



## CITY OF LEBANON STORMWATER MANAGEMENT FEE FREQUENTLY ASKED QUESTIONS (FAQ)

### 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 Residential Unit

SFR Property: Single-Family Residential property

Non-SFR Property: Non-Single Family Residential property

### 2. **How do I affect stormwater runoff?**

If you have a roof, driveway, parking lot, or other impervious surface on your property, you impact the amount and quality of stormwater that runs off your property. Impervious surfaces are those that prevent the infiltration of water into the ground and include all roofs, additional indoor living spaces, patios, garages, storage sheds and similar structures, streets, driveways, sidewalks and vehicle and pedestrian areas that are gravel and crushed stone in accordance with section 1382.201 of the Codified Ordinances of the City of Lebanon. Stormwater cannot infiltrate into the ground where impervious surfaces have been built, so stormwater runs off these surfaces and ends up in the City's streams 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 City 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 City has had a stormwater system for a long time. The City was first regulated under the Municipal Separate Storm Sewer System (MS4) program in 2003. 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 City of Lebanon was able to comply with these unfunded mandates using revenue from normal tax collections. Many new federal and state requirements are being 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 will be the requirement for the City of Lebanon to develop and implement a Pollutant Reduction Plan (PRP). Compliance with these unfunded mandates is expected to cost the City over \$3,400,000 over the next five 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.



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### 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 must outline the City of Lebanon's plan to reduce pollutant loads carried by stormwater runoff to impaired waterways including the Quittapahilla Creek, Susquehanna River, and Chesapeake Bay so they are safe for their designated uses such as cold water fish habitat, trout stocking, and exceptional value stream. Sediment pollution must be reduced by 10 percent through the construction of new stormwater Best Management Practices (BMPs) such as detention basins, retention basins, wetlands, infiltration trenches, pervious pavement, vegetated swales, and streambank restorations, and/or the upgrading of existing BMPs. In an effort to reduce costs and increase the possibility of receiving grants for this work, the City of Lebanon has joined with Annville Township, the Cleona Borough Authority, North Cornwall Township, North Lebanon Township, and South Lebanon Township to create a joint Pollutant Reduction Plan that will benefit all participants.

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

All stormwater fee revenues must be kept separate from all other City 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 City of Lebanon 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.** Hundreds of miles of piping and other system components such as inlets, catch basins, and concrete endwalls make up the storm drainage system that protects the City of Lebanon 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's reached the end of its useful life. Also, improvements to better control flooding are needed in areas of the City. Additional infrastructure and maintenance will be needed to make these improvements.
- 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 City 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 Residential Unit (ERU) and how was it calculated?

All properties in the City of Lebanon have been classified either as "Single-Family Residential" (SFR) or "Non-Single Family Residential" (non-SFR) based on the use of the property. The average amount of impervious area on a SFR property is called an Equivalent Residential Unit, or ERU. Impervious areas were measured from aerial imagery for a sample of 10% of the City's SFR



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properties, and the average impervious area was 1,780 square feet. This 1,780 square feet is the size of an ERU in the City of Lebanon. The concept of an ERU is closely related to the concept of the Equivalent Dwelling Unit (EDU) that is used for determining sanitary sewer bill amounts. Both are based on the average characteristics of a single-family residence: ERUs are based on the average impervious area and EDUs are based on the average sewage flow.

### **7. How many ERUs are assigned to my property?**

All SFR properties are charged for one (1) ERU. All non-SFR properties are charged multiple ERUs based on the total impervious area on the property. For example, a non-SFR property with 17,800 square feet of impervious area would be charged for ten (10) ERUs. Impervious surfaces are measured from the most recent aerial imagery for the City of Lebanon produced in 2016.

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

All SFR properties are charged for one (1) ERU and will be billed \$60.00 per year. All non-SFR properties will be billed \$60.00 per year for the first ERU and \$12.56 per year for each additional ERU. For example, a Non-SFR property charged for ten (10) ERUs would be billed \$173.04 per year (\$60.00 + 9 x \$12.56).

### **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 City of Lebanon that are beyond their property lines, such as permit compliance, MS4 system maintenance, street sweeping, storm clean-up, and stormwater improvements throughout the City. The MS4 and roadway drainage systems serve all City 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 general services that the City 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 City 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 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



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of stormwater that the property generates. Two 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 City can offer credits to 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, the pollutant potential in stormwater runoff is actually much greater when it has not rained in a long time because pollutants can build up on all impervious surfaces before being flushed out by the next storm. In any storm, the initial runoff, or first flush, is the most contaminated. In addition to costs incurred to reduce pollution, maintenance of storm water facilities is required whether it rains or not.

### **13. Does everyone in the City pay the fee, including non-profits?**

Yes, everyone who owns developed property in the City will pay the fee. This includes homeowners, business owners, schools, farms, churches, industrial sites, warehouses, stores, shopping malls, apartment complexes, and any other type of property with 300 square feet or more of impervious area. Tax-exempt properties are required to pay for other utility charges including electric, water and sewer, and the stormwater fee is no different.

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

Some properties are exempt from taxes, but 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 management and cannot be redirected for other uses in the way that tax revenues can. This ensures that the City will have funds to meet all MS4 program requirements.

### **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?**

Yes, the City of Lebanon offers a Stormwater Management Fee Credit Program. Landowners that properly operate and maintain stormwater Best Management Practices (BMPs) such as detention basins, retention basins, wetlands, infiltration trenches, pervious pavement, vegetated swales, and streambank restorations may apply for credits that reduce their stormwater management fee bill. BMPs are divided into two categories, Tier I and Tier II, based on the pollutant removal performance of the BMPs. BMPs that have lower pollutant removal capabilities, such as traditional dry detention basins, are Tier I BMPs. BMPs that have higher pollutant removal capabilities, such as infiltration basins, wetlands, pervious pavement, etc. are Tier II BMPs. In general, a single-family residential property is eligible for a 50% fee credit for the operation and maintenance of a Tier I BMP or a 100% fee credit for the operation and maintenance of a Tier II BMP if the BMP meets requirements for a minimum treatment area. The fee credit available to a non-single family residential property depends on the type of BMP (Tier I or Tier II) and the actual impervious area treated by the BMP. A non-single family residential property may receive a maximum 50% fee



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credit. Complete information on the credit program, as well as the application form and list of requirements, may be obtained from the City.

### **16. How often will the bills be mailed?**

Stormwater management fee bills will be issued once per year by a third-party billing service. The owner of any property with a fee of \$1,000.00 or more will have the option to pay in quarterly installments.

### **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 City 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 the stormwater management fee. Properties with vacant residential structures, empty commercial or industrial buildings, gravel or asphalt lots, or other impervious surfaces will be charged if the impervious areas total 300 square feet or more. Stormwater runoff is generated from these impervious surfaces whether the property is occupied or not.

### **19. How is billing for new properties initiated?**

The Lebanon County Assessment office keeps a record of all properties in the City, 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 Lebanon 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?**

Yes, the City will consider three types of appeals. A property owner who believes that their impervious area calculation is incorrect may file 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. A survey or analysis performed by a surveyor licensed in the Commonwealth of Pennsylvania is the preferred means of identifying and measuring the impervious area on a parcel. Secondly, a property owner who believes that the classification of his or her property as non-SFR is incorrect may file an appeal to have the classification changed to SFR. This may occur if the Lebanon County Assessment office changes the land use code without the City’s knowledge. Finally, an owner of two adjacent SFR parcels may be billed for a separate ERU for each parcel even if there is only one single-family residence between the two parcels. In this instance, the property owner may file an appeal to have one of the two ERUs waived as long as the total amount of impervious area on the two properties is less than 2,670 square feet (1.5 ERUs). The appeal form and instructions are available from the City.