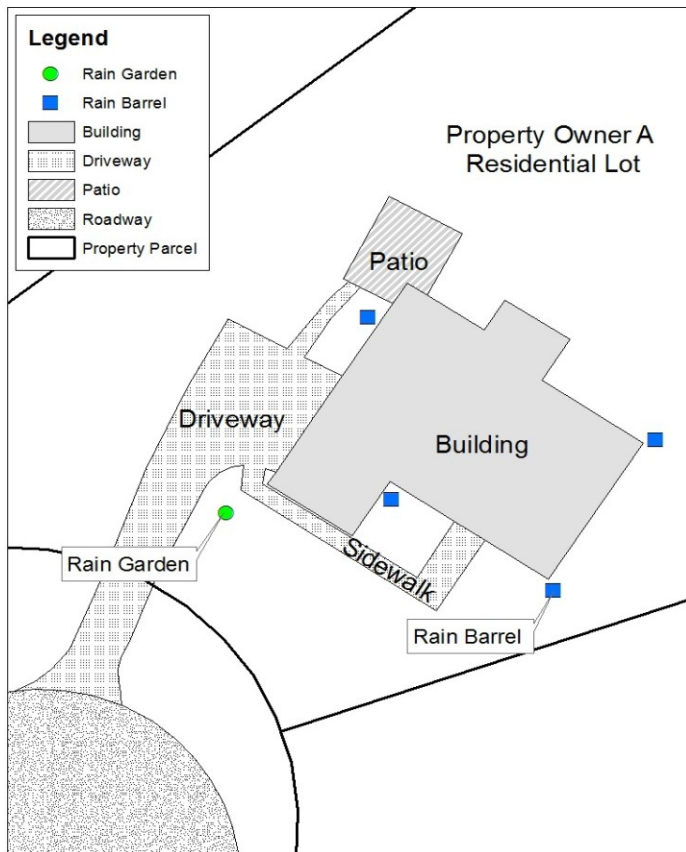
2016C-SFR

APPLICATION DATE: _____

Describe types of Impervious Areas (e.g., roof, driveway, patio, etc.) that are being treated by above BMPs:

Note: Prince George's County promotes on-site controls for water quality and groundwater recharge using Low Impact Development/Environmental Site Design best management practice measures. The County awards credit for reducing up to 100% of the impact fee. See example on following page.

EXAMPLE OF HOW COUNTY APPLIES THE CREDITS



Residential property owner "A" has a number of BMPs on their lot, including 4 rain barrels which treat the roof and a rain garden which treats the driveway. The County determines that the lot is zoned R-E, or residential Tier 3 with 2.0 Equivalent Service Units (1 Equivalent Service Unit = 2,465 square feet) of impervious area. Their Clean Water Act Fee is \$20.58 administrative fee plus \$41.80 impact fee (2.0 ESUs x \$20.90 per ESU), for a total fee of \$62.38. Property owner A applies for a fee reduction for their existing BMPs. Based on the County's assessment, it is determined that the owner qualifies for a 90% reduction in their impact fee (40% for treating their roof and 50% for treating their driveway, see Table A below). The new fees are calculated as follows:

Adjusted Fee = (Administrative Fee of \$20.58) + (\$41.80 Impact Fee - 90%) = \$24.76





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING BMPs



FOR DETACHED SINGLE-FAMILY RESIDENTIAL PROPERTY OWNERS

2016C-SFR

APPLICATION DATE: _____

Table A: Fee Reduction Table for Existing BMP(s) on Single-Family Residential Properties

Type of Impervious Area	% Reduction in Impact Fee if <u>Fully Treated</u> *	Example BMPs needed to fully treat impervious area runoff
Roof	40%	Rain Barrel at each downspout
Driveway	50%	Permeable Pavement, Rain Garden
Other (sidewalk, shed, patio, pool, etc.)	10%	Rain Garden

* Note that the administrative fee (\$20.58) still applies to all accounts. Note that multiple BMPs may be required to fully treat an impervious area type.





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING BMPs



Adam Ortiz | Director

FOR CONDOMINIUM AND MULTI-FAMILY PROPERTY OWNERS

2016C-CO

APPLICATION DATE: _____

This request form to be filled out only if applying for a Clean Water Act Fee reduction on behalf of a condominium Homeowner's Association (HOA).

Name of Condominium Homeowner's Association:

Name of Homeowner's Association Representative:

Homeowner's Association Mailing Address:

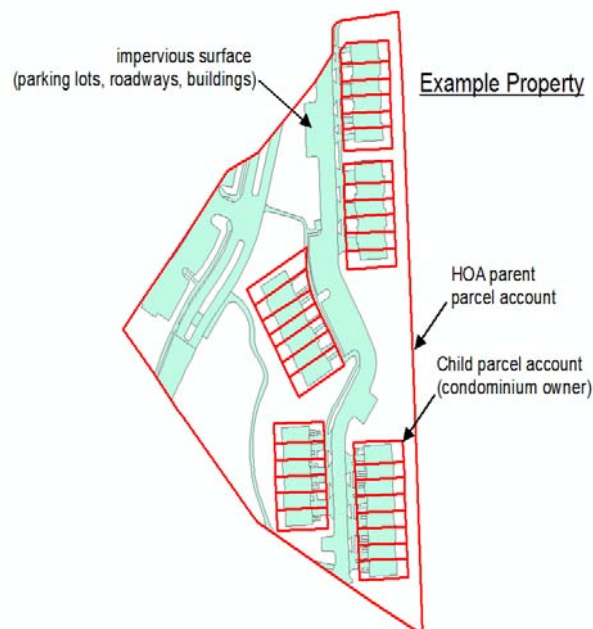
Homeowner's Association City, State, Zip Code:

Homeowner's Association Phone Number w/Area Code:

E-mail Address:

Property Tax Account Number (s) for which you Applying for Credit:

TYPICAL LAYOUT OF CONDOMINIUM PROPERTY UNDER A HOA



Which of the following BMPs exist on the property?
(select one or more)

- ☐ Rain Barrel
- ☐ Cistern
- ☐ Rain Garden
- ☐ Permeable Pavement
- ☐ Other, Describe:

Note: All BMPs are subject to inspections by the County.

Describe types of impervious areas (e.g., roof, driveway, patio, etc.) that are being treated by the above BMPs:

A fee reduction will only be awarded for BMPs that treat the roof, the driveway, and other impervious area types (sidewalk, patio, shed, etc.) See example on the next page showing how County will apply the credit.

OFFICE USE ONLY – FINAL DETERMINATION

QAlert ID: _____

A. ☐ Approved

Recommended % Impact Fee
Reduction: _____

Current CWA (per unit): \$ _____

Adjusted CWA (per unit): \$ _____

B. ☐ Not Approved

Reason: _____

C. ☐ Not Enough Information to Make Determination

Comments: _____

Reviewer Signature: _____

Date: _____

Owner Eligible for Rain Check Rebate? ☐ Yes

☐ No





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING BMPs



Adam Ortiz | Director

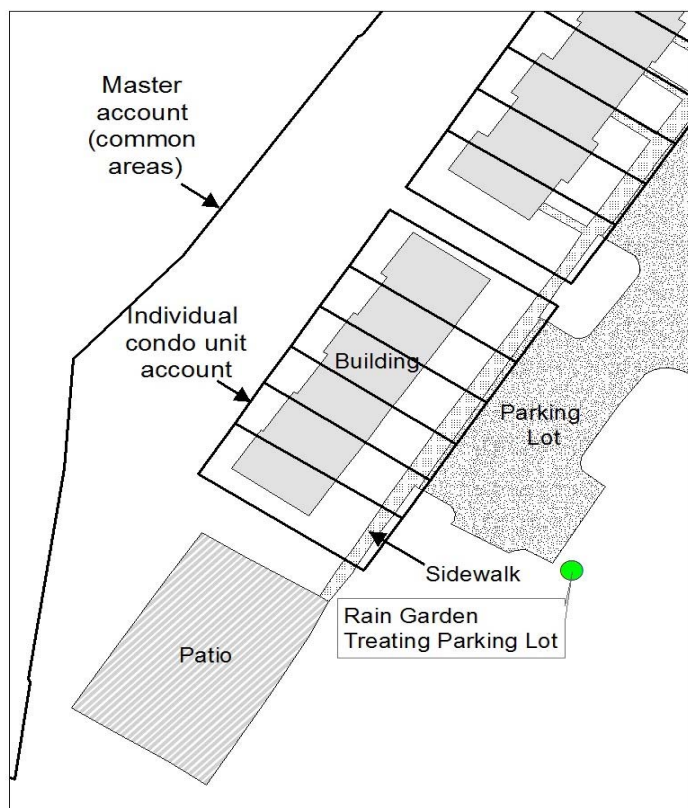
FOR CONDOMINIUM AND MULTI-FAMILY PROPERTY OWNERS

2016C-CO

APPLICATION DATE: _____

Note: Prince George's County promotes on-site controls for water quality and groundwater recharge using Low Impact Development/Environmental Site Design best management practice measures. The County awards credit for reducing up to 100% of the impact fee. See example on following page.

EXAMPLE OF HOW COUNTY APPLIES THE CREDITS



A condominium HOA has 30 individual condominium units and a total of 70 equivalent service units (ESUs; 1 ESU = 2,465 sq.ft.) of impervious area on the combined parcels, including sidewalks, parking lots, patios and buildings. The Impact Fee is calculated as 70 ESUs * \$20.90 / 30 accounts = \$48.77 for each condominium unit. The Administrative Fee is \$20.58 for each condominium unit. Therefore, their total Clean Water Act Fee is \$48.77 + \$20.58 = \$69.35 per account. The HOA applies for a fee reduction for an existing rain garden on the property that treats the parking lot. Based on the type of impervious area treated, the County determines that the HOA qualifies for a 50% reduction in their impact fee (see Table A below). Their adjusted fee is calculated as:

Adjusted Impact Fee = (70 ESUs * \$20.90 - 50%) / 30 accounts = **\$24.38 per condominium unit**

Administrative Fee = **\$20.58**

Total Adjusted Fee = **\$24.38 + \$20.58 = \$44.96 for each condominium unit**

Table A: Fee Reduction Table for Existing BMP(s) on Single-Family Residential Properties

Type of Impervious Area	% Reduction in Impact Fee if <u>Fully Treated</u> *	Example BMPs needed to fully treat impervious area runoff
Roof	40%	Rain Barrel at each downspout
Driveway	50%	Permeable Pavement, Rain Garden
Other (sidewalk, shed, patio, pool, etc.)	10%	Rain Garden

* Note that the administrative fee (\$20.58) still applies to all accounts. Note that multiple BMPs may be required to fully treat an impervious area type.





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING BMPs



FOR CONDOMINIUM AND MULTI-FAMILY PROPERTY OWNERS

2016C-CO

APPLICATION DATE: _____

Certification:

I certify that I have one or more stormwater BMPs on my property that are treating some or all of the impervious area on that property. Furthermore, I agree to allow a County inspector on the property to verify the BMPs and inspect its condition.

Signature of Homeowner's Association President

Print Name

Date

Prince George's County will process your Clean Water Act fee reduction request form and, if necessary, send an inspector out to verify the existing BMPs. Once BMPs are verified and have passed inspection, you will be eligible for a credit towards reducing your impact fee. Credits will appear on the following year's annual property tax bill.

Please submit completed forms as an attachment through the CountyClick 311 website at:
<http://countyclick.princegeorgescountymd.gov/>





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING BMPs



FOR NON-RESIDENTIAL PROPERTIES (INDUSTRIAL, COMMERCIAL, INSTITUTIONAL)

2016C-NR

APPLICATION DATE: _____

To qualify for a Clean Water Act Fee reduction, you must be the current property owner, and the Stormwater Management Facility Best Management Practice (BMP) i.e., pond must have a current inspection record providing proof of maintenance compliance. If you are not sure when the County conducted the last inspection, please contact the Stormwater Management Division, Inspections and Compliance Section at (301) 883-5871.

Please fill in the following information.

Property Owner Name:

Daytime Phone Number w/ Area Code:

E-mail Address:

Property Mailing Address:

Property City, State, Zip Code:

Property Tax Account Number (s) / Inspection Date (s)
where BMP is Located:

Please fill in the following table for each BMP for which you are applying for credit. In order to receive credit, BMPs must be in place, must have been approved and permitted by the County, and must be maintained in good condition. If you are applying for credit for more than two BMPs, please attach a separate sheet with the information below in the same table format. For examples of how the County will apply the BMP credits, see the following pages. All BMPs are subject to inspection by the County.

Table 1: Amount of Fee Reduction To Be Awarded for Existing BMPs and New Environmental Site Design (ESD) practices

BMP/ESD No.	Associated Tax Account Number	Type of BMP/ESD	Estimated Cost of BMP/ESD	% Reduction in Impact (Impervious Area) Fee if Fully Treated ¹
1		<input type="checkbox"/> Roof Treatment		45% (partial credits ³ are available)
		<input type="checkbox"/> Parking Lot Treatment		45% (partial credits ³ are available)
		<input type="checkbox"/> Green Lawn care ²		5%
		<input type="checkbox"/> Reforestation on Pervious Urban		Up to 5%
2		<input type="checkbox"/> Roof Treatment		45% (partial credits ³ are available)
		<input type="checkbox"/> Parking Lot Treatment		45% (partial credits ³ are available)
		<input type="checkbox"/> Green Lawn care ²		5%
		<input type="checkbox"/> Reforestation on Pervious Urban		Up to 5%

¹ Subject to County review and approval; note that administrative fees still apply, and are not subject to a fee reduction.

² To qualify as a green lawn care company, the business must be listed in the Maryland Department of Agriculture's searchable pesticide database under the appropriate license category.

³ Partial credits are also available and are determined by a field inspection.

See link: <http://www.kellysolutions.com/md/Business/searchbyCategory.asp1>





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING BMPs



FOR NON-RESIDENTIAL PROPERTIES (INDUSTRIAL, COMMERCIAL, INSTITUTIONAL)

2016C-NR

APPLICATION DATE: _____

Please submit your request form to Sudhanshu Mishra, Email: spmishra@co.pg.md.us, Phone: (301) 883-5906.

ESD EXAMPLE



Property owner 'A' has implemented a number of BMPs on their lot, including a green roof and cistern to treat the roof, a bioretention facility to treat the parking lot, and green lawn care practices to treat the pervious area on the property (see graphic above). The County determines that the total impervious area on the property is 2.0 Equivalent Service Units (1 Equivalent Service Unit = 2,465 square feet). Their Clean Water Act Fees are calculated as follows:

Administrative Fee = \$20.58
Impact Fee = 2.0 ESUs * \$20.90 = \$41.80
Total Clean Water Act Fee = \$20.58 + \$41.80 = \$62.38

Property owner A applies for a fee reduction credit for the existing BMPs on their lot. Based on a County analysis, it is determined that the BMPs are in fact treating the roof, the parking lot, and the lawn. Therefore, it is concluded that the owner qualifies for a 95% reduction in their impact (impervious area) fee (45% for roof treatment + 45% for parking lot treatment + 5% for green lawn care; see Table 1). The adjusted Clean Water Act Fees is calculated as follows:

Administrative Fee = \$20.58
Adjusted Impact Fee = \$41.80 - 95%(\$41.80) = \$4.18
Total Adjusted Clean Water Act Fee = \$20.58 + \$4.18 = \$24.76





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING BMPs



FOR NON-RESIDENTIAL PROPERTIES (INDUSTRIAL, COMMERCIAL, INSTITUTIONAL)

2016C-NR

APPLICATION DATE: _____

Certification:

I certify that I have one or more stormwater BMP(s) on my property that are treating some or all of the impervious area on that property. Furthermore, I agree to allow a County inspector on the property to verify the BMP(s) and inspect it(s) condition.

Signature of Property Owner

Print Name

Date

Prince George's County will process your Clean Water Act Fee (CWAF) Reduction Request Form and, if necessary, send an inspector out to verify the existing BMP(s). Once BMP(s) are verified and have passed inspection, you will be eligible for a credit towards reducing your impact (impervious area) fee. Credits will appear on the following year's annual property tax bill.

Please submit completed forms as an attachment through the County Click 311 website at:

<http://countyclick.princegeorgescountymd.gov/>

OFFICE USE ONLY - FINAL DETERMINATION

QAlert ID: _____

- A. ☐ Approved
Recommended % Impact (Impervious Area) Fee Reduction:

Current CWAF (per unit): \$ _____

Adjusted CWAF (per unit): \$ _____

- B. ☐ Not Approved
Reason: _____

- C. ☐ Not Enough Information to Make Determination

Comments: _____

Reviewer Signature: _____

Date: _____





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR EXISTING LEGACY STORMWATER MANAGEMENT PONDS



FOR NON-RESIDENTIAL PROPERTIES (INDUSTRIAL, COMMERCIAL, INSTITUTIONAL)

2016C-NRP

APPLICATION DATE: _____

To qualify for a Clean Water Act Fee reduction, you must be the current property owner, and the Stormwater Management Facility Best Management Practice (BMP) i.e., pond must have a current inspection record providing proof of maintenance compliance. If you are not sure when the County conducted the last inspection, please contact the Stormwater Management Division, Inspections and Compliance Section at (301) 883-5871.

Please fill in the following information.

Property Owner Name:

Property Mailing Address:

Daytime Phone Number w/ Area Code:

Property City, State, Zip Code:

E-mail Address:

List Property (ies) that are under the same ownership where the BMP (pond) is located, and associated properties being served by the same BMP (pond) treatment.

Property Tax Account Number(s) / Inspection Date(s)
where BMP (pond) is Located:

Associated Property Tax Account Number(s) Benefitting
from BMP (pond) Treatment:

Amount of fee reduction to be awarded for existing legacy stormwater management ponds will be based on the treated impervious area as per the criteria listed below¹.

- No fee reduction credits for ponds built prior to 1985, unless provide easement to the County to retrofit for partial or full water quality treatment
- Up to 50% (partial credits are available) for ponds built between 1985-2002
- Up to 100% for ponds built post 2002

¹Subject to County review and approval; note that administrative fees still apply, and are not subject to a fee reduction.

Administrative Fee: \$ 20.58 per account.

Impact Fee: \$ 20.90 per account per ESU.

1 ESU (Equivalent Service Unit) = 2,465 Sq. Ft of untreated impervious surface.

Please submit your request form to Sudhanshu Mishra, Email: spmishra@co.pg.md.us, Phone: (301) 883-5906.





Rushern L. Baker, III
County Executive

**CLEAN WATER ACT FEE REDUCTION REQUEST FORM
FOR EXISTING LEGACY STORMWATER MANAGEMENT PONDS**



FOR NON-RESIDENTIAL PROPERTIES (INDUSTRIAL, COMMERCIAL, INSTITUTIONAL)

2016C-NRP

APPLICATION DATE: _____

Certification:

I certify that I have one or more stormwater BMP(s) on my property that are treating some or all of the impervious area on that property. Furthermore, I agree to allow a County inspector on the property to verify the BMP(s) and inspect it(s) condition.

Signature of Property Owner

Print Name

Date

Prince George's County will process your Clean Water Act Fee (CWAF) Reduction Request Form and, if necessary, send an inspector out to verify the existing BMP(s). Once BMP(s) are verified and have passed inspection, you will be eligible for a credit towards reducing your impact (impervious area) fee. Credits will appear on the following year's annual property tax bill.

Please submit completed forms as an attachment through the County Click 311 website at:

<http://countyclick.princegeorgescountymd.gov/>

OFFICE USE ONLY - FINAL DETERMINATION

QAlert ID: _____

- A. ☐ Approved
Recommended % Impact (Impervious Area) Fee Reduction:

Current CWAF (per unit): \$ _____

Adjusted CWAF (per unit): \$ _____

- B. ☐ Not Approved
Reason: _____

- C. ☐ Not Enough Information to Make Determination

Comments: _____

Reviewer Signature: _____

Date: _____





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR ALTERNATIVE COMPLIANCE APPLICATION



FOR A QUALIFIED TAX-EXEMPT RELIGIOUS ORGANIZATION OR OTHER 501 (C) NONPROFIT ORGANIZATION

2016-AC

APPLICATION DATE: _____

*Please fill in the following information if you are a qualified tax-exempt religious organization or other 501(c) nonprofit organization that wishes to apply for alternative compliance status. Applications must be received by March 31 to be eligible for a fee reduction credit in the next taxable year (next July 1 – June 30). Note: All the fields marked with * are required.*

Please fill in the following information.

Name of qualified tax-exempt religious organization
or other 501(c) nonprofit organization*:

Property Tax Account Number*:

Daytime Phone Number w/ Area Code:

E-mail Address:

Property Mailing Address:

501 (c) Account Number*:

Contact Name*:

Select one or more of the following Alternative Compliance Program:

- ☐ **Option 1: Provide Easements – (50% Fee Reduction)**
Property owner agrees to provide the County with a Temporary Right-of-Entry Agreement and Temporary Construction Easement for the County to install stormwater best management practices (BMPs) on the property owned by the organization.
- AND**
- To continue receiving the 50% impervious area fee reduction credit, property owner is required to sign a Maintenance Agreement and continuously maintain the installed BMPs which are subjected to a tri-annual inspection by the Department of the Environment.
- ☐ **Option 2: Outreach and Education – (25% Fee Reduction)**
Property owner agrees to take part in the County's education and outreach campaign to encourage other property owners as well as members of their organization to participate in the County's Rain Check Rebate Program to contribute toward the restoration and protection of County watersheds.

AND/OR

Property owner agrees to host County's representative to organize and/or conduct annually one (1) of the following activities:

- ☐ On-site trash pick-up event
- ☐ On-site recycling and better waste management
- ☐ Host a *Rain Check Rebate Program*
- ☐ Plant at least five (5) trees on site (trees provided through the County *Rain Check Rebate Program*)





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR ALTERNATIVE COMPLIANCE APPLICATION



FOR A QUALIFIED TAX-EXEMPT RELIGIOUS ORGANIZATION OR OTHER 501 (C) NONPROFIT ORGANIZATION

2016-AC

APPLICATION DATE: _____

Note: The organization agrees to conduct the selected activity on an annual basis in order to continue receiving the 25% impervious area fee reduction credit.



Option 3: Green Care and Good Housekeeping – (25% Fee Reduction)

Property owner agrees to use lawn management companies* that are certified in the proper use and application of fertilizers in connection with their landscaping and lawns.

**Companies must be listed in the Maryland Department of Agriculture's searchable pesticide database under the appropriate license category (www.kellysolutions.com/md/pesticideindex.htm). Table 1: Amount of Fee Reduction To Be Awarded for Existing BMPs and New Environmental Site Design (ESD) practices*
AND/OR

Property owner agrees to good housekeeping practices for ensuring clean lots and pledges at least three (3) of the following activities:

- Reduce or eliminate fertilizer and pesticide use and application.
- Conserve water and use water-saving landscape practices.
- Establish and maintain healthy vegetative cover on the grounds of their property.
- Keep their site clean by regularly sweeping up trash and debris.
- Responsibly manage common chemicals used and stored on their property, and properly dispose of hazardous products or materials.
- Practice proper pollution prevention measures.
- Other: _____





Rushern L. Baker, III
County Executive

CLEAN WATER ACT FEE REDUCTION REQUEST FORM FOR ALTERNATIVE COMPLIANCE APPLICATION



FOR A QUALIFIED TAX-EXEMPT RELIGIOUS ORGANIZATION OR OTHER 501 (C) NONPROFIT ORGANIZATION

2016-AC

APPLICATION DATE: _____

Certification:

I certify on behalf of the qualified tax-exempt religious organization or other 501(c) nonprofit organization named above that I will implement the selected option(s) checked in order to achieve alternative compliance status and be eligible for an impervious area fee reduction credit. Further, I understand that failure to continue implementing these selected option(s) may result in a suspension of the impervious area fee reduction credit.

Signature of Property Owner

501 (c) Certification Number

Print Name

Date

Prince George's County will process your Alternative Compliance Program application form and, if necessary, send an inspector out to verify that practice(s) are being implemented as described. Forms submitted by **March 31** will be eligible for an impervious area fee reduction credit beginning on next year's annual property tax bill.

Please submit completed forms as an attachment through the County Click 311 website at:

<http://countyclick.princegeorgescountymd.gov/>

OFFICE USE ONLY - FINAL DETERMINATION

QAlert ID: _____

- A. ☐ Alternative Compliance Approved
- B. ☐ Alternative Compliance Denied
- C. ☐ Not Enough Information to Make Determination

Comments: _____

Reviewer Signature: _____

Date: _____

