

**REVISED**  
**OUTFALLS POLICY**  
**Tidelands Resource Council Meeting**  
**December 7, 2011**  
**April 4, 2012 (Revised and Adopted)**

**Background:**

This policy concerns storm water drainage outfall structures.

Two basic types of outfalls are:

- 1) Simple pipes protruding from a wall or bulkhead
- 2) Somewhat more elaborate structures that can include wing walls and scour protection below the mouth of the pipe

In both cases, the focus is where these outfall structures protrude beyond the State's claims line.

State, County and Municipal government entities, as well as developers, currently apply for tidelands licenses for storm water outfall installations and thereby face ongoing payments of license fees. In the case of counties and municipalities located in the State's tidal regions, this can mean a considerable expense in recurring license fees when individual licenses are obtained to cover multiple outfalls within the county or municipality, unless the government entity is savvy enough to ask to consolidate its many licenses under one file. This can also result in increased expenditure of already limited Bureau staff resources to process and track numerous minimal fee licenses.

**Policy:**

The Bureau staff's proposal to the Council is to waive the requirement for applications for outfall licenses where the outfall is 3 feet or less in length or includes structures (i.e. wing walls and scour protection) that occupy 500 square feet or less.

The Council would consider applications for minimum fee grants of \$1,000.00 for storm water outfalls that exceed these criteria. The grants will contain language restricting this class of instrument to the purpose of using and maintaining storm water outfalls. Any other uses would invalidate the grant.

Where outfalls are of the type that protrudes from a bulkhead or wall, a guideline for the acceptable length of pipe should be no more than 5 feet. Bureau staff should be allowed some leeway to deviate from this limit as the situation warrants.

Outfalls, including wing walls and associated scour protection, would need to occupy a minimum of 500 square feet and a maximum of 2,000 square feet of State claimed tidelands to qualify for the minimum grant. Again, Bureau staff should be allowed some leeway to deviate from this limit should individual circumstances warrant.

Outfalls exceeding these criteria, in the judgment of the Bureau staff, will be required to be licensed under the current utility license policy.