



City of New Albany Stormwater Board Policy 2008

This Policy documents and communicates to the General Public, City Staff and Elected Officials the Stormwater Board's intentions for conducting business. It provides overriding guidance and procedures for the framework in which the Board will administer its duties and hold itself accountable.

1. Mission

A. Enabling Authority and Responsibilities

The City of New Albany Common Council adopted the following ordinances related to stormwater management. The Mission of the Board is to administer these ordinances.

- i. **Stormwater Board Establishment Ordinance**
(Ordinance No. G-06-07) – Chapter 33, Code of Ordinances
- ii. **Stormwater User Fee Ordinance**
(Ordinance No. G-05-52) - Chapter 56, Code of Ordinances
- iii. **User Fee Regular Rate Established**
Chapter 56, Code of Ordinances
- iv. **Construction Runoff Quality Management Ordinance**
(Ordinance No. G-06-03) - Chapter 56, Code of Ordinances
- v. **Post-Construction Runoff Quality Management Ordinance**
(Ordinance No. G-06-04) - Chapter 56, Code of Ordinances
- vi. **Illicit Discharge Detection and Elimination Ordinance**
(Ordinance No. G-06-02) - Chapter 56, Code of Ordinances
- vii. **Drainage Ordinance**
(Ordinance No. G-98-230) - Chapter 54, Code of Ordinances

B. Goals & Objectives Summary

The Stormwater Board's primary functions are to implement stormwater related City ordinances by:

- i. Providing fiduciary oversight of the stormwater user fee.
- ii. Overseeing implementation of the stormwater quantity / drainage program.
- iii. Overseeing implementation of the stormwater quality program and related permits.

C. Public comments

- i. The Board will receive comments, suggestions and complaints from the public regarding stormwater quality and quantity.
- ii. The Board will put tools in place that provide for the centralized collection, documentation of comments from the public, elected officials, City staff and related stakeholders for distribution to the appropriate City staff member. Effective November 1, 2006 that mechanism will be comments received through the City's Stormwater Web site at: www.newalbanystormwater.org

- iii. The Board will routinely review the comments in summary form as developed by City Staff. This evaluation will be used to help direct the management of the overall stormwater program and its ability and effectiveness in address concerns of the citizens of New Albany.

D. Level of Service

i. Stormwater Drainage and Flood Control

(1) Stormwater Master Plan

- (a) A stormwater master plan for quantity will be established and maintained to support Board decisions to select and prioritize maintenance and capital projects.
- (b) The master plans will be performed on a watershed basis and update at least every five years.

(2) Drainage Infrastructure Sizing Goals

(a) Detention and Retention Ponds

- (i) Detain or retain the first 0.5-inches, 2-, 10- and 25-year 24-hour design storm event.
- (ii) Emergency bypass of the 100-year 24-hour design storm event.

(b) Curb, Gutter and catch basin systems convey the 10-year 24-hour design storm event.

(c) Bridges, culverts, channels and cross-drains convey the 25-year 24-hour design storm event.

(d) Critical Service roads, such as those servicing hospitals, emergency shelters and emergency egress routes, are to be protected so as not to be inundated by more than three (3) inches of water over one-half the roadway width under the 100-year 24-hour design storm event.

(e) Other new roads are to be protected so as not to be inundated by more than six (6) inches of water overtopping under the 25-year 24-hour design storm event.

(f) Other existing road protection roads are to be protected so as not to be inundated by more than nine (9) inches of water overtopping under the 25-year 24-hour design storm event.

ii. Stormwater Quality

(1) "Rule 13" Permit

(a) The Board will routinely review the IDEM mandated Stormwater Quality Management Plan (SWQMP) and its elements.

(b) The Board will guide the City in the preparation for and implementation of SWQMP elements on a schedule and in a manner it deems meets the expectation of IDEM and the citizens of New Albany.

- (c) The Board will update the SWQMP on a schedule required by IDEM and communicate its intentions to the Mayor and Common Council regarding any changes in SWQMP approach or methodology.

(2) Stormwater Master Plan

- (a) A stormwater master plan for quality will be established and maintained to support Board decisions to select and prioritize maintenance and capital projects.
- (b) The stormwater quality master plan will be conducted in conjunction with or with consideration of the SWQMP and stormwater quantity master plans.
- (c) The master plans will be performed on a watershed basis and updated at least every five years.
- (d) The master plans will focus on development of the following elements for inclusion in five year budget forecasting:
 - (i) Repair and replacement program with consideration for City resources and capabilities.
 - (ii) Preventative maintenance program with consideration for City resources and capabilities.
 - (iii) Capital improvement projects.

iii. Project Prioritization and Backlog Management

- (1) Drainage issues will be implemented in a prioritized manner. The basic framework for prioritizing drainage improvement efforts will consider:
 - (a) Location within defined easements.
 - (b) Location within defined public right-of-way.
 - (c) Likely frequency of drainage issue.
 - (d) Number of properties potentially affected.
 - (e) Number of residential structures potentially affected.
 - (f) Issues that have been identified by public complaints or comments.
- (2) The Board will not authorize maintenance or capital projects for areas outside of a defined drainage easement or public right-of-way unless flooding or drainage (standing water) are caused by a failure of public drainage system and only in such a case that the resulting system can be maintained through an easement or public right-of-way.
 - (a) General maintenance of ditches, swales and other drainage system infrastructure that are not in drainage easements or public right-of-way shall be the responsibility of the property owner.

Criteria (1-10 points)	Weight
<ul style="list-style-type: none"> • Specifically in Water Quality Permit 10 	8
<i># of Calls/Complaints (separate people)</i>	
<ul style="list-style-type: none"> • 1-3 2 	
<ul style="list-style-type: none"> • 4-10 5 	
<ul style="list-style-type: none"> • 10-20 10 	

(d) Capital Project Prioritization Criteria - These criteria will be applied to projects that are too large or complex to be implemented by City crews or are projects with a contracted value greater than \$75,000.

Capital Prioritization Criteria Table

Criteria (1-10 points)	Weight
<i>Properties Impacted</i>	30
<ul style="list-style-type: none"> • Minor <100 Properties 5 • Major >100 Properties 10 	
<i>Water Quantity Impacts</i>	22
<ul style="list-style-type: none"> • None 0 	
<ul style="list-style-type: none"> • Potential Localized Flooding Danger (without Structures) 5 	
<ul style="list-style-type: none"> • Structure Damage Potential 9 • Master Plan Element 10 	
<i>Water Quality Impacts</i>	18
<ul style="list-style-type: none"> • None 0 	
<ul style="list-style-type: none"> • Master Plan Element 8 	
<ul style="list-style-type: none"> • Potential Drinking Water Impact 10 • Water Quality Permit Element (Specifically) 10 	
<i>Constructability/Feasibility</i>	15
<ul style="list-style-type: none"> • Property Acquisition Needed 2 	
<ul style="list-style-type: none"> • Utility Conflicts 3 	
<ul style="list-style-type: none"> • Karst or Sensitive Feature Impact 5 • Within available properties, without utility conflicts, and accessible 10 	
<i>Permit Feasibility (COE, IDEM, etc.)</i>	15
<ul style="list-style-type: none"> • Unsure 0 	
<ul style="list-style-type: none"> • Low (3 or more permit issues) 2 	
<ul style="list-style-type: none"> • Medium (1-2 permit issues) 5 • High (none required) 10 	

2. Administration

A. Board Membership

The Board membership is prescribed by Ordinance G-06-20 consistent with IC 36-9-23:

Section 4. The membership of the New Albany Stormwater Board shall hereinafter consist of the following:

- a. The Mayor of New Albany, or his/her designee, who shall serve as chairman at all times during his/her tenure in such office.
- b. One (1) member appointed by majority vote of the members of this Common Council, provided that such member shall be a registered professional engineer, and further provided that such member shall not otherwise be a paid or unpaid official or employee of the City. Such member shall serve an initial term of two (2) years.
- c. One (1) member appointed by the majority vote of the members of this Common Council, provided that such member shall not otherwise be a paid or unpaid official or employee of the City. Such member shall serve an initial term of three (3) years.

Section 5. Following the expiration of such initial terms of the members appointed by this Common Council, each such member shall thereafter be appointed to a term of three (3) years. Following expiration of any such term, the previously appointed and serving members shall continue to serve until this Common Council designates their replacement in accordance with the terms of this ordinance.

Section 6. The members of the Board shall be entitled to such compensation as is fixed by the Mayor of New Albany, subject to approval of City Common Council. Each of the members shall be entitled to the payment for reasonable expenses in the performance of their duties.

Board Membership effective January 2008:

- Mr. Ron Carroll – Chairman, Mayor’s Delegate
- Ms. Elizabeth Coyle, PE – Common Council’s Engineer Appointee
- Mr. Gary Brinkworth, PE – Common Council’s Appointee

B. Secretary

The Board shall select a Secretary who need not be a member of the Board. The Board may combine the offices of secretary and treasurer into a single office of secretary-treasurer. The secretary is entitled to compensation as fixed by the Mayor of New Albany, subject to approval of City Common Council. The secretary serves at the pleasure of the Board.

The Board Secretary effective September 29, 2006 is Ms. Tina Haley.

C. Treasurer

The Board shall select a Treasurer who need not be a member of the Board. The Board may combine the offices of secretary and treasurer into a single office of secretary-treasurer. The treasurer is entitled to compensation as fixed by the Mayor of New Albany, subject to approval of City Common Council. The treasurer serves at the pleasure of the Board.

The Board Treasurer effective September 29, 2006 is Ms. Kay Garry.

D. Legal Council

The Board shall select Legal Counsel who is not be a member of the Board and serves at the pleasure of the Board.

The Board Legal Counsel effective January 2008 is Mr. Lee Buchanan.

E. Vice-Chairman

The Board shall select a vice-chairman from the members appointed by City Common Council.

The Board Vice-Chairman effective January 2008 is Ms. Elizabeth Coyle.

F. Board Meetings

i. Regular Board meetings will be held on the second and fourth Thursday of every month at 10:00 am in the City-County Building at 311 W. 1st Street, New Albany, IN. In the event of holidays, emergencies or disasters meetings may be rescheduled or canceled.

ii. Special or Executive Board meetings will be held and advertised in accordance with state law.

iii. General Meeting Agenda

The following will be used as a base meeting agenda. Specific issues will be added to the Agenda with approval of the Board Chairman.

- (1) Call Meeting to Order
- (2) Approval of Minutes
- (3) Public Comment Period
- (4) Communication from Council and Mayor
- (5) Communication from Staff
 - (a) Secretary
 - (b) Treasurer
 - (c) User Fee Billing Administrator
 - (d) Drainage
 - (e) Stormwater Quality

- (6) Old Business
 - (7) Appeals
 - i. User Fee
 - ii. Technical
 - iii. Enforcement
 - (8) New Business
 - (9) Adjournment
 - iv. Public Comment Period
 - (1) Verbal Comments
 - (a) The public will be offered the opportunity to speak at the beginning of Board meetings. Those who wish to provide comment must identify their name and address. The Board will accept comments on specific agenda items.
 - (b) Comments on Drainage Issues- The Board will address verbal drainage complaints after they have been reviewed by Drainage Department staff.
 - (2) Written Comments
 - (a) The public will be offered the opportunity to present written comments at any time. The Board Secretary will provide a form of suitable nature to receive and document drainage complaints and other comments.
 - (b) The Board will receive comments through the City Web site. The Board Secretary will compile them, forward drainage related complaints to Drainage Department staff while forwarding other issues to the Board prior to the Board meeting.
- G. Ordinances Enforcement - HELD IN RESERVE AS OUTLINE**
- i. Plan Review
 - ii. Construction Oversight
 - iii. Point of Contact
 - iv. General Approach
 - v. Procedure for Action

3. Coordination with City Common Council and Mayor

- A. The Board will provide an update to the Common Council and Mayor's Office at least annually on the state of the City's Stormwater Program.
- i. The Annual update will be transmitted to the Common Council by the first business day of July each year.
 - ii. The Annual update will be transmitted in written form and summarized verbally by the Board Chairman if afforded the opportunity by the Common Council.
 - iii. The Annual update will report the number of:
 - (1) Non-drainage complaints and comments received.
 - (2) Drainage complaints and comments received.
 - (3) Drainage complaints addressed with maintenance or capital projects.
 - (4) Maintenance projects completed (repair, replacement and preventative) using City staff.
 - (5) Maintenance projects completed (repair, replacement and preventative) using contracted staff.
 - (6) Capital improvement projects completed using City staff.
 - (7) Capital improvement projects completed using contracted staff.
 - iv. The Annual update will report a financial summary including:
 - (1) revenue collected,
 - (2) accounts receivable,
 - (3) accounts payable,
 - (4) projected next annual budget,
 - (5) suitability of user fee rate, and
 - (6) results of the 3rd party financial reviews or audits
- B. The Board will provide an update to the Common Council and Mayor's Office at least quarterly on the state of the City's Stormwater Program.**
- i. The Quarterly update will be transmitted to the Common Council by the first business day of January, April and October each year.
 - ii. The Quarterly update will be transmitted in written form to the Common Council.
 - iii. The Quarterly Board will report the number of:
 - (1) Non-drainage complaints and comments received.
 - (2) Drainage complaints and comments received.
 - (3) Drainage complaints addressed with maintenance or capital projects.
 - (4) Maintenance projects completed (repair, replacement and preventative) using City staff.

- (5) Maintenance projects completed (repair, replacement and preventative) using contracted staff.
 - (6) Capital improvement projects completed using City staff.
 - (7) Capital improvement projects completed using contracted staff.
- C. Any requests to modify the stormwater user fee base rate shall be submitted to the Common Council with an explanation of why the request should be granted.**

4. City and Contracted Staff Coordination - HELD IN RESERVE AS OUTLINE

- A. Meeting Participation**
- B. Other Coordination Activities**
- C. Drainage Department Staff**
- D. Planning and Zoning**
- E. Soil and Water Conservation District (SWCD) Coordination**

5. Financial Administration

A. Budget Development Process

- i. The Board will develop and administer a 1-year and 5-year budget.
- ii. The Board will start operate on a fiscal year of January 1 through December 31.
- iii. The Board will make its detailed budget available to the public by not later than its first meeting in December and receive comments from the public on the Budget in at least one regular Board meeting.

B. Periodic Rate Analysis

- i. The Board through its annual Budget development process will consider the effectiveness and viability of the stormwater user fee rate structure. Any potential or recommended changes in the rate structure will be communicated the Common Council and Mayor through the Annual Board Report.
- ii. The Board will at least every three years evaluate the fairness and equitability of the stormwater user fee billing policies and administration.

C. Independent Annual Reviews and Tri-Annual Audits

- i. The Board will have an independent audit of the financial system every three years. The review will include an in-depth review of budget administration processes, capacity and related standard audit procedures.
- ii. The Board will have an independent review of the financial system annually. The review will include a general assessment of budget administration processes and capacity.
- iii. The results of Independent Reviews and Audits will be transmitted in full detail within 30-days of receipt to the City Controller, Mayor and Common Council.

D. Costs Oversight

- i. The Board shall review and approve any costs at each regular Board meeting.
- ii. The Board will receive and review monthly reports from the Board Treasurer. Monthly reports will include overall balance on hand, and accounts payable.

E. Revenue (User Fee) Oversight

- i. The Board will receive and review monthly reports from the City Utilities Billing Director.

- ii. Monthly reports will include accounts receivable, delinquent accounts, user fee credit requests, user fee appeals requests and related matters.
- iii. The Board will conduct annual billing system maintenance to include:
 - (1) Updating the land use inventory with any new developments.
 - (2) Updating the aerial photography inventory.
 - (3) Noting any parcels that have been divided.

6. Process for Receiving and Addressing Complaints

A. Receipt

- i. The Board's preferred method of receiving public comments is the City's Stormwater Web site at www.newalbanystormwater.org.
- ii. For documentation purposes, public comments received by the Board verbally at Board meetings will be summarized and entered into the City stormwater web site complaint management system by the board Secretary.

B. Logging & Documentation

- i. Comments, concerns and complaints received by Board members or Drainage Department staff will be summarized and entered into the City stormwater web site complaint management system.
- ii. The Board will review at least monthly a summary of comments, concerns and complaints received at the City Stormwater web site.

C. Timelines for Appeals

- i. Appeals regarding stormwater user fees, enforcement or technical issues will be brought before the Board.
- ii. User Fee appeals will be received by the City Utilities Billing Director and presented to the Board monthly.
- iii. Technical Appeals will be received through the plan review and construction inspection process. - **HELD IN RESERVE AS OUTLINE**
- iv. Enforcement Appeals will be received through the process. - **HELD IN RESERVE AS OUTLINE**

D. Project Prioritization and Back log Management

- i. The number of complaints and time of listing will be considered in the project prioritization process. See policy **Section 1.D.iii.**

7. IDEM Coordination and Compliance (Adopted by Board 11/3/06)

A. Reporting - MS4 Phase II Permit (IDEM – “Rule 13”)

- i. The Board will put measures in place to comply with annual program progress and compliance demonstration reporting requirements.

- ii. The Board will put measures in place to comply with monthly construction site inspection and enforcement reporting requirements.
- iii. Currently, the Mayor is the certifying agent for SWQMP elements to IDEM. Future certifications or other information requested by IDEM will indicate that the Stormwater Board Chairman as the certifying authority.

B. Other Coordination Activities

- i. In the event of a formal or informal visit by the IDEM, the Board Chairman (or as delegated to the Vice-Chair) and City (or contracted) staff with working knowledge of the SWQMP implementation details will meet with IDEM staff.
- ii. All correspondence with IDEM on behalf of the City will be duplicated to or transmitted with Mayor and Board Chairman.

8. Coordination with Other Agencies - HELD IN RESERVE AS OUTLINE

- A. **Correspondence with IDEM on behalf of the City will be duplicated to or transmitted with Mayor and Board Chairman.**

9. Process for Appeals - HELD IN RESERVE AS OUTLINE

A. User Fee Credits and Adjustments

- i. Receipt
- ii. Logging
- iii. Timelines for Appeals

B. Technical Approval (Development)

- i. Receipt
- ii. Logging
- iii. Timelines for Appeals
- iv. Costs

C. Field Enforcement

- i. Receipt
- ii. Logging
- iii. Timelines for Appeals
- iv. Costs

10. Process for Bid Solicitation, Project Completion and Payment

- A. **The process for bid solicitation for projects shall be consistent with the applicable Indiana Code sections.**

- i. Contracts for engineering, architectural, or accounting services shall be governed by IC 36-1-12-3.5.

- ii. For projects with a cost of at least seventy-five thousand dollars (\$75,000) the process for bid solicitation shall be governed by IC 36-1-12-4.
- iii. In accordance with IC 36-1-12-4.5, a bond or a certified check shall be filed with each bid by a bidder in the amount determined and specified by the board in the notice of the letting. The amount of the bond or certified check may not be set at more than ten percent (10%) of the contract price. The bond or certified check shall be made payable to the political subdivision or agency. All checks of unsuccessful bidders shall be returned to them by the board upon selection of successful bidders. Checks of successful bidders shall be held until delivery of the performance bond, as provided in IC 36-1-12-14(e).
- iv. Whenever a project is estimated to cost at least twenty-five thousand dollars (\$25,000) and less than seventy-five thousand dollars (\$75,000), the board must accept quotes pursuant to IC 36-1-12-4.7.
- v. If a public work project is estimated to cost less than twenty-five thousand dollars (\$25,000) and a contract is to be awarded, the board may proceed under IC 36-1-12-5 or IC 36-1-12-4.
- vi. The board shall follow IC 36-1-12-6 when awarding contracts, providing notice to proceed. Furthermore the remedies in IC 36-1-12-6 shall govern when the board fails to issue notice, award, and execute contracts pursuant to the provisions in IC 36-1-12-6. If the successful bidder rejects the award or withdraws the bid notice must be given pursuant to IC 36-1-12-6.
- vii. Public work performed or contracted for on a public building with a cost of more than one hundred thousand dollars (\$100,000) may be undertaken by the board in accordance with the plans and specifications approved by and architect or engineer pursuant to IC 25-4 or IC 25-31.
- viii. Pursuant to 36-1-12-8, the board may award a public work contract for road, street, or bridge work subject to the open price provisions of IC 26-1-2-305. The contract may provide that prices for construction materials are subject to price of materials adjustment. When price adjustments are part of the contract, the method of price adjustments shall be specified in the contract. However, this section does not authorize the expenditure of money above the total amount of money appropriated by the political subdivision or agency for road, street, or bridge contracts.
- ix. In accordance with IC 36-1-12-9, the board, upon a declaration of emergency, may contract for a public work project without advertising for bids if bids or quotes are invited from at least two (2) persons known to deal in the public work required to be done. The minutes of the board must show the declaration of emergency and the names of the persons invited to bid or provide quotes.

An **emergency is defined by IC 36-1-2-4.5** as a situation that could not reasonably be foreseen and that threatens the public health, welfare, or safety and requires immediate action.

- x. Pursuant to IC 36-1-12-10, the board must obtain approval from the state department of health, the division of fire and building safety and other state agencies designated by statute for all plans and specifications for public buildings.

B. Completion of Projects and Payments

- i. For a project costing at least one hundred thousand dollars (\$100,000) that involves a public building, within (60) days after the completion of a public work project the board must file in the division of fire and building safety a complete set of final record drawings for the public work project. This is in accordance with IC 36-1-12-11.
- ii. When a project is to be performed, the board shall follow the payment processes detailed in IC 36-1-12-12.
- iii. Pursuant to IC 36-1-12-13, a contract for public work must contain a provision for the payment of subcontractors, laborers, material suppliers, and those performing services. The board shall withhold money from the contract price in a sufficient amount to pay the subcontractors, laborers, material suppliers, and those furnishing services.
- iv. Pursuant to IC 36-1-12-15, the board must conform to the wage scale provisions of IC 5-16-7 and the antidiscrimination provisions of IC 5-16-6. The board may consider a violation of IC 5-16-6 a material breach of the contract as provided in IC 22-9-1-10.
- v. A contract for public work by the board is void if it is not let in accordance with the provisions in IC 36-1-12.
- vi. The board shall adhere to IC 36-1-12-17 which governs the contract requirements, payment of claims, final payment and interest for late payment for a contract for street or road work.
- vii. The board shall adhere to the requirements of 36-1-12-18 when specifications are changed or altered and for change orders.
- viii. The cost of a public work project includes the cost of materials, labor, equipment rental, and all other expenses incidental to the performance of the project. The cost of a single public work project may not be divided into two (2) or more projects for the purpose of avoiding the requirement to solicit bids. A bidder or quoter or a person who is a party to a public work contract who knowingly violates this section commits a Class A infraction and may not be a party to or benefit from any contract under this chapter for two (2) years from the date of the conviction. Any board member or officer of a political subdivision or agency who knowingly violates this section commits a Class A infraction. See IC 36-1-12
- ix. For a public works project that may require creation of a trench of at least five (5) feet in depth. IOSHA regulations 29 C.F.R. 1926, Subpart P, for trench safety systems shall be incorporated into the contract documents for a public works project. The contract documents for a public works project shall provide that the cost for trench safety systems shall be paid for as a separate pay item or in the pay item of the principal work with which the safety systems are associated.

- x. A person who submits a bid for a public works contract under this chapter that involves the installation of plumbing must submit evidence that the person is a licensed plumbing contractor under IC 25-28.5-1. If a public works contract under this chapter is awarded to a person who does not meet the requirements of subsection (a), the contract is void.

11. Credits Policy (Adopted by Board 11/17/06; Modified by Board 10/23/08)

A. Background and Purpose

- i. The adoption of the Stormwater User Fee Ordinance (No. G-05-52) authorized the establishment of a stormwater management fee to support the City's efforts to address the new EPA stormwater requirements, operation and maintenance of the stormwater drainage system and flooding and drainage issues.
- ii. In accordance with the Stormwater User Fee Ordinance, Section 7, the intent of the Credits Policy is to recognize the property owners' efforts to reduce stormwater impacts and therefore, decrease the City's level of service for certain properties.
- iii. BMPs must meet the requirements set forth in this policy and go above and beyond the minimum requirements set forth in the 1992 New Albany Stormwater Master Plan in order to be considered for credits toward user fee.

B. Administration

- i. The credits policy shall be **effective January 1, 2007**. It shall be administrated by the City Engineer's office in the Drainage Department. It has been included in Appendix A.
- ii. Maximum credit received will not exceed 40% of the stormwater user fee.
- iii. City staff shall review applications within 10 normal business days of submittal.
- iv. The City of New Albany's management standards are provided in the New Albany BMP Manual.
- v. Applications should be submitted to the:

Tim Marinaro
City Engineer
38 West Tenth Street
New Albany, IN 47150
Phone: (812) 948-5320

- (1) Applications shall contain:
 - (a) Vicinity map illustrating site drainage features.
 - (b) Hydrologic and hydraulic calculations performed.
 - (c) Construction details.
 - (d) Maintenance.
 - (e) Credit estimation calculation.
 - (f) Applicable area for credit determination.
 - (g) Credit application form.
- vi. The credit management facility shall be constructed and inspected by the City Engineer for compliance in accordance with the approved plans, specifications, and design calculations. Credit will become effective when the structure has been completed and is operating properly.
- vii. An easement, right of way or land purchase agreement restricting the use of the property for anything but the intended management facility shall be provided. A copy of the recording instrument shall be submitted (ie, plat).
- viii. Provide regular maintenance for the facility in accordance with the maintenance management plan.

C. Annual Credit Renewal

- i. Annual credit renewal will be administered by the City Engineer.
- ii. Credit shall be renewed annually by way of an Annual Management and Maintenance Report on each facility. Inspections may be performed by City staff to confirm the operation and maintenance of the applied management practice.
- iii. Annual Report Requirements
 - (1) Stormwater user fee account number.
 - (2) Applicant statement certifying that the conditions under which the credit was originally issued have substantially remained the same.
 - (3) Applicant statement certifying that if structural management practices are receiving credit, they are being inspected and maintained within appropriate standards for the management practice.
 - (4) Summary of regular inspection results.
 - (5) Summary of maintenance activities.
- iv. Facility/management practice/activity is maintained as described in the approved application, or if not otherwise described, then within the parameters established by the New Albany Stormwater Best Management Practices (BMP) Manual.

D. Types of Credit

The available credit associated with each Best Management Practice is included in the “Stormwater User Fee Non-Residential Credit Application.”

- i. Education – The goal is to facilitate and promote awareness, appreciation, knowledge, and stewardship of water resources through the development of dissemination of classroom-ready teaching aids.
- ii. Water Quality Treatment Practices – The goal of this credit is to recognize efforts that New Albany area developers have committed to by successfully installing and utilizing water quality treatment management practices that meet or exceed the goals set forth in the application document.
- iii. Detention/Retention – The goal of this credit is to recognize the efforts that New Albany area developers have committed to by building detention/retention management practices that conform to City standards.
- iv. Industrial National Pollution Discharge Elimination Permit (NPDES) – The goal of this credit is to recognize the stormwater management and water quality improvement efforts that New Albany area industries have implemented under the Industrial NPDES Permit Program.
- v. Stream Buffer – This credit recognizes efforts by those nonresidential land owners that have constructed or otherwise protected stream resources with buffers and/or filter strips.
- vi. Filter Strip – This credit recognizes efforts by those nonresidential land owners that have constructed or otherwise protected stream resources with filter strips.
- vii. Swales – The goal of this credit is to recognize the efforts of New Albany area nonresidential landowners that have built drainage control swales.
- viii. Pervious Surfaces – This credit recognizes the efforts of New Albany area nonresidential landowners that use pervious asphalt or concrete in lieu of conventional impervious surfaces.

Appendix A

City of New Albany
Stormwater User Fee Credit Policy and
Application Procedure
2008

Part A: Getting Started

Step A-1 Obtain a credit application form from:

Tim Marinaro
City Engineer
38 West Tenth Street
New Albany, IN 47150
Phone: (812) 948-5320

Step A-2 If you are not familiar with the City of New Albany's management standards it is suggested that you obtain a copy of the New Albany BMP Manual. The New Albany BMP Manual is located at <http://www.newalbanystormwater.org/develop.htm>

Note:

- The maximum credit to be received will not exceed 40% of the stormwater user fee.
- Length of review by City staff will be **about 2 weeks or 10 normal business days.**

Part B: Assemble Data

Step B-1 Vicinity map that illustrates site drainage features

- _____ Adjoining lakes, streams, or other major drainage ways
- _____ Existing and proposed contours
- _____ Impervious delineation and labels (buildings, driveways, etc.)
- _____ Drainage area map, including off-site areas draining through the site
- _____ Size and location of all stormwater structures
- _____ Other permits (i.e. IDEM, Indiana DNR, etc.)

Step B-2 Perform hydrologic and hydraulic calculations

- _____ Hydrologic calculations for undeveloped and developed land uses
- _____ Hydraulic calculations stage-discharge relationships of controls

Step B-3 Construction details

- _____ As-built drawings
- _____ Construction drawing and details of proposed controls

Step B-4 Maintenance

- _____ Maintenance Management Plan
- _____ Maintenance schedule of all operations that affect the efficiency of the structural control including mowing, sediment removal, cleaning, planting, monitoring, watering, and channel restoration

Part C: Credit Estimation Calculation

Step C-1 Calculate the estimated impervious area of property

- Obtain a “user fee” from the user billing statement
- Divide user fee by \$3.17/ERU to determine ERU’s
- Multiply ERU’s by 2500 sq.ft. to determine the approximate amount of impervious area on site

Step C-2 Determine area available for credit on site

- Determine the percentage of property area benefited by the management practice and BMP
- Multiply fraction of property benefited by total impervious area (IA) to obtain modified impervious area (MIA) for amended charge

Percentage of Property Benefited	Total Impervious Area (IA)	Modified Impervious Area (MIA)	Amended User Fee

Part D: Complete the New Albany Stormwater Application Form

Complete and submit data for consideration of application to:

Tim Marinaro
 City Engineer
 38 West Tenth Street
 New Albany, IN 47150
 Phone: (812) 948-5320

Final Steps Necessary to Obtain Credit

1. Provide an easement, right-of-way, or land purchase agreement that ensures the property owners may use the property for anything but the intended management facility in perpetuity. A right-of-entry to the City of New Albany must be included. Submit copy of recording instrument. (i.e. plat)
2. Construct the credit management facility in accordance with the approved plans, specifications, and design calculations and obtain an inspection of the credit management facility by the City Engineer or his/her representative. Credit will become effective when the structure has been completed and is operating properly.
3. Provide regular maintenance for the facility in accordance with the maintenance management plan.

To Maintain Credit

1. Submit an annual management and maintenance report on each facility. At the discretion of the City of New Albany's staff, inspections may be performed in order to confirm the operation and maintenance of the applied management practice. (See Annual Reporting Requirements)
2. Maintain facility/management practice/activity, as described in the approved application; or, if not otherwise described, than within the parameters established by the New Albany Stormwater Best Management Practices Manual.

Additional Requirements

Education Credit

The goal of the Education Credit is to facilitate and promote awareness, appreciation, knowledge, and stewardship of water resources through the development and dissemination of classroom-ready teaching aids. It is beneficial to educate all citizens of the City of New Albany on the importance of Water Quality and how it relates to the community. The City of New Albany will allow the maximum annual credit of 25% to those schools, grades K-12 and post-secondary institutions, public and private, located within the City of New Albany, which can demonstrate that it has successfully implemented a curriculum to educate the students on the benefits of clean water. Eligible hands-on activities for schools could include things like sampling water quality at nearby lakes or streams, or raising native plants used in water quality applications near the school.

Minimum Design Criteria for Education Practices

1. The education practice must be available to 100% of the student population per school.
2. The participating school shall provide a curriculum to the City Engineer that will cover watershed issues in Southern Indiana.
3. Elements that will aid instructing students including special projects, field trips, and guest speakers (visitors) to the classroom who provide benefit with instruction and an open question and answer discussion stressing the importance of improved water quality throughout the community.
4. Other elements approved by the City Engineer.

Procedures for the Education Credit Application

1. Complete a “Stormwater User Fee Credit Application Form”.
2. Attach copies of the following information for the facility under application:
 - a. Provide roster of students, including grade, school, and teacher, who attended watershed workshop, or field trip.
 - b. Provide curriculum discussed over the course of the school year. List any topics discussed, guest speakers, places visited.

Annual Credit Renewal

To maintain the credit, the institution must submit an annual report including the number of students educated and the curriculum.

Water Quality Treatment Practices Credit

The goal of this credit is to recognize efforts that New Albany area developers have committed to by successfully installing and utilizing water quality treatment management practices that meet or exceed the goals set forth in this document. Examples of water quality treatment practices include, but do not exclude, HD separators, pocket wetlands, etc.

Minimum Design Criteria for Water Quality Treatment Practice

1. The finished management practice must be sized to accommodate City of New Albany design storm requirements.
2. The outlet structure must reduce flow and perform safely without danger to downstream structures.

Procedures for the Water Quality Treatment Management Credit Application

1. Complete a “Stormwater User Fee Credit Application Form”.
2. Attach copies of the following information for the facility under application:
 - a. Vicinity map and watershed map;
 - b. Description of site drainage features and drainage plan;
 - c. Hydrologic, hydraulic and credit calculations;
 - d. Construction details;
 - e. Maintenance Information; and
 - f. Any other documentation that supports the management practice.
3. Submit completed application form and support documents to the City of New Albany.

Long-term Maintenance

For the credit to be renewed annually, the *Annual Management Practice Maintenance Certification* must be submitted annually. This practice must be maintained to a level described in the original credit application approval or, if not otherwise described, than within the parameters established by the *New Albany Stormwater Best Management Practices Manual*. It will be automatically renewed annually unless there is an issue with the *Annual Management Practice Maintenance Certification* or an issue is identified by the City during routine inspections, and it is not resolved in a time frame acceptable to the City.

Detention/Retention Credit

The goal of this credit is to recognize the efforts that New Albany area developers have committed to by building detention/retention management practices that conform to City standards. Property owners with detention/retention management practices that improve stormwater management and water quality can apply for up to a 25% reduction in their stormwater service fee, depending on the level of detention or retention provided. If the stormwater BMP is effective for 100% of the site, then the property owner can receive 100% of the available credit. The amount of this credit is based pro-rata on the effectiveness of the BMP including, but not limited to, treating the storm events specified in the City of New Albany Stormwater User Fee Non-Residential Credit Request form. This is provided that the management practices are: built according to City requirements; constructed and functioning properly prior to application; regularly maintained in accordance with the basin's *Long-term Operation and Maintenance Agreement*; and documented with appropriate support information.

Should property owners that do not meet the new minimum requirements make improvements which exceed the new requirements, appropriate credit will be applied in accordance with this section.

Minimum Design Criteria for the Detention/Retention Management Practice

1. The finished management practice must be sized to accommodate City of New Albany design storm requirements.
2. The outlet structure must reduce flow and perform safely without danger to downstream structures.

Procedures for the Detention/Retention Credit Application

1. Complete a "Stormwater User Fee Credit Application Form".
2. Attach copies of the following information for the facility under application:
 - a. Vicinity map and watershed map;
 - b. Description of site drainage features and drainage plan;
 - c. Hydrologic, hydraulic and credit calculations;
 - d. Construction details;
 - e. Maintenance Information; and
 - f. Any other documentation that supports the management practice.
3. Submit completed application form and support documents to the City of New Albany.

Long-term Maintenance

For the credit to be renewed annually, the *Annual Management Practice Maintenance Certification* must be submitted annually. This practice must be maintained to a level described in the original credit application approval or if not otherwise described than within the parameters established by the *New Albany Stormwater Best Management Practices Manual*. It will be automatically renewed annually unless there is an issue with the *Annual Management Practice Maintenance Certification* or an issue is identified by the City during routine inspections, and it is not resolved in a time frame acceptable to the City.

Industrial National Pollution Discharge Elimination Permit (NPDES) Credit

The goal of this credit is to recognize the stormwater management and water quality improvement efforts that New Albany area industries have implemented under the Industrial NPDES Permit Program. New Albany area industries that have an appropriate NPDES Stormwater Permit can apply for up to a 12% reduction in their stormwater service fee. This is provided that: their permit has definable stormwater management and water quality improvement practices; they have implemented all of the proposed management practices; regularly maintain those practices; exceed monitoring goals annually; and submit appropriate support documentation.

Procedures for Industrial NPDES Credit Application

1. Complete a “Stormwater User Fee Credit Application Form”.
2. Attach copies of the following documents for the facility under application:
 - a. Notice of Intent (NOI) to comply with the General Permit or Individual permit;
 - b. Certificate of Coverage (COC);
 - c. Stormwater Pollution Prevention Plan (if applicable); and
 - d. Provide documentation supporting that most recent Notice of Violation (NOV) was 5 years or more prior to date of application (if applicable).
3. Submit completed application form and support documents to the City of New Albany.

Stream Buffer Credit

This credit recognizes efforts by those nonresidential land owners that have constructed or otherwise protected stream resources with buffers and/or filter strips. If the management practices meet City requirements, then a reduction up to 20% in their stormwater service fee may be possible. This is provided that: the management practice is properly constructed and functions appropriately; the practice is regularly maintained; and appropriate support information is submitted.

Minimum Criteria for the Stream Buffer Management Practice

1. Stream Buffer is a minimum 100 feet in length and drains more than 25 acres.
2. Buffer/strip only receives shallow, dispersed flow
3. Credit will be adjusted according to the width of the stream buffer.
 - a. A buffer 25 feet in average width will receive a 5% credit.
 - b. A buffer more than 50 feet in average width will receive a 10% credit.
 - c. A buffer more than 100 feet in average width will receive a 20% credit.

Procedures for Stream Buffer Credit Application

1. Complete a “Stormwater User Fee Credit Application Form.”
2. Attach copies of the following information for the facility under application:
 - a. Vicinity map;
 - b. Description of site drainage features;
 - c. Credit calculations;
 - d. Construction details (if appropriate);
 - e. Maintenance Information; and
 - f. Any other documentation that supports the management practice.
3. Submit completed application form and support documents to the City of New Albany.

Long-term Maintenance

For the credit to be renewed annually, the *Annual Management Practice Maintenance Certification* must be submitted annually. This practice must be maintained to a level described in the original credit application approval or if not otherwise described than within the parameters established by the *New Albany Stormwater Best Management Practices Manual*. It will be automatically renewed annually unless there is an issue with the *Annual Management Practice Maintenance Certification* or an issue is identified by the City during routine inspections, and it is not resolved in a time frame acceptable to the City.

Filter Strip Credit

This credit recognizes efforts by those nonresidential land owners that have constructed or otherwise protected stream resources with filter strips. If the management practice meets City requirements then land owners may apply and receive up to a 7% reduction in their stormwater service fee. This is provided that: the management practice is properly constructed and functions appropriately; the practice is regularly maintained; and appropriate support information is submitted.

Minimum Criteria for the Filter Strip Management Practice

1. Grass filter strip
 - Located as close as possible to runoff source
 - Minimize compaction of underlying soil
2. The filter strip management practice accepts at least 50% of the parking area.

Procedures for Filter Strip Credit Application

1. Complete a “Stormwater User Fee Credit Application Form”.
2. Attach copies of the following information for the facility under application:
 - a. Vicinity map;
 - b. Description of site drainage features;
 - c. Credit calculations;
 - d. Construction details (if appropriate);
 - e. Maintenance Information; and
 - f. Any other documentation that supports the management practice.
3. Submit completed application form and support documents to the City of New Albany.

Long-term Maintenance

For the credit to be renewed annually, the *Annual Management Practice Maintenance Certification* must be submitted annually. This practice must be maintained to a level described in the original credit application approval or if not otherwise described than within the parameters established by the *New Albany Stormwater Best Management Practices Manual*. It will be automatically renewed annually unless there is an issue with the *Annual Management Practice Maintenance Certification* or an issue is identified by the City during routine inspections, and it is not resolved in a time frame acceptable to the City.

Swales Credit

The goal of this credit is to recognize the efforts of New Albany area nonresidential landowners that have built drainage control swales. Nonresidential property owners that construct and maintain swales for stormwater management purposes and water quality management can apply for a maximum 15% reduction in their stormwater service fee. This is provided that the management practice is: built according to City requirements; constructed and functioning properly prior to application; regularly maintained; and documented with appropriate support information.

Minimum Criteria for the Swale Management Practice

1. Must be sized to accommodate New Albany design storm requirements
2. Cannot be used in areas with high water tables
3. Underlying soils must have adequate infiltration capacity
4. Must have a minimum length of 150 ft.
5. Accept a minimum of 50% of the impervious area drained.
6. Channel retention time of 10 minutes

Procedures for Swale Credit Application

1. Complete a “Stormwater User Fee Credit Application Form”.
2. Attach copies of the following information for the facility under application:
 - a. Vicinity map or Plat that illustrates property location;
 - b. Description of site drainage features;
 - c. Credit calculations;
 - d. Construction details;
 - e. Maintenance Information; and
 - f. Any other documentation that supports the management practice.
3. Submit completed application form and support documents to the City of New Albany.

Long-term Maintenance

For the credit to be renewed annually, the *Annual Management Practice Maintenance Certification* must be submitted annually. This practice must be maintained to a level described in the original credit application approval or if not otherwise described than within the parameters established by the *New Albany Stormwater Best Management Practices Manual*. It will be automatically renewed annually unless there is an issue with the *Annual Management Practice Maintenance Certification* or an issue is identified during the City by routine inspections, and it is not resolved in a time frame acceptable to the City.

Pervious Surface Credit

The goal of this credit is to recognize the efforts of New Albany area nonresidential landowners that have provided pervious areas to intercept or interrupt runoff from impervious areas. Land owners with pervious surfaces (i.e. porous asphalt or concrete) equal to or greater than 10% of the impervious area of their property can receive a 10% reduction in stormwater user fees. Those who have pervious surfaces equal to or greater than 25% of the impervious area of their property can receive up to a 25% reduction in stormwater user fees.

Minimum Criteria for the Pervious Surface Management Practice

1. Porous or permeable asphalt or concrete in lieu of conventional asphalt or concrete.

Procedures for Pervious Surface

1. Complete a “Stormwater User Fee Credit Application Form”.
2. Attach copies of the following information for the facility under application:
 - a. Vicinity map or Plat that illustrates property location;
 - b. Description of site drainage features;
 - c. Credit calculations;
 - d. Construction details;
 - e. Maintenance Information; and
 - f. Any other documentation that supports the management practice.
3. Submit completed application form and support documents to the City of New Albany.

Annual Reporting Requirements

Annual reporting is required by all credit recipients to maintain the service fee reduction. A form that may be accompanied by letter or report that describes the status, operation and maintenance of each management practice is to be submitted to the City of New Albany, Drainage Department no later than two weeks (14 days) following the anniversary date of the original credit award. Failure to submit the annual report will result in cancellation of the credit. In addition, the City reserves the right to periodically inspect the credited management practice to assure City requirements are being followed.

The annual report will generally require the following information:

- Stormwater User Fee Account Number;
- Applicant statement certifying that the conditions under which the credit was originally issued have substantially remained the same;
- Applicant statement certifying that if structural management practices are receiving credit, they are being inspected and maintained within appropriate standards for the management practice;
- Summary of regular inspection results; and
- Summary of maintenance activities.

Submit the completed “*Annual Management Practice Maintenance Certification*” form along with any accompanying letters or reports to:

Tim Marinaro
City Engineer
38 West Tenth Street
New Albany, IN 47150
Phone: (812) 948-5320

Forms

- **Stormwater User Fee Application**
- **Stormwater User Fee – Non-residential Credit Request**
- **Stormwater Credit Renewal - Annual Management Practice Maintenance Certification**



City of New Albany Stormwater User Fee Application

SECTION A-CONTACT INFORMATION

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____

Email: _____

Account Number: _____

SECTION B-SITE INFORMATION

Name: _____

Stormwater Billing Account No: _____

Location: _____

Impervious Area: _____ ERU's _____

SECTION C-PROFESSIONAL OF RECORD

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____

Email: _____

Certification:

Name Title – LS or PE #

Signature Date

ENGINEER SEAL

SECTION D-DATA REQUIRED FOR SUBMISSION

Type of Data	Submitted		Accepted	
	Date	Initials	Date	Initials
All Submittals				
1. Mapping				
2. Design Calculations*				
3. Construction Drawings*				
4. Maintenance Agreement and Schedule*				
5. User Fee Calculation				
6. Credit Calculation				
7. Application Form				
Education				
1. Curriculum				
2. Student Roster				
Water Quality Treatment Practices				
1. Documentation Demonstrating Sized to Accommodate New Albany Design Storm Requirements				
2. Outlet Structure Must Reduce Flow and Perform Safely Without Danger to Downstream Structures				
Detention/Retention				
1. Documentation Demonstrating Sized to Accommodate New Albany Design Storm Requirements				
2. Outlet Structure Must Reduce Flow and Perform Safely Without Danger to Downstream Structures				
Industrial NPDES				
1. Permit has definable stormwater management and water quality improvement practices				
2. Implementation of all of the proposed management practices				
3. Regularly maintain management practices				
4. Exceed monitoring goals annually				
5. Submit appropriate documentation, including: <ul style="list-style-type: none"> • Notice of Intent (NOI) to comply with the General Permit or Individual permit; • Certificate of Coverage (COC); • Stormwater Pollution Prevention Plan (if applicable); and • Provide documentation supporting that most recent Notice of Violation (NOV) was 5 years or more prior to date of application (if applicable). 				

City of New Albany
Stormwater User Fee Application
September 2008

Stream Buffer				
1. Minimum 100 feet in length and drains more than 25 acres				
2. Buffer only receives shallow dispersed water				
Filter Strip				
1. Grass filter strip that is located as close as possible to runoff source and minimizes compaction of soil				
2. Practice must accept at least 50% of parking area				
Swales				
1. Sized to accommodate New Albany design storm requirements				
2. Cannot be used in areas with high water tables				
3. Underlying soils must have adequate infiltration capacity				
4. Must have minimum length of 150 feet				
5. Accept a minimum of 50% of impervious area drained				
6. Channel retention time of 10 minutes				
Pervious Surface				
1. Use of porous or permeable asphalt or concrete in lieu of conventional asphalt or concrete				

* Not required for Submittal for Education Credit

City of New Albany
Stormwater User Fee
Non-Residential Credit Request

<input type="checkbox"/> Request for Credit <input type="checkbox"/> Request for Plans Review (Future Credit Application)

Check all categories requested for consideration

Best Management Practice	Available Credit	Requested Credit	Credit Received
Education (K-12 and post-secondary for 100% student population) <input type="checkbox"/> Watershed Issues in Curriculum <input type="checkbox"/> Special projects, trips, etc.	15% 10%		
Water Quality Treatment Practices** (HD separators, pocket wetlands, etc.) <input type="checkbox"/> >50% up to 75% <input type="checkbox"/> 75% up to 95% <input type="checkbox"/> 95% or greater	10% 20% 30%		
Detention/Retention** <input type="checkbox"/> Based on the pro-rata effectiveness of the BMP up to 25% reduction of stormwater fee	25%		
Industrial Permits <input type="checkbox"/> Violation within past 5 years <input type="checkbox"/> No limits exceeded in past 5 years <input type="checkbox"/> No limits exceeded in past 15 years <input type="checkbox"/> Exceed monitoring frequency requirement goals annually	0% 5% 10% 2%		
Stream Buffers** (>100-feet long waterway draining > 25-acres) <input type="checkbox"/> > 25-feet avg. width <input type="checkbox"/> > 50-feet avg. width <input type="checkbox"/> > 100-feet avg. width	5% 10% 20%		
Filter Strips** <input type="checkbox"/> > 50% of PA drained <input type="checkbox"/> > 90% of PA drained	4% 7%		
Swales (>150-feet) ** <input type="checkbox"/> > 50% IA drained <input type="checkbox"/> > 90% IA drained	7% 15%		
Pervious Surfaces <input type="checkbox"/> 10% or greater of impervious area pervious area <input type="checkbox"/> 25% or greater pervious area	10% 25%		
TOTAL*	40% (max)		

*The maximum annual credit to be received will not exceed 40% of the stormwater bill.

** Requires ongoing maintenance to ensure credit is renewed.

DCIA = Directly Connected Impervious Area

IA = Impervious Area

PA = Parking Area

**City of New Albany Stormwater Credit
Annual Management Practice Maintenance Renewal**

Applicant:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: (____) _____ Fax: (____) _____

Email: _____

Account Number: _____

Site / Facility Information:

Name: _____

Location: _____

Type of Management Practice: _____

Inspections Performed (w/ dates): _____

Maintenance Performed (w/ dates): _____

CERTIFICATION:

I hereby request consideration for Maintenance Acceptance. I certify that I have authority to make such a request and authorization for this property. I further certify that the above information is true and correct to the best of my knowledge and belief. I certify that the above stated management practice has been maintained to the prescribed criteria in accordance with the approved application and/or City of New Albany's Best Management Practices Manual and agree to do so. I hereby release the City of New Albany from any maintenance responsibility whatsoever on the above identified management practice located on my property. I agree to provide corrected information should there be any change in the information provided herein.

Name

Affiliation & Title

Signature

Date