



# Flooding and Water Pollution Solutions for York County



**FREQUENTLY ASKED QUESTIONS**

**SEPTEMBER 2018**

# What is a "Stormwater Authority?"

A stormwater authority is a local government agency that provides pollution and flood control services to local families and businesses. It also provides permit compliance services for MS4 permitted communities. Stormwater authorities provide the following benefits:



## Protecting Water Supplies

The stormwater authority would invest in projects that reduce contaminants entering waterways that supply drinking water to families and businesses.



## Improving Our Waterways

The stormwater authority would take steps to increase opportunities for families to enjoy the outdoors together and also improve wildlife habitat.



## Reducing the Threat of Floods

The stormwater authority would take action to decrease the frequency and severity of flash floods.



## Protecting Property and Roads from Erosion

The stormwater authority would invest in projects that slow erosion of stream banks along roads and public property.



## Preserving Our Business Environment

Creating a stormwater authority would demonstrate that York County is serious about meeting its environmental responsibilities without additional state or federal regulation.

## Why is York County considering a new stormwater authority?

York County is considering creating a stormwater authority to address two chronic problems:

**Flooding.** When stormwater leaves a York County parcel, it finds its way to a local waterway. Damaged streams flood more often than healthy streams because erosion reduces their capacity to carry water. York County has identified 215 locations on roads in the County that experience frequent flooding problems.

**Water Pollution.** Stormwater isn't just muddy, it's dirty, too. On its way to the stream, stormwater scoops up chemicals, fertilizer, animal waste, and trash. Approximately 1,100 miles of streams in York County have been identified as not meeting water quality standards, and there are many miles of stream still to test.

Pennsylvania and neighboring states are working together on a cleanup plan for the Susquehanna River and the Chesapeake Bay downstream. As part of this plan, York County must reduce the amount of nitrogen and phosphorus that flows into the Susquehanna River from our waterways.

There are deadlines — and penalties for missing these deadlines.

## What services would a stormwater authority provide?

We are still working out the final details, but here is what we are proposing:

- Investment in flood and pollution reduction projects across York County
- Assistance to York County farmers who are working to reduce stormwater from their land
- Support for municipalities meeting their federal stormwater permits (MS4)
- Public education & outreach to residents and businesses
- Implementation of York County's Chesapeake Bay requirements
- Technical services for all of the above, such as stream monitoring, mapping, and coordinating with partners

## Why might an authority be the best choice to provide these services?

Creating a countywide stormwater authority offers many advantages over each municipality acting individually. A stormwater authority would be:

**The Most Affordable.** Our proposed rates would be among the lowest in Pennsylvania because we would spread the cost across many ratepayers.

**Fair.** The costs would be calculated based on each property's fair share of the total amount of stormwater the county has to manage.



**Accountable.** By state law the authority could only spend its money to solve stormwater problems.

**Smart.** By stepping forward to solve problems now, we can take steps to prevent additional regulations from Harrisburg and Washington.

## How is the York County Planning Commission exploring this authority?

The York County Planning Commission is working with a panel of experts on the details for a possible stormwater authority. The Commission intends to present its recommendations to the Board of Commissioners for a vote early in 2019. We are required by law to hold and publicize a hearing prior to incorporating the Authority. The Commissioners would have to pass an ordinance to incorporate a new authority, publicized at least a week prior to the vote.

## Is it legal for York County to create a stormwater authority?

Yes. In 2013, the state legislature amended the Municipal Authorities Act to explicitly authorize counties to do this. The Stormwater Management Act of 1978 also clearly establishes counties as having primary responsibility for managing stormwater. Finally, Pennsylvania's County Code empowers counties to manage waterways in the county.

## How would the stormwater authority pay for its services?

We are still working on the final details, but each parcel would pay a fee based on its fair share of the stormwater generated in York County. The fees would also vary depending on the tax assessment classification, broken into 3 main customer classes by parcel -- residential, farm, or commercial.

Farm and commercial parcel owners would be eligible for credits if they make improvements to control and reduce the amount of stormwater that leaves their property. We have prepared supplements to this FAQ which provide more detail for each parcel classification.

## What range of fees can we expect?

In York County, we project the fee per residential parcel would be \$48.90 per year (\$4.08 per month). This is the base fee, and minimum per parcel fee across the county. For comparison, residential stormwater fees in Pennsylvania range between \$24 and \$161.76 per year.

Farm and commercial parcels would have a different fee schedule, based on tillable land and paved or hard surfaces. We have prepared supplements to this FAQ which provide more detail for each parcel classification.

## Would I have any way to reduce my fee?

Maybe. We are proposing to offer credits for farm and commercial parcels that put stormwater reduction practices into place. We are not proposing to offer credits to residential parcels at the outset, as these parcels are already paying the minimum amount. We have prepared supplements to this FAQ which provide more detail for each parcel category.

## How would property owners be billed for the stormwater authority?

We are reviewing several options. We will have more information at the public meeting in November 2018.

## I don't have flood or pollution problems on my property. Would I still have to pay a fee?

Yes. The stormwater that leaves your parcel reaches a public waterway eventually. The stormwater authority would invest in projects to protect all York County residents from flooded roads and polluted waterways, regardless of where the stormwater starts.

## How would a stormwater authority reduce pollution and floods?

The stormwater authority would invest in erosion control measures, stream bank restoration along waterways, and nature-based solutions to pollution and flooding. The projects might look like these:

Before



After





### **Would any properties be exempt from paying stormwater authority fees?**

No. All properties would be served by the authority, and all properties would pay for their fair share of the service. This includes Tax Exempt parcels, which are currently included in the residential customer class with a fee of \$48.90, per parcel, per year.

### **Why not include the costs in the property taxes?**

Dollars collected from property taxes go to fund all county government services. Your fees would go directly to the stormwater authority, a separate entity, which would be responsible for reducing flood and pollution impacts.

If the county used property taxes to pay for this, it could use those dollars for other expenses. The costs would be unfairly distributed between residences, businesses, and farms, and tax-exempt parcels would not pay for their fair share.

### **What safeguards would be in place to ensure the money would be invested as promised?**

A state law, the Pennsylvania Municipality Authorities Act, requires all municipal authorities to charge rates that are reasonable and uniform and related to the service provided.

In this case, that is stormwater management to reduce pollution and floods. Money collected cannot legally be spent on other costs.

The Authority is proposed to have 11 members appointed by the County Commissioners. Members would represent different interests such as agriculture, business, permitted municipalities, and residents, as well as the different geographic areas across the County.

### What consequences can we expect if the County doesn't create an authority?

If Pennsylvania does not meet its local cleanup responsibilities, EPA could place further requirements on the state, resulting in:

- More York County farms required to get federal water pollution permits, at great expense.
- More townships and boroughs in York County required to get federal stormwater permits, leading to higher taxes for residents and more red tape for development.
- Tougher pollution targets for streams in York County, creating the need for implementation of a fee structure to pay for the means to meet these targets.

### Would a stormwater authority regulate sheds, barns, expansions, and other construction on my property?

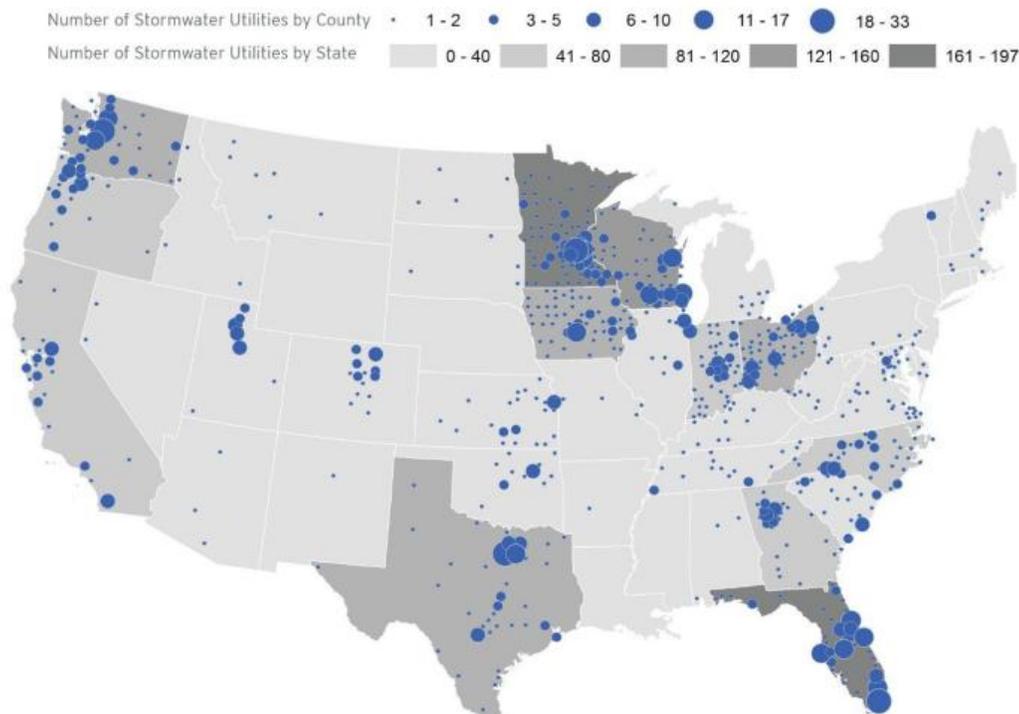
No. The first point of contact would still be your municipality. The stormwater authority would focus on flood and pollution control projects along public waterways and public property.

### Could I call the stormwater authority to assist with flood problems on my property or disputes with my neighbors?

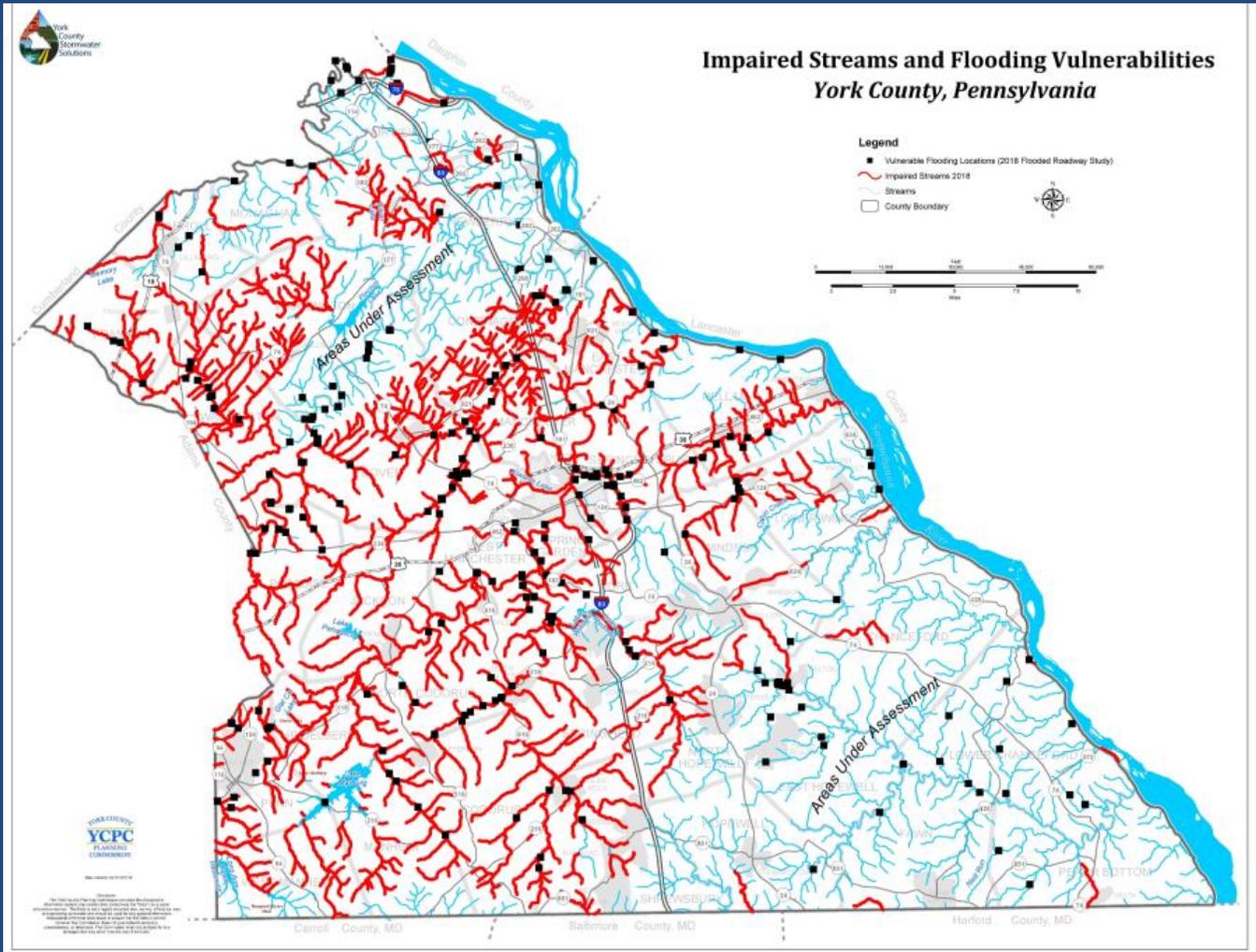
No. The first point of contact would still be your municipality. The stormwater authority would work to address the highest priority flood and pollution problems across the county.

### Where else do these programs exist?

The 2017 National Stormwater Utility Survey identified 12 stormwater authorities in Pennsylvania. We have identified 8 more municipalities in Pennsylvania that have assigned stormwater responsibilities to an already established authority. More than 400 cities and counties across the country have something similar in place.



Stormwater fee programs nationwide in 2016. Source: Brookings Institution and Western Kentucky University



Approximately 1,100 miles of streams in York County have been identified as not meeting water quality standards and there are still many miles of streams to test. The County has identified 215 locations where roads flood frequently.

### We Welcome Your Comments & Questions

Online: [www.yorkstormwater.com](http://www.yorkstormwater.com)

Comment Form: <http://bit.ly/ycpc-stormwater-comments>

Email: [stormwaterauthority@ycpc.org](mailto:stormwaterauthority@ycpc.org)

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