



## NORTH BRANCH

# Stormwater Utility Fee Frequently Asked Questions

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### **What is stormwater?**

Rain, snow melt, water from sprinklers, water used to wash your car, etc. (sometimes collectively referred to as stormwater or surface water) isn't always absorbed into the ground. And stormwater that is absorbed into the ground often travels through the crevices in to the ground to the nearest ditch, pond, stream or river. The system of ditches, ponds, streams and rivers are all interconnected and ultimately move that water to the Sunrise River. The stormwater moving through this interconnected system may contain fertilizer, dirt, salt and other contaminants that are harmful to the Sunrise River.

### **Why is a stormwater utility fee being implemented?**

Federal and state regulations require the City of North Branch to treat the contaminants and pollution carried by the runoff that is deposited into the local creeks and streams. The City is also required to manage how much goes into the Sunrise River at one time. The City has a plan that is approved by the US EPA and MPCA as required by the Clean Water Act. The MPCA required the city to obtain a Municipal Storm Sewer System (MS4) permit under the National Pollution Discharge Elimination System (NPDES) and to create a comprehensive program to seek out and eliminate, to the maximum extent practical, pollutants carried by stormwater runoff. There is a cost to implement the state and federally mandated plan, so the City imposes a stormwater utility fee to pay for the clean up and treatment required by law.

### **What is a stormwater utility fee?**

A stormwater utility fee is similar to a water or sewer utility fee. In essence, residents pay a fee to maintain the stormwater infrastructure system, which includes ditches, culverts, storm sewer pipes and associated structures, swales, and infiltration ponds. The City of North Branch's stormwater user fee is the result of an unfunded mandate from the United States Environmental Protection Agency (US EPA) and the Minnesota Pollution Control Agency (MPCA) on stormwater discharges. This fee is used to finance annual compliance with this mandate.

### **Is the stormwater utility fee legal?**

Stormwater utility fees are legal. Stormwater fees are necessary to maintain the public stormwater infrastructure system and represent an equitable way for the community to share the

cost of a public service. Stormwater utility fees are becoming more and more common throughout the country and are legislated by Congress, mandated by the EPA, authorized by the MPCA and enforced by the EPA and the Minnesota Pollution Control Agency (MPCA) through the National Pollution Discharge Elimination System (NPDES).

### **Who pays the stormwater utility fee?**

All Property parcels within the corporate City limits pay the stormwater utility fee.

### **How often will the stormwater user fee be charged/updated?**

The fee is set by ordinance as adopted by the City Council. The budget, expenditures, and revenues for the stormwater utility fund will be examined on an annual basis in accordance with the budget process for the City.

### **How will the stormwater billing process work?**

Each parcel within the City limits will be charged a stormwater user fee based on the classifications within the stormwater utility ordinance. The City will mail out the bills on March 1 of each year and will be due on June 1 of the same year. Please note that unpaid bills will be assessed to the property taxes.

### **Where will our money go for stormwater projects?**

Funds gathered through the stormwater utility fee will go towards stormwater project maintenance which includes: ditch cleaning, pipe or structure replacement, culvert replacement, pond sediment removal and/or cleaning to meet regulatory compliance.

### **Why are churches and schools being billed?**

Churches, schools and other tax exempt entities, impact stormwater utility systems just like commercial and industrial sites. Providing for and addressing stormwater is a public service provided for by the City of North Branch. All buildings contain impervious surfaces (a surface which prevents water from being infiltrated). Impervious surfaces on the parcels of churches schools and other tax exempt properties also place a demand on the stormwater system. Stormwater runoff generated by any property must be controlled and conveyed once it leaves the property so that it does not create problems for others. Both the quantity of stormwater and the quality of stormwater (i.e. making sure pollutants are limited), impact the entire stormwater system for the City of North Branch

### **Are stormwater and sewer systems the same thing?**

Stormwater and sewer systems are not the same thing. Sewer systems carry waste that is treated before it re-enters the environment whereas stormwater runoff is not treated and drains directly into the local creeks and streams.

### **What is watershed?**

A watershed is a geographical area which drains to a specified point on a water course, usually a confluence of streams or rivers (also known as a drainage area or river basin).

### **Why is it important to protect a watershed?**

Protecting watersheds can prevent water quality problems such as pesticides found in local wells, fish population decline, polluted streams, creeks and rivers, no swimming signs on creeks and rivers, etc.

### **What is the stormwater drainage system?**

The stormwater drainage system is the system that collects, conveys, stores or otherwise affects stormwater or surface water. It can include a network of underground pipes, drainage ditches, culverts, and open channels designed for flood or drainage control which discharge to a receiving water body. The runoff contained within this system is not treated, so anything it picks up goes directly into the stream.

### **What are things that should never enter a storm drain? Examples include but are not limited to:**

- Oil, anti-freeze, paint, cleaning fluids
- Wash water from a car wash or personal vehicle
- Industrial discharges
- Contaminated foundation drains
- Wash waters from commercial/industrial activities
- Sanitary sewer discharges
- Washing machine discharges
- Chlorinated backwash and draining associated with swimming pools

### **What things can enter a storm drain?**

- Discharges from emergency fire-fighting vehicles
- Rising ground waters
- Uncontaminated groundwater
- Drinking water line flushing
- Uncontaminated landscaping irrigation/irrigation water/lawn watering
- Uncontaminated springs
- Uncontaminated footing drains and pumps
- Flows from riparian habitats and wetlands
- Street wash waters resulting from normal street cleaning operations
- Discharges within the constraints of (and allowed from) a NPDES permit from TDEC

Unlike wastewater, which is treated before it is released back into the environment, stormwater goes directly into a community's streams and lakes. Because stormwater comes in large amounts at unpredictable times, treating it as wastewater would be very expensive. However, there are Best management Practices (BMP) which can reduce the impact of stormwater.

### **Why is stormwater a problem?**

When precipitation falls on undeveloped land, it is primarily absorbed into the ground or slowly runs off the land. However, development results in rooftops, paved and concreted areas to be created which prevent water from being absorbed and it runs off at a much faster rate. This causes quality and quantity issues in our local streams and water bodies.

### **What is the City's responsibility for stormwater?**

The City is responsible for managing stormwater within its corporate city limits. The City operates and maintains drainage facilities located within the public rights-of-way. The City does not maintain facilities located on private property or that fall under the jurisdiction of other governmental agencies.

Other components of the program include (this is not a complete list of projects or items):

1. Improved water quality through monitoring and reduction of illicit discharges and pollutants
2. Public information and education
3. Increased maintenance or repair of the city's stormwater system
4. Development of stormwater design standards and regulations
5. Field inspections and enforcement
6. Construction of identified drainage study projects

**What happens if the City does nothing or refuses to comply with the mandate?**

Should the City choose not to comply with the Federal and State Stormwater mandates, penalties for willful non-compliance can be fined per day for each day of a separate offense or imprisonment, or both. Penalties assessed for violation of the mandate could inevitably be passed on to the citizens.

**I have made inquiries about drainage issues and nothing has been done. Will you fix the problem now?**

Some drainage complaints the City receives are for problems on private property. It is not legal for the City to complete repairs on private property. The existence of a stormwater utility does not change that ruling.

**If I live on top of a hill and I don't have drainage problems why would I have to pay for stormwater management fees? Or I live on the edge of the City and water drains on my property away from streets and public drainage structure, or live at the bottom of a hill and not the cause of increased flooding from uphill, why should I pay stormwater utility fees?**

Providing for and addressing stormwater is a public service provided by the City of North Branch. All buildings contain impervious surfaces (surfaces which prevent water from being infiltrated into the ground). Impervious surfaces on your parcel inevitably place a demand on the stormwater system. Stormwater runoff generated by any property must be controlled and conveyed once it leaves the property so that it does not create problems for others. Both the quantity of stormwater and the quality of stormwater impacts the entire stormwater system for the City. All property owners receive indirect benefits from a properly maintained and operated stormwater management system for the entire City.

Stormwater management activities with broad benefits include keeping public streets drained and cleared, making necessary stormwater infrastructure upgrades, reducing erosion and other pollutants that enter streams and lakes and collecting and conveying stormwater safely through all parts of town. A portion of the fees also provide for compliance with Federal, State, and local regulations for water quality improvements; administration of the City's stormwater management ordinance; public involvement and educational programs; responding to public health and safety issues that benefit all property owners.

**I have a septic tank. Why should I pay this fee?**

Septic tanks do not process or handle stormwater. The stormwater utility fee is used specifically to address City wide stormwater issues. A septic tank is used to treat wastewater at a specific location. Having a septic tank does not address the necessity of stormwater management.

**Why should I pay for rain falling on my property?**

Property and/or business owners are being charged a utility service fee for the cost and privilege of discharging stormwater into the public stormwater system which the City is obligated under law to maintain. With a stormwater rate, users are charged a fee for runoff discharged from their property to the City's stormwater management system not by the amount of rain falling onto your property. Property owners control the level of development on their properties, which directly impacts the runoff characteristics of the parcel.

**I have a detention pond on my property. Will the utility be responsible for the maintenance of the pond?**

No. The maintenance of a retention or detention pond remains the responsibility of the property owner.

**Does the stormwater utility fee result in a reduction of my property taxes?**

No. Historically, only a small amount of general fund revenues have been allocated to stormwater management activities and prevented the City from being able to meet the required mandates from the MPCA. Since the implementation of the stormwater fee, all stormwater maintenance as noted above is solely funded from this fee and not from the general fund.

**Why is this a stormwater fee and not a property tax increase?**

Property taxes are based only on the assessed market value of a property without taking into consideration the contribution of stormwater runoff from a property. Charges derived from property values are not fairly and equitably allocated to stormwater services. A stormwater user fee is charged based upon the contribution of stormwater runoff to the City's stormwater management system. This is fairer and more equitable approach than charges based on overall property value.