



# Watershed Protection and Restoration Program (WPRP)



County Commissioner  
Work Session  
May 7, 2013

# May 1<sup>st</sup> Public Hearing

- **What happens if a County doesn't implement the WPRP by July 1, 2013?**
- **Are there other ways to calculate the fee?**
- **Why do HOA's or other property owner's have to pay into the WPRP, if they already pay to maintain their own stormwater facilities?**
- **Will HOA's have to pay for impervious community amenities such as clubhouses and athletic courts?**
- **Are residential properties eligible for a credit?**
- **Explain Howard County's approach to individually calculating fee for each property**

# What happens if a County doesn't implement the WPRP by July 1, 2013?



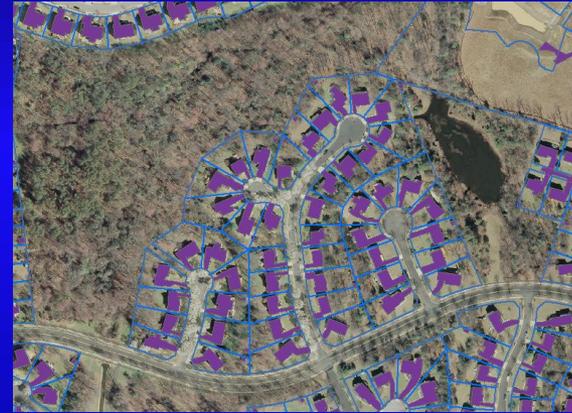
- The County will continue to operate the municipal stormwater system per its federal NPDES permit, which allows for new stormwater discharges if in compliance with permit conditions.
- An alternative funding source will be necessary to maintain NPDES permit compliance in Fiscal Year 2014.
- House Bill 987 (2012 session) is codified under Environmental Article IV, which has a penalty provision in Subsection 4-215 of \$1,000 per day, up to \$20,000.

# Are there other ways to calculate the fee?

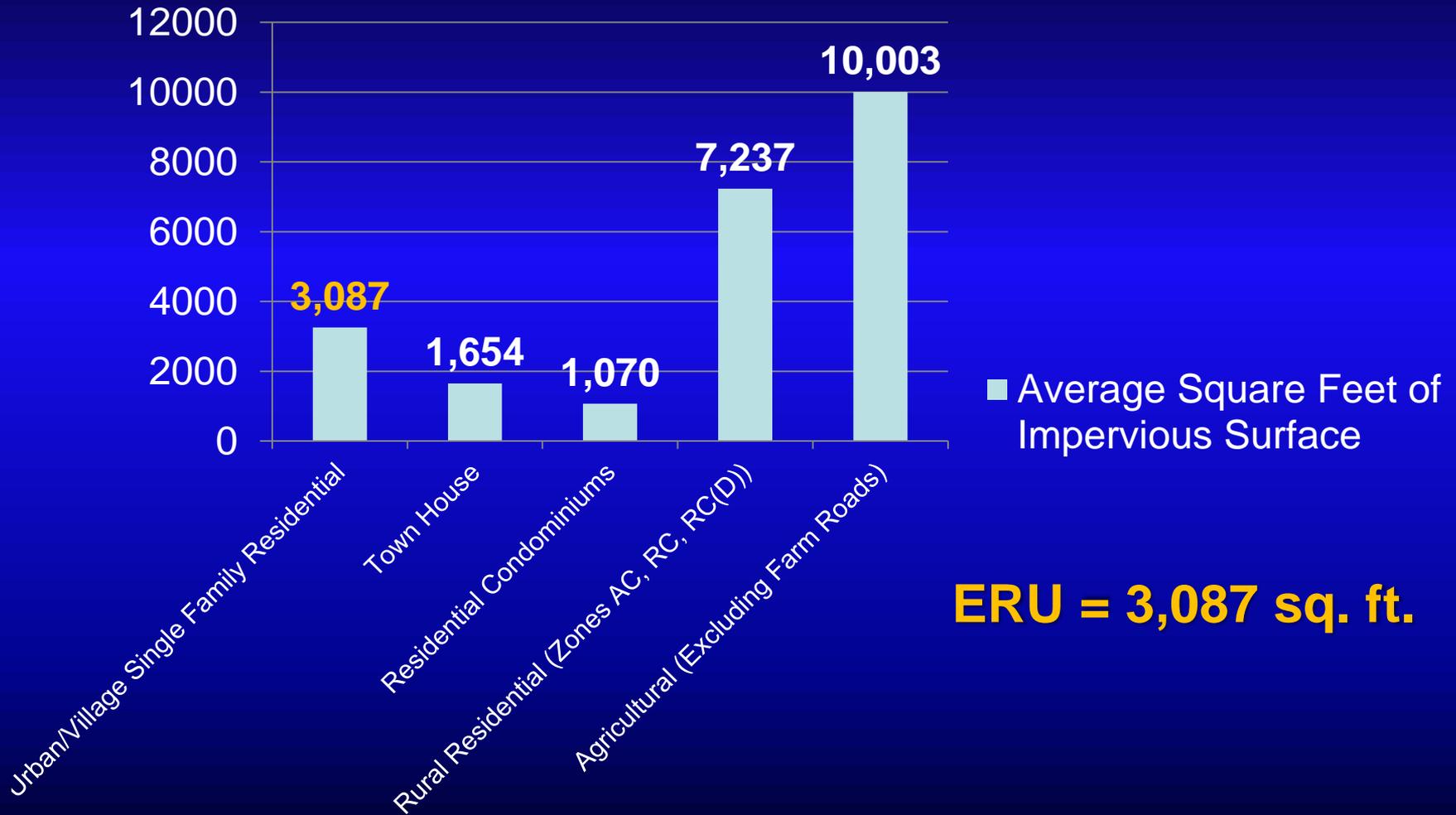


- Yes, since 1997 Charles County has had a flat fee, which was a portion of the Environmental Service Fee.
- The WPRP proposes to link the amount of impervious surface to the rate of the fee.
- Some counties are applying a flat rate for all residential.
- Other counties are basing the fee on impervious surface on each individual property.

# Equivalent Residential Unit (ERU) Based on actual measurements



# Average Square Feet of Impervious Surface for Residential Properties



# **Why do HOA's or other property owner's have to pay into the WPRP, if they already pay to maintain their own stormwater facilities?**



- **The stormwater remediation fee does not fund the maintenance of private stormwater facilities.**
- **The purpose of the stormwater remediation fee is to implement the conditions of the County's NPDES municipal stormwater permit. Over time the most expensive permit condition is restoration of unmanaged impervious surface. This benefits residents by restoring local aquatic resources and reducing the nutrient and sediment pollution discharged into the streams, rivers and the Bay.**

# **Will HOA's have to pay for impervious community amenities such as clubhouses and athletic courts?**



- **Not directly. The stormwater remediation fee will not be applied to community amenities such as clubhouses and athletic courts, because these properties do not currently receive tax bills or other fees.**
- **Residences will receive the fee.**

# **Are residential properties eligible for a credit to their fee?**

- Residential properties will be eligible for a rebate against the cost of installing stormwater best management practices such as rain gardens, rain barrels, conservation landscaping, green roofs, pervious paving, etc.**
- Rebates are expected to be a cost effective way to increase the installation of on-lot stormwater practices, and help to reduce pollution in stormwater.**
- However, non-residential properties will be eligible for a credit, as their fee is based on individual impervious surface.**

# Stormwater Fee in Howard County



- Howard County will implement a fee of \$15/500 square feet of impervious surface for all properties.
- Pros: Each property rate is specific to that property, which makes it the most fair.
- Cons: This is a maintenance intensive effort, as each property's impervious surface can change with the addition of a driveway, shed, patio, pool, etc. Appeals would increase, as more properties would be eligible to appeal. Expense would also increase due to annual aerial photography and additional administration.

# Stormwater Fee Comparison

County	Date Adopted	Single Family	Town House	Condo Residential	Rural Resid.	Agricultural	Non-Residential
Baltimore City	Pending	\$170	\$85	\$34	N/A	N/A	\$72/1,050 sq. ft.
Baltimore	4/29/13	\$39	\$18	\$32	\$32	\$32	\$69/2,000 sq. ft. Non-Institutional \$20/2,000 sq. ft. Institutional
Anne Arundel	5/1/13	\$85	\$34	\$85/2,800 sq. ft.	\$170	\$170	\$85/2,800 sq. ft.
Carroll	Pending						
Frederick	3/7/13	\$.01	\$.01	\$.01	\$.01	\$.01	\$.01
Charles	Pending	\$32	\$16	\$10.56	\$64	\$64	\$32/3,087 sq. ft.
Howard	3/28/13	\$15/500 sq. ft.					
Harford	4/18/13	\$125	\$125	\$125	\$125	\$125	\$7/500 sq. ft.
Prince Georges	Pending						
Montgomery	4/24/13	1/3 – 3 times the ERU rate based on 7 Tiers					\$85.4/2,406 sq. ft.

# Public Comments

## Post Public Hearing

Comment Provided By	Comment Summary
David Lines	Agricultural Properties contain woodland, grassland wetlands, etc. that absorb runoff. The fee is twice the rate for agricultural land than urban residential. Agriculturally Assessed property should be exempt.
Wayne Kempson, Pastor, First Baptist Church of Waldorf	Non-profit organizations should be exempt. Already has a stormwater management facility on site.
Christopher Gray	Already providing stormwater management and forest conservation for a new single family dwelling and is concerned about also paying a "rain tax"
Craig Renner, Chamber of Commerce	Concerns over HOA's already paying for stormwater maintenance, general impact on businesses.
Cheryl Thomas	Don't average the fee. Base it on actual impervious surface for each property.

# Proposed Amendments

Page/Line	New Text	Reason
Page 5/Line 2	Districts other than AC, RC, RC(D) = 1 ERU	Single family detached and duplexes were found in almost all zones including commercial zones; also allows for including the residential zones in the Town of Indian Head
Page 6/Line 21	Remove "Industrial"	It was noted, other types of NPDES stormwater permits may contain a 20% restoration provision
Page 7/Line 27	Remove "and supplements thereof"	This would allow properties built according to the 2000 Manual to receive a credit, even if they don't meet the 2007 requirements of "Environmental Site Design to the Maximum Extent Practicable"



**Presented by:**  
**Charles County Government**  
**Department of Planning and**  
**Growth Management**

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## **Mission Statement**

The mission of Charles County Government is to provide our citizens the highest quality service possible in a timely, efficient, and courteous manner. To achieve this goal, our government must be operated in an open and accessible atmosphere, be based on comprehensive long- and short-term planning, and have an appropriate managerial organization tempered by fiscal responsibility. We support and encourage efforts to grow a diverse workplace.

## **Vision Statement**

Charles County is a place where all people thrive and businesses grow and prosper; where the preservation of our heritage and environment is paramount, where government services to its citizens are provided at the highest level of excellence; and where the quality of life is the best in the nation.