



Berkeley County Stormwater Utility Fee

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Understanding Stormwater Runoff

What is Stormwater Runoff?

Stormwater runoff occurs when precipitation from rain or snowmelt flows over the ground. Impervious surfaces like roofs, driveways, streets and sidewalks prevent stormwater from naturally soaking into the ground.

Why is Stormwater Runoff a Problem?

Stormwater can pick up debris, chemicals, dirt, and other pollutants and flow into a storm sewer system or directly to a lake, stream, river, wetland, or coastal water. Anything that enters a storm sewer system is discharged untreated into the waterbodies we use for swimming, fishing, and providing drinking water.



Background of Stormwater Regulations:

- June 1969 - Cuyahoga River caught on fire
- 1972 - Congress Passed Clean Water Act :

The Clean Water Act of 1972 set a goal of having all Waters of the U.S.:

- *Fishable*
- *Swimmable*



Background of Stormwater Regulations:

- 1987 - An amendment to the federal Clean Water Act, called the Water Quality Act (WOA), required the EPA to develop a phased program to regulate stormwater discharges under the NPDES Stormwater Permit Program for municipal discharges . The municipal program includes counties as well as towns and cities. The South Carolina Department of Health and Environmental Control (DHEC) has the authority that was delegated to them by the EPA to administer the Act in South Carolina
- 1990 - EPA issued the NPDES Phase I Storm Water Rule: Requires NPDES Permits for stormwater discharges from the Large and Medium MS4
 - Large Municipal Separate Storm Sewer Systems (MS4s): entities with a population of 250,000 or more. South Carolina has one large MS4 - SCDOT
 - Medium MS4s: entities with a population of 100,000 or more but less than 250,000. The three Medium MS4s in South Carolina are Greenville and Richland Counties and the City of Columbia
- 1999 - EPA next promulgated the Phase II Stormwater NPDES Regulations : Requires NPDES Permits for stormwater discharges from the Small MS4
 - Small MS4 (SMS4) : entities with a population of less than 100,000. In South Carolina 65 SMS4s are covered under SC NPDES General Permit for Stormwater Discharges from Regulated SMS4, SCR030000.

NPDES SMS4 Permit Requirements

- Develop, implement, and enforce a Stormwater Management Program (SWMP) designed to reduce the discharge of pollutants from your SMS4 to the maximum extent practicable (MEP), to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act.
- Best Management Practices (BMPs) selected for each of the “Six Minimum Control Measures” of the SWMP.
- Measurable goals for each Minimum Control Measures.
- The person(s) responsible for implementation of the SWMP.
- Six Minimum Control Measures:
 - *Public Education and Outreach*
 - *Public Involvement/Participation*
 - *Construction Site Stormwater Runoff Control*
 - *Post-Construction Site Stormwater Runoff Control*
 - *Illicit Discharge Detection and Elimination*
 - *Pollution Prevention/Good House Keeping*

Berkeley County Stormwater Program History

- July 23, 2007 - Adopted Stormwater Management Ordinance to develop and enforce a stormwater management program to reduce the discharge of pollutants associated with stormwater runoff and County's stormwater sewer system
- July 1, 2008 - Effective date of SC NPDES General Permit for Stormwater Discharges from Regulated SMS4
- July 1, 2009 – Berkeley County developed SWMP to address Permit requirements.
- February 28, 2011 - SC NPDES General Permit for Stormwater Discharges from Regulated SMS4 expired. Until a new Permit becomes effective, the expired Permit will remain in effect.
- March 3, 2011 - New Draft SMS4 Permit placed on public notice until June 17, 2011
- Public hearing on the Draft Permit to be scheduled.

New NPDES SMS4 Permit Requirements

- Outfall/System Inventory and Screening
- Tracking & Elimination of Illicit Discharge
- Watershed Delineation for Storm Sewer System
- Water Quality Sampling/Monitoring
- Additional Construction/Post-Construction Plan Review, Inspections, Reporting and Enforcement
- Inventory of County Facilities and Stormwater Controls
- Inspections, Prioritization and Maintenance of Stormwater Controls

What if we do not Comply with Permit Requirements?

Enforcement actions for noncompliance with the Permit conditions based on:

- the Federal Clean Water Act;
- the SC Pollution Control Act;
- SC Regulation 61-9;
- the Preamble to the Federal Phase II Storm water NPDES Regulations contained in the December 8, 1999 Federal Register; and
- all applicable Federal and State court rulings.
- Fact: Fine can be up to \$25,000 per day/ per violation or imprisonment up to 2 years per violation.
- Fact: In 2005, Richland County was penalized in the amount of **\$4.6 million** for noncompliance with NPDES Permit conditions. The fine was ultimately settled for **\$830,549.00**.

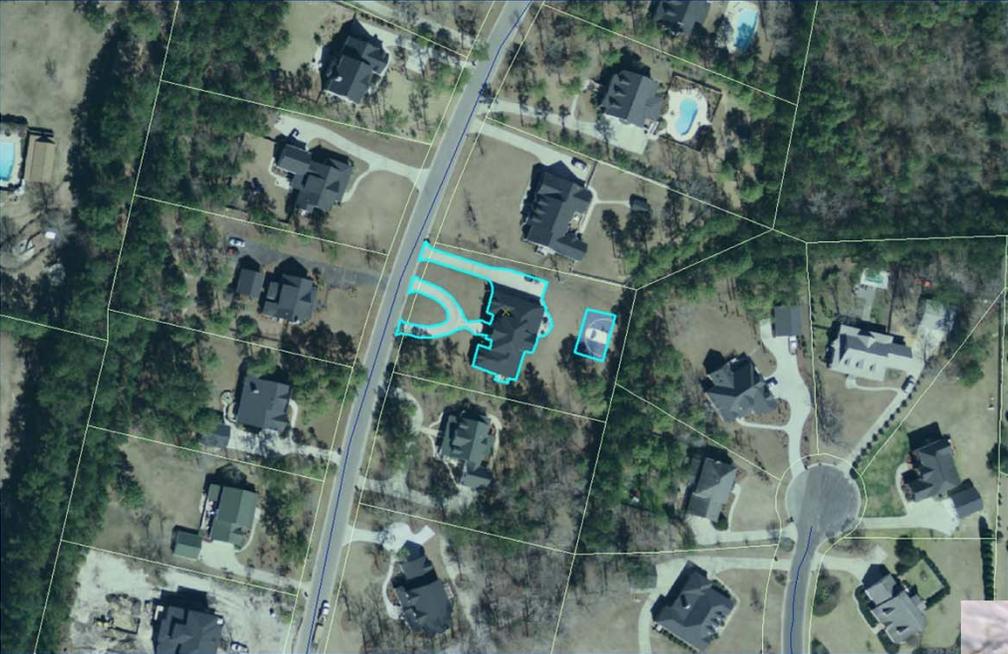
Berkeley County Funding Options

- County Options to Fund Ongoing and New Stormwater Permitting Requirements
 - Continue to Support through the County's General Fund
 - Create New Stormwater Utility Fee Program

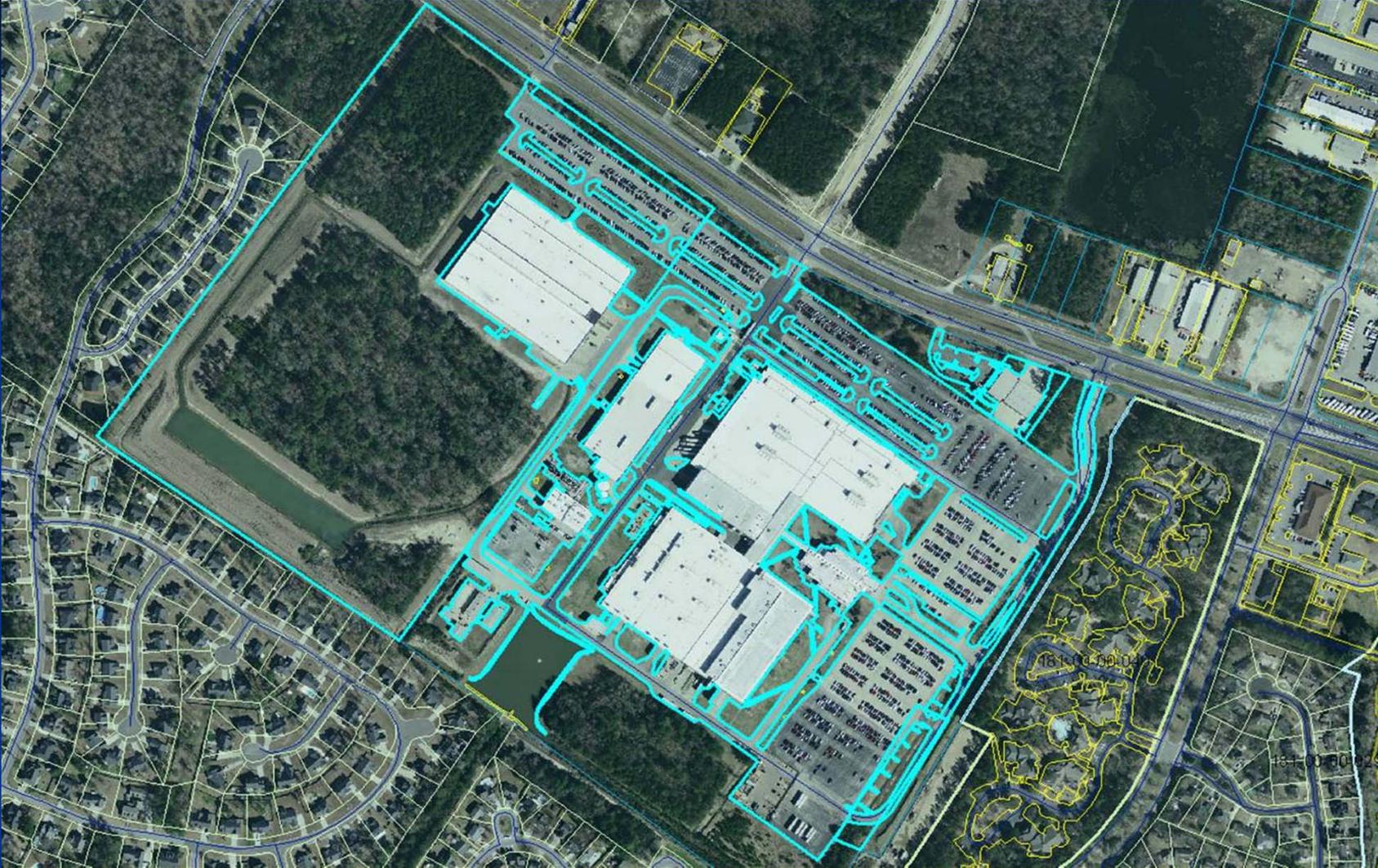
Why Stormwater Utility Fee?

- Meets the County's regulatory requirements of the stormwater Permit
- Easy to understand
- Technically equitable
- Legally defensible
- Includes adequate public relations (Education of public/elected officials)

Residential Property Impervious Area



Commercial/Industrial Impervious Areas



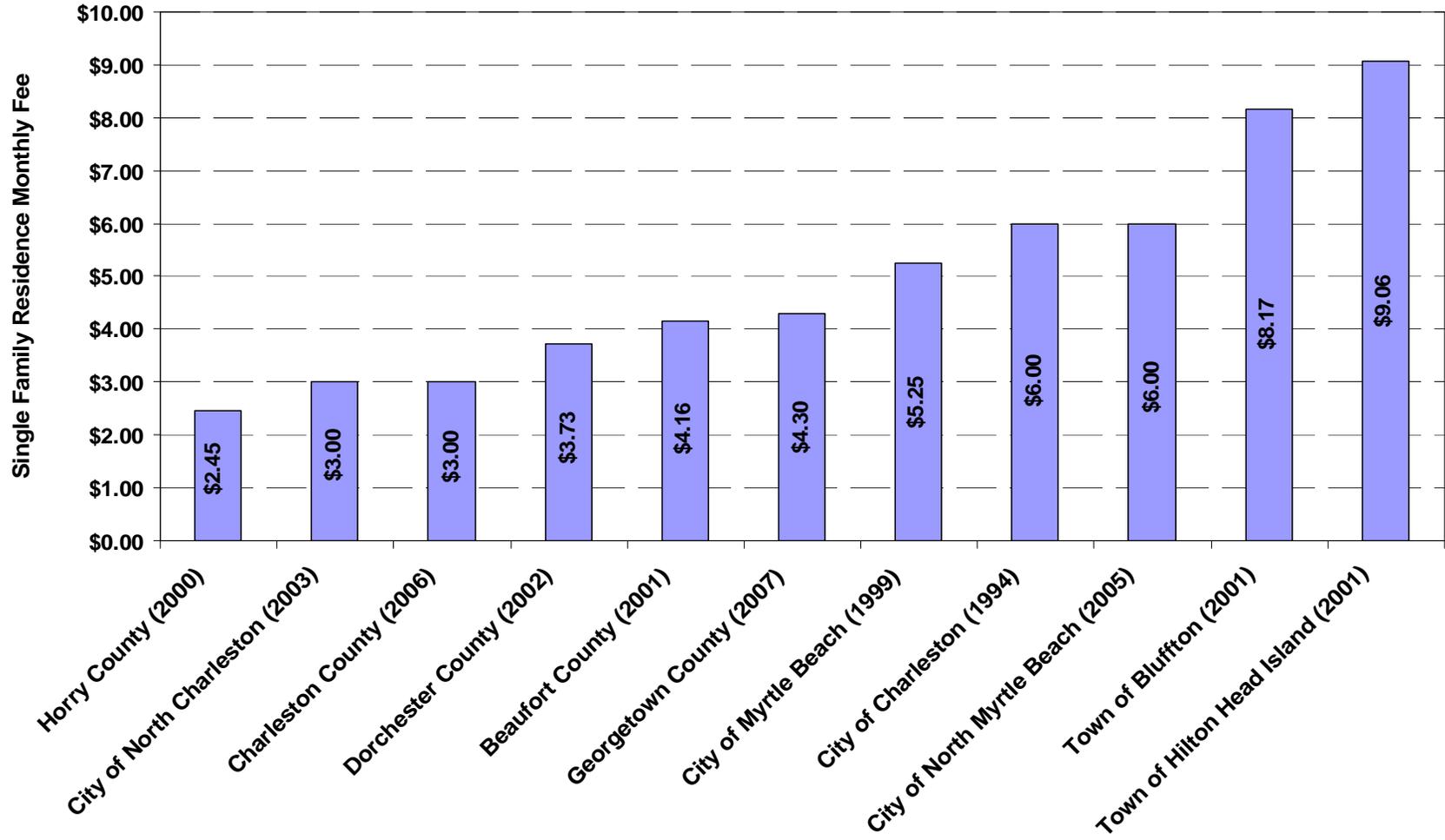
Proposed Annual Stormwater Program Budget

2012 FY Stormwater Program Projected Budget Needs	\$760,800
2013 FY Stormwater Program Projected Budget Needs (Includes conditions of new MS4 Permit)	\$1,400,000
Projected Revenue from \$36/Year Interim Utility Fee	\$1,428,667

Projected Interim Stormwater Utility Fee Revenue

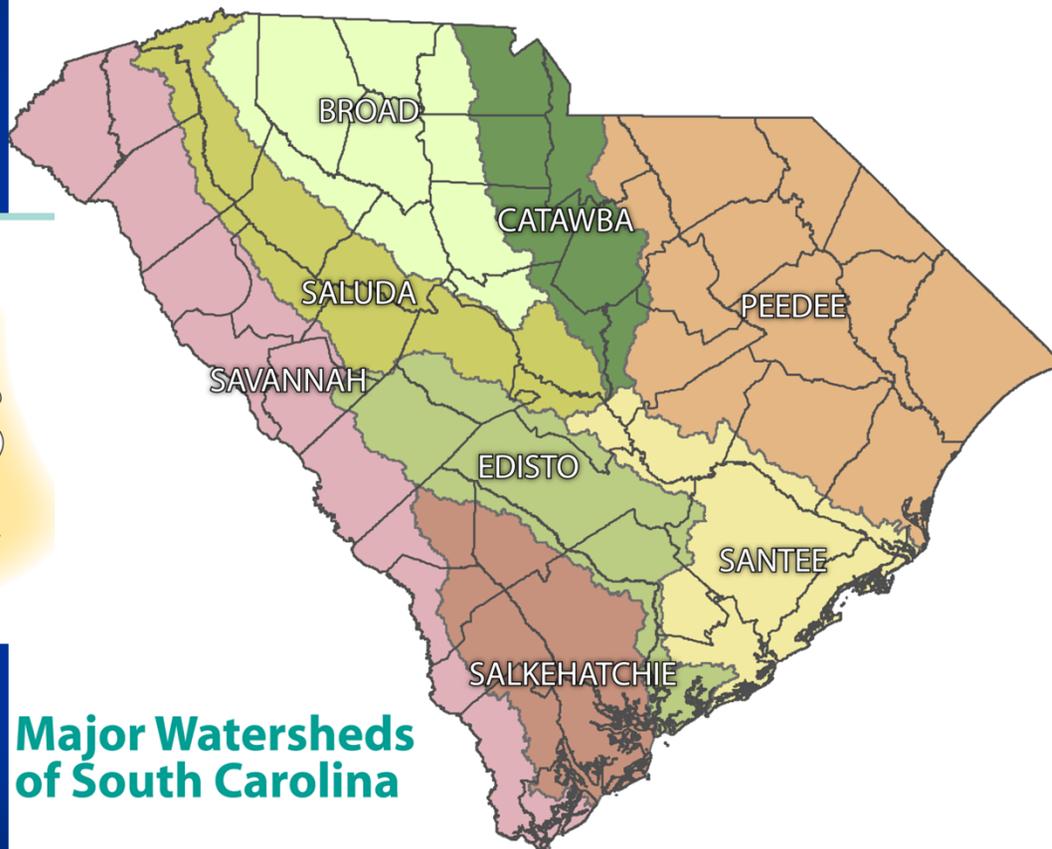
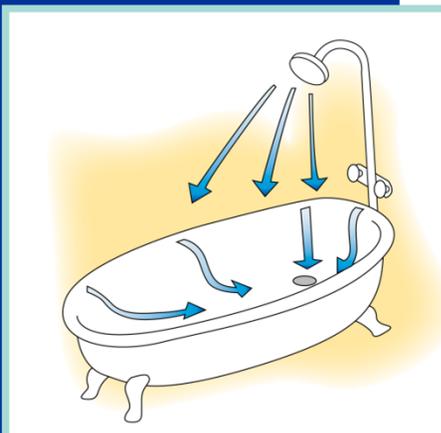
Rate Per Month	Rate Per Year	Interim Revenue	Interim Revenue With 20% No Pay
\$2.00	\$24	\$1,190,556	\$952,445
\$2.50	\$30	\$1,488,195	\$1,190,556
\$3.00	\$36	\$1,785,834	\$1,428,667
\$3.50	\$42	\$2,083,473	\$1,666,778

Stormwater Utility Fees Comparison to Other SC Coastal Communities



We all live downstream

Watersheds connect us all. What we do on the land affects the health of our water resources.



**Major Watersheds
of South Carolina**

Questions/Discussion