

# Fountain Hill Borough - Stormwater Management Program

## FREQUENTLY ASKED QUESTIONS (FAQs)

### **1. Why do we need to manage stormwater in Fountain Hill and why am I being assessed a fee for it?**

Public management of stormwater runoff is required by Federal regulations because the amount of stormwater that runs off properties commonly causes flooding, soil erosion, and excessive stream erosion, and carries pollutants from the land, all of which degrades aquatic habitats and impacts downstream waterways. Common pollutants include soils, road grit, trash/litter, nutrients, fertilizers, pesticides, oils, grease, and microplastics.

Programs for stormwater management are mandated by the Federal Clean Water Act, as amended in 1987, and have been developed by the United States Environmental Protection Agency (USEPA) and the Pennsylvania Department of Environmental Protection (PA DEP). Compliance for municipalities with Urbanized Areas, such as the land within Fountain Hill Borough, is mandated by these agencies under a special permit. This permit is known as Municipal Separate Storm Sewer System (MS4) Permit and allows the stormwater runoff from the public stormwater drainage system to discharge into local natural waterways. A requirement of this permit is that stormwater is managed for volume and quality such that it does not impact or impair the receiving waterways.

A stormwater fee is a charge for service related to the mandated compliance (by the Borough) with Federal regulations. The fee provides the primary revenue to support the Borough's stormwater management program.

The stormwater fee revenue is dedicated for use in the Borough's stormwater management program and may not be used for any other purposes.

Historically, local governments' use of service fees for primary program funding began in the early 1970s, and thousands of communities across the United States have adopted similar funding mechanisms to best meet public needs. Fountain Hill's stormwater fee is dedicated to provide revenue to support the Borough's stormwater management program, which includes:

- a. operating and maintaining the stormwater drainage system;
- b. repairing ailing storm sewer infrastructure;
- c. implementing new capital projects for protection and treatment of stormwater runoff;
- d. providing public education about stormwater runoff and its impacts; and
- e. improving regulations related to stormwater management requirements.

## **2. What is meant by the terms “stormwater” and “impervious” and why are they so important?**

Stormwater is the water associated with rainfall and snow melt. Generally speaking, stormwater either soaks into the ground or runs across the land surface to natural waterways and wetlands, noting that a small portion evaporates back into the atmosphere. In natural areas, most stormwater soaks into the ground. In developed settings, most stormwater runoff flows off of the land, flowing across impervious surfaces such as rooftops, driveways, sidewalks, and roads and through a system of channels and pipes, with eventual discharge into natural waterways such as streams, rivers, lakes, ponds, and wetlands.

Within the Borough, most stormwater discharges into piped streams running alongside and beneath our roads, and eventually discharges into the Lehigh River.

The inlet grates in the Borough’s streets are openings to the underground pipe network. Some rainfall and snowmelt water is absorbed into the ground, and over a long period of time, enters the groundwater table. Some stormwater evaporates and is also absorbed by plants, such as grass and trees, which use the water to grow.

Impervious area refers to hardened surfaces that shed water on developed property, such as buildings, sidewalks, paved driveways, garages, patios, tennis courts, basketball courts, and other such features. Impervious areas cause rainwater and snowmelt water to run off the land surface rather than infiltrate naturally into the ground.

Impervious surfaces change the volume (quantity) and velocity (speed) of the stormwater runoff, and often the quality due to soil erosion and transport of other land-borne pollutants. This creates the need for a public drainage system that can carry the runoff safely away from the properties and treat the water off-site for both the increases in quantity and quality prior to discharging “clean” stormwater into our waterways. Wherever possible, these public systems should also infiltrate clean stormwater into the ground to increase groundwater supplies and decrease stream impacts and flooding.

Gravel and stone surfaces are only considered to be impervious when they are installed over submaterial that cannot adsorb water (e.g., compacted clay soil, landscape barriers, etc.). The determination for gravel and stone surfaces to be impervious will be evaluated by the Borough on a case-by-case basis, and in most cases will not be considered impervious, assuming that reasonable infiltration of water is apparent.

## **3. Who is being charged this Stormwater Utility Fee?**

All properties in the Borough with impervious surface coverage are required to pay the fee, with exception of the impervious areas in public roadways (Borough and PennDOT) and railway ballast (tracks), noting that the Borough’s roads are funded by residents/landowners, PennDOT has similar MS4 Program requirements for state roads, and railroad ballast allows infiltration beneath its footprint. Therefore, all land within the Borough is engaged in proper stormwater management. This approach has several advantages. First, it fairly distributes the cost of the Borough’s stormwater services to all properties with impervious area. This concept is similar to measuring usage and calculating fees, respectively, for actual use of drinking water and sanitary sewer services. Second, the amount of the fee must be linked to the

services required, and revenue is deposited into a special fund that can only be used for stormwater management within the Borough. Finally, the approach allows the Borough to provide “credits” to property owners who have implemented practices on their own properties that contribute to meeting the required mandates for managing stormwater (e.g., reducing pollution and reducing quantity of runoff).

The stormwater fee is not a tax; it is a service fee. All developed properties in the Borough are charged the fee on the same basis, including tax exempt properties. The fee is based on the presence and amount of impervious area, as measured in 500 square foot units for which a (current) base fee of \$20 per unit is charged. All properties with impervious areas generate stormwater runoff which must be safely conveyed and treated, and therefore the cost burden should be shared in a fair and equitable manner by all associated landowners.

#### **4. Doesn't the Borough already tax my property and/or my income for stormwater programs? Why is the current level of funding not adequate and how is this different than my water/sewer bill?**

In the past, the Borough has used general revenues to pay for stormwater services, which were very limited prior to recent regulations. The MS4 Permit that the Borough is now required to have under Federal regulations, requires the Borough to improve old stormwater infrastructure, construct new stormwater infrastructure, increase management activities, conduct regular inspections of stormwater facilities, provide educational components, monitor and report results regularly to the PA DEP, and comply with other requirements of the MS4 program.

The prior funding through general revenues is not sufficient to address the increased costs of the new MS4 Permit requirements. Therefore, the Borough Council adopted a stormwater fee approach to ensure dedication of funds for stormwater management and to avoid a tax increase.

The Borough's stormwater system is a completely separate system from the drinking water distribution and wastewater collection systems. Drinking water is treated and provided through distribution pipes to faucets and other use points (e.g., bathroom, kitchen, and laundry appliances, etc.).

Wastewater is water that discharges from your home or business after being used for washing, cooking, etc., and is collected by a series of pipes that lead to the sewage treatment plant, from which clean water is then discharged to the Lehigh River.

Stormwater runoff is generated by rainfall and snow melt events. It travels over impervious surfaces, along roads (e.g., curb and gutter, swales, ditches, pipes, etc.), into stormwater basins/treatment facilities, and ultimately discharges into nearby natural waterways. Stormwater management infrastructure must be constructed in conjunction with land development (i.e., homes, business, roads, etc.) to accommodate the increases in runoff and to treat runoff water quality in order to protect our natural waterways and all of the benefits they provide, such as fishing, swimming, boating, drinking water, etc.

Operation, maintenance, upgrade, and replacement of the drinking water and wastewater systems are managed by Bethlehem Authority and Borough, respectively. Fees are charged based on meter measurements of the amounts of drinking water used by properties and corresponding estimates of

wastewater flows that are then generated. These fees are not based on the actual cost of service to get drinking water and wastewater to and/or from any specific property.

Stormwater services are not paid for by drinking water and wastewater fee revenue. The Borough's stormwater services are provided through the Borough's Public Works Department. The only "meter" for stormwater is the amount of impervious area on each parcel, and therefore is the basis for determining the stormwater fee amount for each parcel.

## **5. How much is the fee? How is it calculated? Who calculated it?**

The impervious surface coverage on a property serves as the "meter" for determining costs for stormwater management services. Stormwater runoff from impervious surfaces (development on properties) creates the need for a publicly operated drainage network to safely convey and treat stormwater prior to discharge into our natural waterways. Stormwater runoff is common to all properties regardless of use (e.g., business, religious, school, government, industry, residential, or other).

The stormwater management fee structure is not an attempt to measure the volume of stormwater runoff from each and every parcel within the Borough, which would be extremely costly and technically challenging to implement. Rather, it is a fair and equitable means for fee determination based on the total amount of impervious coverage on each property, all of which coverage generates similar amounts of stormwater runoff.

Currently, as needed to meet projected program requirements, the annual stormwater fee is \$20 per 500 square feet of impervious area on a given property. Impervious area is determined through review and calculations using high resolution aerial photography. Rates are set by the Borough's Stormwater Authority and will be reviewed and adjusted from time to time to meet changing needs of the MS4 Program requirements.

Two example fee calculations are presented below.

### Example #1 – Typical Residential Property

- a. Residential property with 900 square feet of rooftop and 300 square feet of asphalt driveway = 1,200 square feet of total impervious area
- b. 1,200 square feet divided by 500 square feet per "base unit" = 2.4 base units
- c. 2.4 base units times \$20 per base unit = \$48 Total Stormwater Fee

### Example #2 – Typical Commercial Property

- a. Commercial property with 1,400 square feet of rooftop and 4,000 square feet of asphalt parking area = 5,400 square feet of total impervious area
- b. 5,400 square feet divided by 500 square feet per "base unit" = 10.8 base units
- c. 10.8 base units times \$20 per base unit = \$216 Total Stormwater Fee

See Fountain Hill Borough Resolution 19-02 for additional information about fees and fee calculation. Also, see the Stormwater Management Program Credit Policies and Procedures Manual for information about qualifying and applying for credit against your stormwater fee.

## **6. Is there any way I can reduce my stormwater fee amount, or can the fee be waived?**

The fee cannot be waived, but it can be reduced. Every effort has been made to make this fee as fair and equitable as possible so that all properties contributing to the need for a publicly owned and operated stormwater system share the costs. Fees can be reduced for landowners that install, operate, and properly maintain qualifying stormwater Best Management Practices on their own properties, in full compliance with the Borough's Stormwater Management Program Credit Policies and Procedures Manual.

Property owners that manage their own stormwater runoff on their properties using qualifying stormwater Best Management Practices (BMPs), as detailed in the Borough's Credit Policies and Procedures Manual, may reduce their fee by up to 50%. The remaining 50% is used by the Borough to cover costs for stormwater infrastructure on public lands and roads, as well as other items for compliance with the Borough's MS4 Permit, as required by State and Federal regulations. See the Borough's Credit Policies and Procedures Manual for more information about how to qualify and apply for a potential reduction in your stormwater fee, as well as examples for credit calculations.

## **7. Can I get credit for existing stormwater management facilities on my property applied to this first year's billing?**

Yes. However, due to the timing of fee implementation and collection, the Borough does not have sufficient time to receive, review, and approve credit applications before fees are due. Therefore, property owners who file a credit application during 2020 for existing, qualifying stormwater management controls on their own properties, if approved, will receive credit applied to their 2021 stormwater fee billing. This would be in addition to approved credit against the regular 2021 stormwater utility fee billing. See the Credit Policies and Procedures Manual for additional information about applying for stormwater utility fee credit.

## **8. What activities will be funded by the fee? Who makes these decisions?**

The initial stormwater fee is based upon a 5-year plan, consistent with meeting the regulatory requirements of the current 5-year MS4 Permit issued to the Borough as a result of State and Federal regulations. MS4 Permit requirements include:

- a. Capital projects for stormwater management improvements;
- b. Engineering studies, designs, and permitting related to stormwater management;
- c. Stormwater Management BMP inspection and tracking;

- d. Operation and Maintenance activities for the Borough's stormwater facilities;
- e. Stormwater systems mapping and conditions assessments;
- f. System replacement (pipes, inlets, swales, curbing, etc.);
- g. Equipment needed for stormwater management activities (Street Sweeper, Vacuum Truck, etc.);
- h. Emergency stormwater infrastructure materials for repairs and replacements; and
- i. Compliance with current and new requirements of the MS4 Program.

Existing stormwater-related services traditionally performed by the Borough, such as street sweeping, leaf collection, and land development plan review, will continue to be funded by the General Fund, and not the Stormwater Management Program fees.

## **9. I think the number of billing units shown on my bill is wrong. What can I do?**

The Borough has established a formal appeal process, administered by the Fountain Hill Stormwater Authority Appeals Board and Zoning Office. You may obtain a copy of the appeal application and instructions at <http://www.fountainhill.org/ms4>, or you may contact the Zoning Office at 610.867.0301 to request a copy of the appeal application and instructions. Appeal applications must be received by the Borough within 30 days of the postmarked date that the bill was mailed to you.

## **10. Where can I get more information about the Stormwater Fee, Stormwater Management Program, and Credit Policies and Procedures Manual?**

You can find more information about the Stormwater Fee, Stormwater Management Program, and Credit Policies and Procedures Manual on the Borough's website at <http://www.fountainhill.org/ms4>.

## **11. How can I report a stormwater issue (flooding, dumping, water quality concern, accidental spill, etc.) in my neighborhood?**

To report a stormwater-related issue or to get more information on stormwater facilities in your neighborhood, please contact Borough Hall at 610.867.0301.