



MARYLAND STORMWATER FEE REDUCTIONS

Baltimore City Customer Guidance Document:

HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM



BALTIMORE CITY STORMWATER REMEDIATION FEE HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

HARDSHIP EXEMPTION

State law requires Baltimore City to provide a hardship exemption from its Stormwater Remediation Fee for eligible, tax-exempt organizations that submit an alternative compliance plan that is approved by the Baltimore City Department of Public Works (DPW). See Md. Code, Envir. § 4-202.1(k).

To qualify for a hardship exemption, an organization must document the following conditions:

- a. Exemption from taxation under § 501(c)(3) or (d) of the Internal Revenue Code;
- b. Annual Stormwater Remediation Fee payment must exceed 0.75% of the organization's total annual revenue, including any stormwater fee discounts or credits received. For example:

Scenario #1

Annual Stormwater Remediation Fee (including religious structure reduction) = \$1,320

Total Annual Revenue = \$150,000

$\$1,320 / \$150,000 = .88\%$ Qualifies for hardship exemption

Scenario #2

Annual Stormwater Remediation Fee = \$1,200

Total Annual Revenue = \$250,000

$\$1,200 / \$250,000 = .48\%$ DOES NOT Qualify for hardship exemption

- c. The organization's total annual revenue must not exceed \$1,000,000; and
- d. Ownership of the property, or a copy of the current lease agreement indicating that the organization is responsible for water/sewer charges.

In order to receive a hardship exemption, an organization must also implement an Alternative Compliance Plan (ACP) **that is approved by DPW**. The ACP outlines the actions that an organization will take to reduce stormwater pollution in exchange for a waiver of the stormwater remediation fee.

ALTERNATIVE COMPLIANCE PLAN

As stewards of the environment, we all share responsibility for improving our streams, rivers, and harbor. The ACP provides eligible non-profit organizations the flexibility to protect the environment and reduce the burden on the City's municipal separate storm sewer system by implementing practices to reduce stormwater runoff and pollution.

In order to facilitate the Alternative Compliance Plan, applicants must form a "Green Team" to develop the ACP, coordinate the activities identified in the ACP, and track the results. Green Teams should consist of 5 or more people whose efforts are supported by your organization's executive director or congregational leader.

To be eligible, an ACP must satisfy the requirements in each of the following three (3) categories:¹

¹ If you are unable to install a BMP (Category 1), then you will need to identify additional actions taken in Category 2 and/or 3.

BALTIMORE CITY STORMWATER REMEDIATION FEE HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

CATEGORY 1: INSTALLATION OF AT LEAST ONE BEST MANAGEMENT PRACTICE (BMP)²

A BMP treats stormwater runoff from impervious surfaces to reduce pollution. Acceptable BMPs include:³

- Rain gardens;
- Bio-retention facilities;
- Bio-swales;
- Sand filters;
- Planting five (5) or more trees on-site;
- Rainwater harvesting; or
- Impervious surface removal.

Note: *Grant funding is available for implementation of BMPs. See the Resources section for more information.*

The organization is responsible for the design, installation, and maintenance of the BMP. Applications must provide DPW with the following information: (1) a written proposal and milestone schedule for design and construction, (2) design plans (if applicable), (3) funding plan, (4) a schedule for maintaining the BMP post-construction, and (5) a right-of-entry agreement executed by the property owner or their authorized representative to allow DPW to inspect the BMP. An update report is required within one (1) year after the hardship exemption application is approved, and every year thereafter upon renewal of the hardship exemption and ACP.

In order to maintain the BMP appropriately, the applicant is strongly encouraged to designate a person to undergo stormwater BMP training through the National Green Infrastructure Certification Program (NGICP). Any fees for the Training will be waived by the Department of Public Works. The designee is not required to take the NGICP exam. For more information: <http://ngicp.org/>.

It is the applicant's responsibility to ensure that BMPs are properly maintained and that maintenance is documented appropriately. Notice from DPW of improperly maintained BMPs, as discovered by routine inspection, may be grounds for rescinding the exemption.

CATEGORY 2: OUTREACH AND EDUCATION

The applicant agrees to perform outreach activities and educate its members and/or the surrounding community on how to reduce stormwater runoff. This should include at least three (3) of the following activities annually:

1. Sponsor or participate in four (4) or more community clean-up events.
2. Host at least two (2) rain barrel workshops.
3. Provide information on clean water habits that members can practice at home, including proper disposal of fats/oil/grease (FOG), fertilizer and pesticide reduction, and proper pet waste disposal.
4. Hold at least one (1) "Stormwater Workshop" and/or Clean Water Habits Workshop at your place of worship or non-profit led by a DPW representative.
5. Stencil/decorate five (5) or more storm drains to encourage proper stewardship by the community (coordinate through Blue Water Baltimore's Storm Drain Art Program).

² DPW has the right to deny a BMP if it is deemed not commensurate with the size of the fee or the runoff generated.

³ The type of BMP must be approved by the Maryland Department of the Environment (MDE), as listed in the latest versions of MDE-issued guidance documents. For more information refer to the Guidance Document for Non-Single Family Properties found at <http://publicworks.baltimorecity.gov/stormwater-fee>.

BALTIMORE CITY STORMWATER REMEDIATION FEE HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

CATEGORY 3: GREEN CARE AND GOOD HOUSEKEEPING

The applicant agrees to use a lawn management company⁴ that is certified in the proper use and application of fertilizers in connection with their landscaping and lawns.

AND/OR

The applicant agrees⁵ to implement and document good housekeeping practices that ensure clean lots, and pledges to implement and document at least three (3) of the following activities:

- Reduce or eliminate the use of fertilizers and pesticides.
- Conserve water and/or use water-saving landscape practices, including rain barrels.
- Establish and maintain healthy vegetative cover on the grounds of their property.
- Keep their property clean by regularly cleaning up trash and debris.
- Responsibly manage chemicals used and stored on their property, and dispose of hazardous products or materials properly. Information on household hazardous wastes can be found at <http://publicworks.baltimorecity.gov/recycling-services>.
- Keep any storm drain inlets and surrounding curb gutters free of trash/debris.
- Implement proper FOG practices in the kitchen.⁶

Categories 2 and 3 must be conducted and reported on a yearly basis. Refer to the Tracking Form provided upon approval of the ACP.

RESOURCES

Funding

Baltimore City does not provide grants to implement ACPs. However, the City provides funding through the stormwater utility to finance the Chesapeake Bay Trust's (CBT) Outreach and Restoration grant program as part of the City's activities to fulfill its obligations under Baltimore's Municipal Separate Storm Sewer System (MS4) Permit. CBT has other grant programs that provide financial assistance to implement your ACP. See <https://cbctrust.org/grants/>. In addition, organizations may apply to the State of Maryland's "Bay Restoration Fund," which is administered by the Maryland Department of the Environment (MDE) - <http://www.mde.state.md.us/programs/Water/BayRestorationFund/Pages/index.aspx>

Support/Services

Applicants are encouraged to utilize resources available for planning and installing BMPs, rain barrels, and general stormwater education, including:

- Department of Public Works - <http://publicworks.baltimorecity.gov/>
- U.S. Environmental Protection Agency (EPA)-<https://www.epa.gov/soakuptherain/>
- Maryland Department of the Environment (MDE) -<http://mde.maryland.gov/Pages/index.aspx>
- Blue Water Baltimore - <https://www.bluewaterbaltimore.org/>
- Interfaith Partners for the Chesapeake - <http://www.interfaithchesapeake.org/>
- Civic Works - <https://civicworks.com/>
- TreeBaltimore - <http://treebaltimore.org/>
- The City's "Green Pattern Book" - <http://www.baltimoreresustainability.org/green-pattern-book/>

⁴ Companies must be listed in the Maryland Department of Agriculture's searchable pesticide database (www.kellysolutions.com/md/pesticideindex.htm).

⁵ The Department of Public Works retains the right to inspect any of the activities that are part of the ACP.

⁶ Information on appropriate FOG practices is available online and upon request to DPW.

BALTIMORE CITY STORMWATER REMEDIATION FEE HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

APPLICATION

Applications for the Hardship Exemption and Alternative Compliance Plan can be found at the end of this Guidance Document and at <http://PublicWorks.BaltimoreCity.gov>. Completed applications must be submitted to:

Department of Public Works
Abel Wolman Municipal Building
200 Holliday Street, Room 404
Attn: Customer Support and Services Division
Baltimore, MD 21202
Or Email: PublicWorks@baltimorecity.gov / Subject line: Hardship Exemption

Upon approval of the alternative compliance plan, the organization must begin tracking milestones for Category 1 and must implement Categories 2 and 3 of the plan within one (1) year of receiving approval from DPW. The organization must re-certify its eligibility for the hardship exemption on an annual basis, including proof that the organization is implementing and maintaining its approved plan. Failure to re-certify will remove the organization from the hardship exemption.

Questions? Please contact DPW at the address above.

RENEWAL PROCESS

Customers receiving a Hardship Exemption must renew the exemption on a yearly basis. It is the customer's responsibility to submit the renewal documentation at least 30 days before the end of the exemption period.

How to Renew

The customer should submit the renewal application provided to them when the hardship exemption was approved. Renewal applications are also available online at DPW's website. The renewal application should include documentation that the stormwater customer has completed the activities listed in the ACP.

Timing of Renewal

No hardship exemption will be provided in perpetuity. An exemption may be rescinded if DPW determines that the customer is not implementing the ACP and the customer fails to provide an adequate explanation and plan for recovery after notice from DPW. The Department will notify the customer by mail of any decisions to rescind the exemption within the approval period.

TRANSFERENCE OF HARDSHIP EXEMPTION

If a property subject to the ACP changes ownership during its approval period, the new owner must notify DPW to determine if the hardship exemption is applicable.



BALTIMORE CITY STORMWATER REMEDIATION FEE HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

HARDSHIP EXEMPTION APPLICATION

Customer Name (on the Account)

Date Submitted _____

Property Address _____

Phone No. _____ **Email** _____

Contact Name _____

Contact Phone Number _____ **Contact Email** _____

Mailing Address (if different from Property Address)

Account Number _____

Please note enclosed documentation

- Proof of tax-exempt letter
- Most recent Form 990, or other certified financial documents that list the revenue of the organization
- Proof of ownership of the property
- BMP Plans (Category #1 under Alternative Compliance Plan)
- Justification letter and documentation if Category #1 of the Alternative Compliance Plan is not feasible. Include a narrative description as to why installing a BMP is not feasible on your property.

Please note that the customer is still obliged to pay the full fee during the Hardship Exemption review process.

ALTERNATIVE COMPLIANCE PLAN APPLICATION

Green Team members (Printed Name and signature)

BALTIMORE CITY STORMWATER REMEDIATION FEE HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

ALTERNATIVE COMPLIANCE PLAN APPLICATION

CATEGORY 1: INSTALLATION OF BEST MANAGEMENT PRACTICES (BMP)

Note all that are applicable:

- Rain gardens
- Bio-retention facilities
- Bio-swales
- Sand filters
- Plant five (5) or more trees on-site
- Other. Describe _____

1. Is the BMP planting trees ONLY. YES ____ NO _____. If YES, then, include a map of where the trees are currently or planned to be planted and photos.
2. Do the BMPs already exist on your property? YES ____ NO _____. If YES, please include as-built or construction plans and photos as part of your application.
3. Do you have design plans, stormwater management plans, or a water audit? YES ____ NO _____. If YES, please include as part of your application along with a narrative justification of how you plan to raise funds to design and/or construct the BMP, including a milestone schedule.
4. If you do not have design plans or a water audit, please include a narrative describing how you plan to secure services and funding for the design of the BMP, including a milestone schedule.

CATEGORY 2: OUTREACH AND EDUCATION

Please select at least three (3) of the following activities:

- Sponsor or participate in four (4) community clean-up events.
- Host at least (2) rain barrel workshops.
- Provide information on clean water habits that members can practice at home, including fats/oil/grease (FOG), fertilizer and pesticide reduction, and proper pet waste disposal.
- Have a presentation by a DPW member to present a "Stormwater Workshop" or fats/oil/grease (FOG) at your place of worship or non-profit.
- Stencil/decorate five (5) or more storm drains to encourage proper maintenance and stewardship by the community.

BALTIMORE CITY STORMWATER REMEDIATION FEE HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

ALTERNATIVE COMPLIANCE PLAN APPLICATION

CATEGORY 3: GREEN CARE AND GOOD HOUSEKEEPING

- The applicant agrees to use a lawn management company that is certified in the proper use and application of fertilizers in connection with their landscaping and lawns.

AND/OR

The applicant agrees to perform good housekeeping practices to ensure clean properties and pledges to implement and document at least three (3) of the following activities:

- Reduce or eliminate fertilizer and pesticide use and application.
- Conserve water and/or use water-saving landscape practices, including rain barrels.
- Establish and maintain healthy vegetative cover on the grounds of their property.
- Keep their property clean by regularly sweeping up trash and debris.
- Responsibly manage common chemicals used and stored on their property, and to dispose of hazardous products or materials properly.
- Keep any storm drain inlets and surrounding curb gutters free of trash/debris.
- Proper FOG practices in the kitchen.

Once approved, the organization will be provided with forms for tracking the activities.

BALTIMORE CITY STORMWATER REMEDIATION FEE HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

ALTERNATIVE COMPLIANCE PLAN TRACKING FORM

Complete all that are applicable. Please include all narrative answers on a separate document with the activity clearly noted.

CATEGORY 1: BMP

1. Provide a narrative update on the progress of installing and/or maintaining your BMP, including any milestones submitted as part of your application.
2. Include photos, plans, and other documentation as appropriate.

CATEGORY 2: OUTREACH AND EDUCATION: Complete all that are applicable

Sponsor or participate in four (4) community clean-up events.

Location	Date	Number of Volunteers	Bags of Trash Collected

Host at least (2) rain barrel workshops.

Location	Date	Number of Participants	Number of Rain Barrels

Provide information on clean water habits that members can practice at home, including fats/oil/grease (FOG), fertilizer and pesticide reduction, and proper pet waste disposal.

Type of Information	Medium (newsletter, flyer, social media, web site, etc.)	Date

BALTIMORE CITY STORMWATER REMEDIATION FEE HARDSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

ALTERNATIVE COMPLIANCE PLAN TRACKING FORM

Hold at least one (1) "Stormwater Workshop" and/or Clean Water Habits Workshop.

Location	Date	Topic	Number of Participants

Stencil/decorate five (5) or more storm drains to encourage proper maintenance and stewardship.

Location	Date	Number of Participants

Include photos of the storm drains as a separate attachment

CATEGORY 3: GREEN CARE AND GOOD HOUSEKEEPING

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

Name of Company	Certification Number

Include a copy of your contract with the company

AND/OR

Please provide a narrative description to each applicable practice:

1. Reduce or eliminate fertilizer and pesticide use and application.
2. Conserve water and use water-saving landscape practices, including rain barrels.
3. Establish and maintain healthy vegetative cover on the grounds of their property.
4. Keep their property clean by regularly sweeping up trash and debris.
5. Responsibly manage common chemicals used and stored on their property, and to dispose of hazardous products or materials properly.
6. Keep any storm drain inlets and surrounding curb gutters free of trash/debris.
7. Proper FOG practices in the kitchen.

BALTIMORE CITY STORMWATER REMEDIATION FEE HARSHIP EXEMPTION AND ALTERNATIVE COMPLIANCE PROGRAM

MILESTONE SCHEDULE

Month	Activity