



# City of Easton

## Storm Water Program Development Project

### Frequently Asked Questions

August 27, 2018

Managing storm water runoff is a necessary and capital-intensive function provided by the City of Easton through a large network of both aboveground and underground infrastructure. By maintaining and improving this large network of infrastructure which includes more than 35 miles of underground pipelines ranging in size from 12" to more than 84", much of which is now over 75 years old, the City is working to protect the health, safety, and welfare of its residents. The City is in the process of evaluating its storm water program to ensure that it complies with all federal and state regulations and to ensure a sound and properly functioning system that will serve future generations. This is a critical time as City leadership looks to build a stormwater program with the right balance of storm system improvements, water quality compliance, green infrastructure, and community development. This Frequently Asked Questions document provides background on Easton's current stormwater program, including how it is funded and how the stormwater program is adapting to achieve both existing and future objectives.

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### **1) What is stormwater runoff?**

Stormwater runoff is the rainwater and snowmelt that flows off land through pipes and swales and then into local streams and rivers. Some rainfall is absorbed into the ground and some evaporates; but much of it simply runs off of properties and is collected by the storm sewer system. As it flows across rooftops, parking lots, and lawns, it accelerates and picks up pollutants which are then ultimately conveyed to the Delaware River, either directly or indirectly via the Lehigh River or Bushkill Creek.

### **2) What is impervious surface?**

Impervious surfaces are hard surfaces that do not allow rain or snow to soak into the soil. These surfaces include rooftops, driveways, patios, sidewalks, and crushed stone parking lots.

### **3) Why do we need to manage stormwater?**

Impervious surfaces prevent stormwater from soaking into the ground. Therefore, the more impervious surfaces we create, the more stormwater flows into our storm system and then ultimately into our streams and rivers. As more water runs off and does not soak into the ground, more oil, grease, sediment, and other pollutants enter our local water bodies. Easton's stormwater drainage network was originally developed to move water out of the City as quickly as possible. Today, the City requires the management of runoff from new development and redevelopment by controlling the amount, quality, and speed of runoff. In addition, the City must make sure that stormwater pipes are maintained and function properly to reduce flooding and the threat of pollution of the Delaware River, Lehigh River, and the Bushkill Creek.

### **4) Is stormwater management a challenge in Easton?**

Yes. The aging storm sewer system is in dire need of investment due to its deteriorating condition and also its critical function of conveying stormwater from properties to receiving waters. In addition, existing and emerging legislation is requiring the installation of new facilities as well as the improvement of existing stormwater assets

Over the years, the City developed or inherited a large network of curbs, gutters, inlets, swales, and pipes to carry runoff to the Delaware River. With time, the drainage system requires increased maintenance to address issues such as pipes collapsing, swales growing thick with weeds, and catch basins crumbling. Fast moving water through the system picks up litter, sediment, and debris, depositing it into local streams and rivers. City crews perform regular inspections and know the location of many of the problem areas that need regular cleaning and frequent repair. However, funding is limited and the City may only be able to make the most critical repairs. When maintenance is not performed, and repairs are not made, pipes degrade or can become blocked, causing streets to flood, property to erode, and increases in the discharge of pollution.

### **5) Are the City's rivers and streams healthy?**

There is room for improvement. Some pollutants originate in Easton while other sources of pollutants are discharged from upstream locations.

- **Bushkill Creek.** The Bushkill flows for 19 miles before it reaches Easton, continuing another three miles in the City before discharging to the Delaware River. Its headwaters are located in Bushkill Township and it drains all or parts of 13 Northampton County municipalities. The stream is designated as a High Quality – Cold Water Fishery by the Pennsylvania Department of Environmental Protection (PADEP) and meets water quality standards for Aquatic Life. PADEP is

considering designating the stream as polluted (*2016 Draft Integrated Water Quality Monitoring and Assessment Report*) as it may not be meeting water quality standards for Recreation. Communities upstream of Easton are already taking action to monitor and reduce sources of pollution to the Bushkill.

- **Delaware River.** Three miles of the Delaware River's 419 miles flow along Easton's eastern border. Beginning in the Catskill Mountains of New York, the Delaware discharges into the Atlantic Ocean between Cape May, NJ and Cape Henlopen, DE. PADEP designates the river as a Migratory Fish - Warm Water Fishery. PADEP's Integrated Report states that sediment in the River at Easton is impaired by Mercury, prompting PADEP to set limits on fish consumption.
- **Lehigh River.** Originating just south of Scranton, the Lehigh River flows 103 miles before entering Easton for its final six miles to discharge into the Delaware River. PADEP's Integrated Report designates the River as a Warm Water Fishery. The River is impaired as it flows through the City for Aquatic Life by Combined Sewer Overflow, Organic Enrichment, Low Dissolved Oxygen, and Urban Runoff from Storm Sewers. Impaired water quality caused by siltation and urban runoff from storm sewers begins as far upstream as Coplay Borough in Lehigh County. The presence of PCB in river sediments in Easton require limits on fish consumption.

## 6) Who decides the City's stormwater management priorities?

Ordinances regarding the management of stormwater are adopted by the City Council, usually at the request of City staff. The Public Works Department prioritizes stormwater projects iders these priorities when creating an annual budget request. The elected officials make decisions on purchasing new equipment, funding large pipe/culvert replacement projects, and directing the Public Works Department to perform services. When needs are identified, staff present recommendations for project funding priorities to the elected officials who approve the spending plan. As the City continues to learn more about how to expand the stormwater program, new priorities may arise that will require additional funding.

## 7) What services does the City of Easton provide?

To meet its responsibility to protect public health, safety, and welfare, the City provides stormwater services in the five keys areas shown below. The estimated cost of providing these basic services during a typical year exceeds \$1.2M. This includes materials, staff time, equipment maintenance, and engineering services:

- **Administration** – Public Works administrative staff coordinate work schedules with outside utility staff to direct stormwater management services. This includes land development inspections, response to property owner complaints, scheduling leaf collection and street sweeping, public education on stormwater topics, and annual budget development.
- **Infrastructure Operations & Maintenance** – The outside utility staff and the highway staff within the Public Works Department provide inspection of the stormwater conveyance network, cleaning and repairing pipes, inlets, and outfalls, and picking up material before it enters the storm sewer as part of a comprehensive street sweeping and leaf collection program.
- **Watershed Planning** – City engineering staff and planning staff maintain mapping of all City underground infrastructure including the storm sewer system. Staff guide the land development plan review process, including the review of proposed stormwater management system designs and the evaluation of the ability of downstream drainage infrastructure to accept changes in flows.

- **Regulation and Enforcement** – To comply with the City’s Municipal Separate Storm Sewer System (MS4) permit issued by PADEP, City engineering staff perform investigations to identify prohibited dumping and unauthorized connections to the drainage system. Staff also lead stormwater outreach and education activities and cooperate with the County Conservation District to inspect active construction projects to prevent sediment discharge from those sites. The City engineer communicates with contractors across the City about the proper disposal of concrete waste and wastewater.
- **Capital Improvements and Equipment** – Public Works crews generally replace smaller sections of failing storm sewer. However, some culverts and pipe segments require specialized repairs that necessitate the involvement of outside contractors. The City tracks all projects and funds them as resources become available.

### **8) How do federal and state water quality permits apply to Easton?**

The Pennsylvania Department of Environmental Protection administers the National Pollutant Discharge Elimination System (NPDES) program in Pennsylvania. The NPDES program is a water quality improvement measure that is a component of the federal Clean Water Act. One aspect of the NPDES program is the municipal separate storm sewer system (MS4) program which authorizes municipalities in urbanized areas such as Easton to discharge stormwater from a public system into waters of the Commonwealth. Easton became a permitted MS4 in 2003 under Phase II of the federal stormwater regulations. To comply with this permit, the City is required to implement 6 minimum control measures which include performs and tracks its activities educating the public about stormwater management, inspects the storm sewer for illegal connections and dumping, and enforces ordinances requiring proper stormwater management best practices as part of the development process.

The City has applied for renewal of its MS4 permit. Beginning in 2019, new permit requirements will require the City to reduce the amount of sediment discharging from the MS4 into local water bodies. Solutions selected by the City may include Green Stormwater Infrastructure (GSI) such as rain gardens, an expanded street tree network, or stormwater filters on inlets.

### **9) Who benefits from stormwater services?**

Everyone benefits from the City’s stormwater management activities which include keeping roads clear of water and debris, reducing the risk of local flooding, protecting public culverts and bridges from damaging floodwaters, and reducing the amount of pollutants entering local water bodies.

### **10) How do we currently pay for these services?**

Currently, the City pays for the stormwater management program through resources appropriated from the City’s General Fund. Stormwater management activities share this funding source with many other City activities. The result is that funding for stormwater management is unstable from year to year and in fact has seen under-investment for many decades as it competes with other City priorities. Therefore, opportunities to plan for capital projects are severely limited.

### **11) What other sources of revenue fund stormwater management?**

The City charges fees for review of permits and land development proposals. These fees pay a portion of the cost for reviewing plans for new development and redevelopment. However, these fees do not fix existing infrastructure problems. Grant funding from the State for stormwater projects is limited and

highly competitive and therefore cannot be depended upon for long-term financing of infrastructure improvements. An assessment of current services, including the need for investment in managing the infrastructure shows that the City may need to double the amount of money currently spent for stormwater programs. The City is considering a method to equitably distribute the cost of stormwater management across all City landowners using a user fee structure that would enable a consistent level of resources. It would allow the City to meet MS4 compliance goals while addressing a long-range plan to sustainably meet local stormwater priorities.

**12) How is a stormwater user fee different from a tax?**

Real estate taxes are collected from parcel owners based on the assessed value of the property. These taxes are managed within the General Fund to cover costs for a variety of general government services including police, fire, and public works. Real estate taxes do not apply to tax-exempt parcels that also place demand on the stormwater system with runoff from buildings and parking areas. In contrast, a user fee is charged to support a specific service, such as gas, electric, or drinking water. A stormwater user fee would distribute the cost of the stormwater management program to every parcel owner for a more fair and equitable assessment.

**13) Who will pay the stormwater fee?**

Every property in Easton with impervious surface of at least 500 square feet will be charged a stormwater user fee. Homeowners, commercial property owners, nonprofit entities, tax-exempt properties, and public facilities, including municipal government and the school district, will pay a fee.

**14) Do public properties pay the fee as well?**

Yes. City, County, or State-owned roads that lie outside parcel boundaries will be charged because the curb and gutter systems, inlets, road-side swales, etc. are an integral part of the City's stormwater conveyance system.

**15) Will tax-exempt property owners be charged this fee?**

The stormwater fee is not a tax; it is a user fee (or service charge). All owners of developed properties in the City contribute stormwater to the system, benefit from the improvements to the stormwater system, and receive stormwater related services under the City's stormwater program. Therefore, the City decided that this fee is the appropriate method to fund repairs and improvements and will be paid by all owners of developed property.

**16) When does the user fee go into effect?**

The City is working towards sending first bills in January 2019 for the December 2018 billing period.

**17) Can the fee be waived?**

No. All properties that contribute to the stormwater system and/or benefit from the City's stormwater services will share in the costs. There may be opportunities to obtain credits if you are the owner of a non-single-family-residential parcel and agree to perform certain work that contributes to the City's MS4 compliance goals. These credits will be based on the criteria listed in the *Appeal and Credit Manual for Stormwater Fees* and requests are evaluated by the City on a case by case basis.

**18) What activities will be funded by a dedicated stormwater fee?**

The revenue provided by the stormwater user fee will support capital improvements and increased maintenance activities in the stormwater system. Revenues will also be used to install Best Management Practices (BMP's) to provide improved water quality for the Lehigh River. These funds can

only be used to support stormwater management programs within the City and cannot be used for other City services.

- Compliance with MS4 permit water quality regulations;
- Operation and maintenance of conveyance structures; and
- Rehabilitation and repair of storm sewer inlets, pipes, culverts, and outfalls.

**19) I'm a Single Family Residential (SFR) parcel owner, how much is my fee?**

The rate structure recommended, would assign each single-family residential property (SFR) (detached houses, twins, and townhomes) with a single billing unit. Beginning in the December 2018 billing period, all SFR parcels will be billed as one unit. This unit is referred to as an Equivalent Residential Unit (ERU) and the rate will be \$xxx per year, or \$xxx per month.

**20) How will the stormwater fee be calculated for non-residential properties?**

Your bill is based on the amount of impervious surface you have on your property. It has been determined (based upon geographical information system analyses and aerial photography) that the typical single family residential parcel in Easton includes approximately 1,797 square feet of impervious surface which is equivalent to one ERU. All non-single family residential (NSFR) properties (such as commercial properties, institutions, and apartment buildings) will be billed one ERU for every 1,797 square feet of impervious surface on their parcel. An example calculation follows.

### SAMPLE STORMWATER USER FEE CALCULATION FOR NSFR PROPERTY

A non-single-family-residential property contains the following impervious features

	<u>Square feet</u>
<b>Building Footprint:</b>	12,000
<b>Parking Areas:</b>	20,000
<b>Sidewalks and other paved areas:</b>	1,200

**To calculate the monthly stormwater fee:**

**Step 1:** Compute the total hard (impervious) area:

Property Impervious Surface Area = Building Footprint + Parking + Sidewalk and other  
Property Impervious Surface Area = 12,000 sq. ft. + 20,000 sq. ft. + 1,200 sq. ft.  
Total Property Impervious Surface Area = 33,200 sq. ft.

**Step 2:** Calculate the number of billing units:

Number of billing units =  $\frac{\text{Total Property Impervious Surface Area}}{1,797 \text{ sq. ft.}}$

Number of billing units =  $\frac{33,200 \text{ sq. ft.}}{1,797 \text{ sq. ft.}} = 18.47$

For billing purposes, billing units are rounded to the nearest whole number.  
Therefore, 18.47 will be rounded to 18 billing units.

**Step 3:** Calculate the annual Stormwater Fee.

Each billing unit is \$xxxx per year.

Stormwater Fee = Number of billing units X billing units Rate

Stormwater Fee = 18 billing units X \$xxxx per billing units

**Stormwater Fee = \$xxxx per year**

#### 21) I am the co-owner of shared facilities and private streets. Who does the stormwater fee go to?

All owners within the parcel boundary that share ownership will be billed with an exception of a parcel when the owner is a condominium association. The total number of billing units associated with a condo/multi-owner property is calculated based upon the total impervious surface on the parcel, including impervious surface from both individual units and common areas.

#### 22) Why base a fee on impervious surface?

In general, the more impervious surface a property has, the more runoff flows from the property. This runoff then results in the demand for the City to provide a publicly-operated storm sewer system along with the programs that address runoff management. Billing based on impervious surface establishes the rational link between the need for a public drainage system and the services required to maintain it and the cost of those services.

**23) How many times a year do I pay the fee?**

The stormwater fee is billed on a monthly basis with your utility bill. For most properties, this is the same bill that contains charges for trash and/or sewer. If your property does not currently receive a utility bill because there is no sewer or trash service, a bill will now be generated for the stormwater fee.

**24) When is the fee due?**

The user fee is due immediately upon receipt of the bill. A late payment penalty will be assessed if bills are not paid in full within 30 days of the billing date.

**25) How will billing be handled for business owners who lease space?**

Fees will typically be charged to the owner of utility account.

**26) Will the fee change in the future?**

According to the proposed ordinance, the City's elected officials can adjust the rate in the future based on needed expenditures to manage the stormwater system and programs. The stormwater program will be evaluated on an annual basis.

**27) My property has stormwater management structures already. Will the fee still apply?**

Yes, all properties are included in the program.

**28) What happens if I don't pay my bill?**

The proposed City ordinance includes a provision that if a landowner fails to pay on time, the City can take action to collect the fee. A late fee will be assessed after xxx days of non-payment. The City of Easton is authorized under the ordinance to [use a collection agency to collect payment, issue a citation, place a municipal lien, initiate a civil suit]. The collection fees and other legal costs may be added to the total owed on the delinquent account.

**29) What if my property is classified incorrectly or I think my impervious surface measurement is wrong? How can I appeal my bill?**

An appeals process will handle any potential errors in the billing. Property owners can submit an appeals application with a written statement regarding the nature of the appeal and the information that supports a correction for errors or inaccuracies. Appeals related to the amount of impervious surface or billing unit calculation must include a plot plan, map, aerial image, or similar information detailing actual impervious surfaces currently on-site.

**30) Is there any way to lower my bill?**

Since all parcels classified in the billing system as single-family residential pay the same amount, there is no mechanism planned to lower the bill for single-family residential property owners. For non-residential properties, proposed projects that may help the City meet the compliance requirements of the Pollutant Reduction Plan will be considered on a case-by-case basis. Information about this program are described in the *Appeal and Credit Manual for Stormwater Fees*.

**31) How long is the credit good for? Do credits expire?**

Stormwater credits are valid for five years after which they will require renewal. Credits will be revoked if a City inspection determines that the facility is not being maintained; the City may choose to withhold credit until the owner can demonstrate the facility is consistent with the credit policy.

**32) How do I know if my credit was approved? How will I receive the credit?**

The City will issue final credit decisions and inform each applicant of the value of their final credit within **30 days** of the date of application.

**33) If I have a question about stormwater management in the City, who should I contact?**

You can contact the City of Easton Stormwater Program by either calling or mailing your questions to:

City of Easton  
123 S 3<sup>rd</sup> Street  
Easton, PA 18042  
610 250 6680

You can also find more information at  
[www.stormwaterpa.org](http://www.stormwaterpa.org)