

NORTH MIDDLETON TOWNSHIP STORMWATER MANAGEMENT FEE FREQUENTLY ASKED QUESTIONS

1. **What are some terms I should be familiar with?**

MS4: Municipal Separate Storm Sewer System

EPA: Environmental Protection Agency (federal agency)

DEP: Department of Environmental Protection (Pennsylvania agency)

PRP: Pollutant Reduction Plan

BMP: Best Management Practice

ERU: Equivalent Runoff Unit

2. **How does my property affect stormwater runoff?**

Impervious surfaces that prevent the infiltration of water into the ground such as roofs, driveways (both paved and stone), parking lots, and other impervious surfaces on your property impact the amount and quality of stormwater that runs off your property. Stormwater cannot infiltrate into the ground where impervious surfaces have been built, so stormwater runs off these surfaces and ends up in the Township's waterways, causing more frequent flooding and higher water levels. Secondly, stormwater runs off of impervious surfaces more quickly than pervious surfaces, so the flow rate in streams is increased leading to the erosion of streambeds and streambanks. Finally, stormwater picks up trash, debris, sediment, oil, fertilizers, pesticides, and other chemicals as it travels to surface waters. These man-made pollutants degrade water quality and harm the aquatic wildlife species that live in surface waters. Everyone must play a role in reducing the pollution of surface waters through better management of stormwater runoff.

3. **Hasn't the Township always had a stormwater system? Nothing has changed on my property. Why will I be charged now when I haven't been in the past?**

Yes, the Township has had a stormwater system for some time. The Township was first regulated under the Municipal Separate Storm Sewer System (MS4) program in 2013. The MS4 program is a collection of unfunded mandates that are handed down by the federal Environmental Protection Agency (EPA) and administered in Pennsylvania by the state's Department of Environmental Protection (DEP). Prior to 2018, the Township was able to comply with these unfunded mandates using revenue from normal tax collections. Many new federal and state requirements were introduced in March of 2018 in order to combat the water pollution problems identified in FAQ item #2. The most important (and costly) of these is the requirement for the Township to implement the approved Pollutant Reduction Plan (PRP). Compliance with these unfunded mandates is expected to cost the Township \$1,600,000 over the next three years. Tax revenue alone is no longer sufficient to pay for these costs of compliance, so a dedicated stormwater management fee is necessary now even though it has not been necessary in the past.

4. **What exactly do the new federal and state MS4 mandates require? What is a Pollutant Reduction Plan?**

The most costly new MS4 mandate is the Pollutant Reduction Plan (PRP). The PRP outlines the Township's plan to reduce pollutant loads carried by stormwater runoff to impaired waterways including Alexanders Spring Creek, Conodoguinet Creek, Susquehanna River, and Chesapeake Bay so they are safe for their designated uses for recreation and fish habitat. Sediment pollution must be reduced by 10 percent through the construction of new stormwater Best Management Practices

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(BMPs) such as detention basins, retention basins, wetlands, infiltration trenches, vegetated swales, and streambank restorations, and/or the upgrading of existing BMPs. The Township is searching for grants to help lower the costs, but we can't count on grants to provide all the funding for these mandated improvements.

5. How will the Township use the funds collected from the stormwater management fee?

The stormwater system is owned and managed by the North Middleton Township. All stormwater fee revenues are managed by the Township and kept separate from all other Township funds, and must be used solely for the purposes of funding the construction, maintenance and operation of storm water management facilities, systems and management plans per Pennsylvania law. The Township plans to use the funds in the following ways:

- a. **Protection of the environment and impaired waters.** Costs associated with the Pollutant Reduction Plan described in FAQ item #4 are the primary driving force behind the implementation of this stormwater management fee.
- b. **Maintaining and installing stormwater infrastructure.** Miles of piping and other system components such as inlets, catch basins, and concrete endwalls make up the storm drainage system that protects the Township areas from flooding and makes the roads drivable during storms. These systems often represent "forgotten" infrastructure but require maintenance like all other pipe systems. The fee will allow for increased inspection and maintenance of aging infrastructure and the ability to rehabilitate/replace infrastructure that has reached the end of its useful life.
- c. **Education.** The best way to protect stormwater quality and stop pollution is to educate our citizens. We make changes in our behaviors when we learn about the negative consequences they create.
- d. **Additional regulatory requirements.** In addition to the Pollutant Reduction Plan, the MS4 program requires the Township to prepare and submit an annual report to DEP, identify and eliminate illegal discharges to the MS4, maintain a map of the MS4, and provide yearly Good Housekeeping training for municipal employees.

6. What is an Equivalent Runoff Unit (ERU) and how was it calculated?

All properties in the Township have been classified either as "Residential", "Agricultural", or "Non-Residential" based on the use of the property. The average amount of impervious area on a residential property is called an Equivalent Runoff Unit, or ERU. Impervious areas were measured from aerial imagery for the entire Township, and the average impervious area for a residential property was determined to be 3,100 square feet. This 3,100 square feet is the size of one ERU in the Township.

7. How many ERUs are assigned to my property?

All residential properties/units and agricultural properties are charged for one (1) ERU. All non-residential properties are charged multiple ERUs based on the total impervious area on the property. For example, a non-residential property with 32,500 square feet of impervious area would be charged for ten (10) ERUs.

8. How much will I be billed for the stormwater management fee?

All residential properties/units and all agricultural properties are charged for one (1) ERU and will

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be billed \$24 per quarter (\$96 per year). All non-residential properties will be billed \$24 per quarter for each ERU. For example, a non-residential property charged for ten (10) ERUs would be billed \$960 per year.

9. There are no storm sewers on or near my property. Why should I pay a fee?

All properties produce stormwater runoff that eventually reaches local waterways. This runoff contributes to the pollution of local waterways regardless of whether the property has ever flooded or if there are nearby storm sewers. Additionally, all property owners benefit from services provided by the Township that are beyond their property lines, such as street sweeping, storm clean-up, and stormwater improvements throughout the Township. The MS4 and roadway drainage systems serve all Township residents and allow people to commute to work, school, church, local businesses, parks, etc. Stormwater management is a community-wide service and the program costs need to be distributed to all property owners.

10. There is no separate fee or dedicated fund for police protection, fire protection, road maintenance, etc. Why do we need it for stormwater?

Those services (police, fire, roads) are tax-based general services that the Township provides and may be subsidized by other sources. For example, the liquid fuels tax that we pay at the gas pump helps subsidize road maintenance. There are no outside funding sources that subsidize stormwater management.

Stormwater is evolving to be a true utility, just like sewer, water and electricity, because of the regulatory requirements and the amount of infrastructure (pipes, channels, catch basins, etc.) that the Township needs to operate and maintain. These utilities have separate fees because the fee needs to be linked to the services provided. For example, the more water you use the higher your water bill is. The stormwater fee is based on the same principle: the more stormwater your property generates and the less you do to manage that stormwater, the higher your stormwater bill will be.

11. Why not just include the stormwater program costs in our property taxes?

The primary reason for assessing the stormwater fee instead of raising property taxes is to link the amount that each non-residential property pays to the amount of stormwater that is generated on the property. There is not necessarily a correlation between the tax-assessed value of a property and the amount of stormwater that the property generates. Two non-residential properties that have the same amount of impervious area may have very different assessment values for property taxes. The stormwater management fee ensures that those two hypothetical properties would pay the same amount for stormwater management since they have the same amount of impervious area. Another advantage to the fee-based system is that the Township can offer credits to non-residential property owners who operate and maintain stormwater Best Management Practices (BMPs) that help manage stormwater and reduce pollution to surface waters. These credits could not be given under a tax-based system.

12. Will I still be charged even if it doesn't rain for a long time?

Yes, because pollutants build up on surfaces during dry weather, the pollutant potential in stormwater runoff is actually much greater when it has not rained in a long time. In any storm, the initial runoff, or first flush, is the most contaminated. In addition to costs incurred to reduce

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pollution, maintenance of storm water facilities is required whether it rains or not.

13. Does everyone in the Township pay the fee, including tax-exempt properties?

Tax-exempt parcels will not be charged a fee.

14. Isn't this fee really just another tax?

All developed properties contribute stormwater runoff and should pay the stormwater fee just like all developed properties have other utility bills like water, sewer, electricity, etc. Furthermore, the revenue can only be used for stormwater improvements and cannot be redirected for other uses in the way that tax revenues can. This ensures that the Township will have funds to meet all MS4 program requirements and fund their needed stormwater system improvements.

15. I have a retention basin on my property and other properties have no stormwater controls. Can I reduce my fee by properly operating and maintaining this retention basin?

For non-residential properties, yes. For residential properties, no. The Township will offer a Stormwater Management Fee Credit Program to non-residential properties that properly operate and maintain stormwater Best Management Practices (BMPs) and who apply for the credit. These BMPs include detention basins, retention basins, infiltration trenches, pervious pavement, and vegetated swales. The fee credit available to a property depends on the type of BMP and the actual impervious area treated by the BMP. Complete information on the credit program, as well as the application form and list of requirements, are available in the Stormwater Credit Manual.

16. How often will the bills be mailed?

Beginning in April 2021, stormwater management fee bills will be issued quarterly.

17. Will property taxes go down as a result of the stormwater management fee?

The bulk of the stormwater management fund budget consists of services that the Township does not currently provide but are now mandated by heightened regulatory requirements. For this reason, no changes to property taxes are anticipated.

18. How are undeveloped or unoccupied properties treated?

Properties with less than 300 square feet of impervious area are considered undeveloped and will not be charged a fee.

19. How is billing for new properties initiated?

The Cumberland County Assessment office keeps a record of all properties in the Township, owner information, and land use codes. If a new property is subdivided and the new property has existing impervious surfaces, a fee will be calculated for the new property and that fee will take effect on the next stormwater management fee bill. If the new property has no impervious surfaces (for example, the property is a residential lot on which a house has not yet been constructed), the stormwater management fee will begin to be assessed when the Cumberland County Assessment office changes the land use from "vacant" to "residential one-family." When the ownership of an existing property changes, the next stormwater management fee bill will be issued to the new property owner.

20. If I believe my fee was calculated incorrectly, can I appeal it?

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Yes, the Township will consider appeals. The most common is when a property owner who believes that their impervious area calculation is incorrect files an appeal to have the impervious area of the property re-examined. The property owner must provide a detailed estimate of the impervious area on the property for the appeal to be considered. The appeal form is available on the Township's Stormwater Utility Fee / MS4 page.