

TAKOMA PARK STORMWATER MANAGEMENT

FREQUENTLY ASKED QUESTIONS

Why Does Takoma Park Have its Own Stormwater Authority?

Takoma Park accepted the transfer of ownership of the stormwater system from the Washington Suburban Sanitary Commission (WSSC) in 1990. At that time Maryland passed a law banning continued ownership by the utility. The city deliberated and compared the options of County versus City ownership and decided to take over the system to secure control of the infrastructure and to ensure that maintenance and new system needs would be most effectively addressed.

If the City were to transfer the management of stormwater system to Montgomery County, Takoma Park would no longer get the attention to its stormwater system that it has in the past. The stormwater fee currently goes directly into the City's program. If the program was managed by the County, the fee paid by residents would be used for the County wide program, of which Takoma Park would be a small piece.

When was the Stormwater Utility Fee Established?

The City established the Stormwater Utility Fee in 1996 as way to establish a stable system of funding and enable charges to be levied on all property owners, including those that were tax exempt. Takoma Park was the first jurisdiction in Maryland to set up such a fee (we received a grant from the EPA to develop the program). Many other jurisdictions followed suit.

What Does the City Do with The Funds Generated by the Stormwater Utility Fee?

The revenue generated by the Stormwater fee can only be used on the stormwater program. It is a dedicated utility fee with a separate budget. The City is required to meet State and Federally mandated conditions associated with our discharge permit (known as NPDES – see details in next bullet)

In the 1990's and early 2000's, the main activity was the maintenance and cleaning of the existing system of pipes, inlets and outfalls. Currently the program addresses that routine inspection and maintenance through video inspection, cleaning and repair, but also undertakes water quality testing, new system design and construction and engineering oversight. In addition to the traditional system of inlets, pipes and outfalls, which channel run-off into the nearby creeks and streams, the City must also implement a program to provide water quality treatment for 20% of the existing impervious area by 2025.

Currently, the City has established a 5-year Capital budget for major stormwater projects in addition to an annual budget for specific repairs or improvements to the existing system. Because the City oversees street and sidewalk repairs we are also

able to respond to stormwater problems that are identified when doing that work. The City's stormwater infrastructure includes over 17 miles of storm drain pipes (some over 100 years old). Since 2006, the City has installed 72 bioretention and treatment facilities.

What are the Permit Requirements for the City's NPDES Discharge Permit?

As a municipality responsible for water discharge from our jurisdiction, the City is required to have programs in place to address 6 minimum control measures, which include:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection & Elimination
- Construction Site Stormwater Runoff Control
- Post Construction Stormwater Management
- Pollution Prevention and Good Housekeeping

In addition, the City is required to develop and implement an Impervious Area Restoration Workplan to provide water quality treatment for 20% of existing impervious area by 2025

Why Doesn't the City Have a Rainscapes Program like Montgomery County?

Montgomery County has a program to give rebates to property owners who install water quality improvements like raingardens, permeable pavement or pavement removal, and conservation landscaping to slow and filter water [Montgomery County Rainscapes Program](#).

The County program offers rebates up to a capped amount on a first come, first served basis for available funds. Each type of improvement has its own rebate amount. Once a property owner has received the cumulative maximum rebate (generally \$7,500), they may no longer use the program. The program is not available to Takoma Park residents because they do not pay into the County system.

The program currently offered as a rebate in the City is the bi-annual bulk buy tree program, in which the City provides a \$115 reduction in the cost for a tree planted on private property.

The City has focused its stormwater program and staffing on public infrastructure improvements to meet the State and Federal requirements for water treatment. It is more efficient for the City to meet those environmental requirements using larger scale public projects than by monitoring individual projects on private property. The administrative time needed to review individual applications and inspect the completed work is significant. If City funds are spent on this program, we would need to count

these projects towards our treatment program which also requires verification every three years of their operation.

Rebates and funds to establish a Rainscapes type program would require additional funding, which would require higher fees. The primary beneficiaries of a rebate program are property owners who have the funds to make landscape improvements and have the time and resources to prepare the plans and apply for the rebates. Between the higher Stormwater fees, and the disproportionate benefit to wealthier property owners, a Rainscapes type program would run counter to the City's Racial Equity goals.

Why is the Stormwater Management Program not Funded by Tax Revenues?

The City's stormwater management services were funded by tax revenues until fiscal year 1997; however, tax revenues were not a reliable source of funding for the program as the budget needs had to compete annually with all other City programs. The stormwater utility fee creates a more stable funding source, ensuring that the stormwater system receives adequate funding, independent of tax revenue fluctuations. The utility fee approach is also a more fair and equitable revenue source than a tax based on the assessed value of property because:

- The fee is based on each property's actual contribution to stormwater runoff
- Each property, including tax exempt ones, contributes a fair and equitable share towards the overall cost of the stormwater management program

Does that Mean I Pay Less Tax?

Yes. The dedicated portion of the property tax that was used for the stormwater program was eliminated in 1998. When the funds for the program came through the property tax base, the rates varied from 3 cents to 8 cents per \$100 of assessed value. About 80 percent of single-family homeowners pay less for stormwater management under the fee system than they paid when the program was funded through the property tax system.

How is the Rate Established and Residential Property Fees Determined?

The rate is set by the City Council annually during the budget process. The rate is based on the funding level required for the program. Currently the annual funding level to maintain the program and fund new capital projects is about \$700,000.

Since the program was established, the rate for single family properties has been billed at a flat rate, based on the average amount of impervious area on those property types. Multi-family properties and all non-residential properties are billed at a rate based on their actual impervious area. The base rate in FY1996 was \$24, it increased to \$48 in 2007 and has been at \$92 since FY2018.

How are Non-Residential or Multi-Family Property Fees Determined?

Currently, the annual fee is determined for multi-family and non-residential properties by dividing the total impervious area on the property by the ERU (“Equivalent Residential unit” or the average impervious area of single-family properties which is 2,116 sf) and then multiplying that result by the stormwater base fee.

Why is the City Council Considering Changing the Fee Structure?

A tiered system is being considered to provide a fairer fee structure. The amount of impervious surface on single-family property in the City ranges from 500 to 10,500 square feet. Those properties with a larger impervious surface generate more run-off and, as a result, would pay more towards the maintenance of the system.

The proposed tier structure would be based on a rate of \$25 per 500 square feet of impervious area on a property. The current flat fee is \$92 per single family property. Under the tiered system, the charge for single family property would range from \$25 to \$525, and would be based on the amount of impervious area of the property. Under the proposed tier system 20% of single-family property owners would pay less, 24% would pay \$100 and 55% would pay more than with the current flat rate.

The City has created an interactive map to show what the proposed fee would be for single-family properties. This map is also available on the City’s website at -

<http://takomaparkmd.gov/government/public-works/stormwater-management-program/stormwater-fees-frequently-asked-questions-faq/>.

How is the Amount of Impervious Area on a Property Determined?

When the stormwater utility fee was created, impervious areas were determined by analyzing aerial photographs and the Maryland National Capital Park and Planning Commission's mapping data to identify the amount of impervious surfaces on each property.

The City commissioned the Black & Veatch study in 2018 to update the impervious area information. Advances in GIS and LIDAR enabled the consultant to have a much clearer view of the land cover on each property. Black & Veatch utilized **parcel data from tax records**, to identify parcel boundaries, **planimetric data from GIS** to identified impervious area information such as roofs, roads, parking lots, and Aerial imagery from MD iMAP, ESRI and Google Maps.

The study can be found here –

<https://takomaparkmd.gov/government/public-works/stormwater-management-program/>

How Often Will the City Re-Evaluate Impervious Areas on Private Property?

Revaluation of the city-wide impervious area per property type should be done every 10 years.

What is the Definition of Impervious Surface?

City Code 16.08.030: Impervious surfaces means a surface that is compacted or covered with material that is resistant to infiltration by water, including, but not limited to, most conventionally surfaces streets, roofs, sidewalks, patios, driveways, parking lots and any other oiled, graveled, graded, compacted or other surface that impedes the natural infiltration of surface water.

For the calculation of the amount of impervious area on a private property, the City does not include public streets and sidewalks, even if located within a private property.

Is a Gravel Surface Considered Impervious?

In regard to gravel surfaces, the City follows the general guidance supported by Maryland Department of the Environment:

Gravel surfaces are considered impervious when used in a way that compacts the gravel over time, such as:

- Storage of equipment
- A driveway or road
- A parking lot for vehicles, boats or trailers

However, if the gravel surface meets specific criteria, it may qualify as a BMP (best management practice) and be credited accordingly. The surface must be at least 8 inches thick with a layer or geotextile fabric separating the gravel from the ground, covered by at least six inches of number 2 stone, then at least two inches of number 6 or 7 stone gravel surface.

Are Tax-Exempt Properties Exempt from the Stormwater Fee?

No, because it is a fee, not a tax. Taxes are based on the value of the property. The stormwater fee is assessed based on the amount of impervious surfaces on a property.

Can I appeal the Impervious Area Calculation for my Property?

A property owner may request correction to the impervious area total for their property or to their property boundary designation, if they believe it to be in error. Current Code requires submitting a request in writing to the City Manager within 30 days after the date of assessment notice is issued to the property owner. The property owner must provide specific details why they believe the calculation is in error and should include documentation of the measurements of impervious surfaces on the property, or property boundary survey.

If a property owner undertakes a project to reduce the amount of impervious surfaces on their property, they should request an appeal of their impervious area total or apply for a credit for stormwater measures installed prior to the annual billing cycle.

Why do I have to Pay When I do not have any Drainage Problems?

Everyone in the City benefits from the Stormwater Management Program. Rain generates run-off and these waters must be managed to keep it off private property and provide safe conveyance into our area creeks and streams. The City must have a program and funding to manage the runoff and reduce pollutants. Direct benefits may include protecting your property from upstream runoff, protecting property downstream from your runoff, and improving water quality in Sligo Creek.

My Neighborhood has Drainage Problems. Who do I call to get Some Action on These Problems?

You can call the Public Works Department at 301.891.7633. The issue will be investigated and if the problem is City responsibility, we will add it to our maintenance and repair schedule.

The City Council is currently considering establishing a program to assist private property owners who are experiencing flooding and erosion issues on their property. The details of the program are still under consideration, as is the funding source. The program would be in recognition of the impacts of climate change and increasing frequency and severity of storms, as well as the complexity of the solutions that may likely involve multiple properties.

What Can I do To Reduce Stormwater Run-Off from My Property?

There are many things that you can do to reduce run-off from your property. Some are low or no cost, while others can be major projects. Some examples of simple measures include –

- Redirect or extend downspouts into grassy areas or garden beds
- Mow your lawn less often
- Plant water loving shrubs and trees, especially in areas where water collects
- Avoid using pesticides or fertilizers to reduce pollutants in the run-off
- Avoid washing your car on a paved surface, instead park it on the lawn or better still use a commercial car wash that captures and treats the water at a wastewater treatment plant.
- Cover areas of bare soil with grass seed or ground cover or mulch

Some more ambitious measures include –

- Add a planting bed or rain garden (especially beneficial if it replaces hardscape or grass)
- Install a French drain to capture and funnel water away from building foundations and driveway and to areas of the yard where it can be absorbed
- Install a dry well or cistern and route your roof drains or sump pump to it
- Remove existing pavement and/or replace with permeable pavement
- Install a green roof

- Consider altering your lawns layout; change slope to reduce run-off as much as possible, provide low areas to encourage water to pond and soak into the ground, terraced slopes to slow the flow of run-off (please keep in mind existing trees and not increasing run-off to neighboring properties)

Can I get Credit or Reduce My Stormwater Fee If I have (or Will) Implement These Measures?

The City will develop a credit program to recognize efforts already taken by private property owners as well as encourage others to reduce stormwater run-off from their properties. The details of the credit program are still under development, but will include an application form and list of documentation required for the review and evaluation of the measures to be claimed. The program will likely recognize, rain gardens, drywells and cisterns, permeable pavement and green roofs.

Since all properties directly or indirectly utilize and benefit from the stormwater system, and funding is necessary to maintain functional operation of the system, the maximum credit available will be up to a certain percent and will not eliminate payment of the stormwater fee.

Want more information?

If you would like additional information on the stormwater management utility or have specific concerns about stormwater management issues, please visit the [Maryland Stormwater Management page](#) or contact:

Public Works Director, DarylB@takomaparkmd.gov, 301 891 7615