



TOWNSHIP OF FERGUSON

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Stormwater Q&A

Q: How does this stormwater fee work? If we don't get rain, do we still pay a fee? What if we have a nice gentle rain where there is no runoff?

A: The fee is based on the amount of impervious area on a parcel. Impervious area generates stormwater when it rains and that stormwater needs to be managed. Ferguson Township receives on average 41 inches of rain a year. The amount of rain in any given storm event does not influence the annual stormwater fee charged to a parcel.

Q: What is the estimated administrator cost for operating the fee program vs the flat tax program?

A: Program administrative costs will exist if the stormwater program is funded with a fee or general tax revenue. The incremental increase in the administrative cost for a fee program verses an increase in taxes was not calculated. The existing administrative systems and staff in the finance office can accommodate either funding strategy and a new hire stormwater engineer/project manager is planned to handle the technical aspects and stormwater program administration.

Q: Where can I find more detail on growth and non-growth areas?

A: A map depicting the growth area is posted on the Township web site.

Q: Will this impact fee ever go away?

A: This is not known. Typically, fees for service do not decrease over time unless the service is no longer necessary.

Q: There are many senior citizens who are barely making ends meet now and with COVID-19 many people have lost their jobs/businesses. This is going to be a big setback for them. Has any thought been given to these people?

A: Much thought has been given to this question. The stormwater fee study started 3 years ago and we are nearing the completion of phase 2 of the study. Unfortunately, we are experiencing a COVID-19 pandemic and it is unknown when normalcy will return. The study was delayed and the methods of community outreach during this time have changed to a more remote method of delivering messages. If a stormwater fee is implemented, consideration will be given to the timing of implementation, meaning when the fee will be enacted and charged.

Q: On North Butz Street there are 4 properties and on College Avenue United Rentals that belong to Penn State. Will Penn State have to pay this Fee?

A: Yes

Q: What has been done to recover the expenditures caused by the nuisance created by stormwater runoff from Patton Township? Specifically, the expenditures of the stormwater drainage and maintenance that cuts through Park Hills Drive that currently exceed \$193,000.

A: As we know, stormwater crosses municipal boundaries. Patton Township has a municipal separate storm sewer permit and is responsible to manage stormwater, as is Ferguson, within its own municipal boundary. Patton Township has made some progress to stabilize eroded drainageways. New development must comply with their stormwater ordinance. Some development in Patton Township, just as in Ferguson Township, occurred prior to the enactment of a stormwater management ordinance which regulates, among other things, the rate of runoff. Nothing has been done to date to recover expenses caused by nuisance stormwater runoff from Patton Township, nor has Ferguson Township been asked to pay for runoff impacts occurring into other communities.

Q: Shouldn't Science Park Plaza and all of the new student housing and construction in Ferguson Township pay for this?

A: If a stormwater fee is enacted, parcels on which new development occur will be charged a stormwater fee based on their impervious coverage.

Q: The vast majority of stormwater comes from city and state property (roads and properties), surrounding townships, agriculture, and commercial properties. Why would residents of Ferguson share more than their burden when we already have the highest taxes and fees in the state?

A: The basis of the stormwater fee is impervious coverage and if enacted the fee applies to all land uses including residential, agriculture, and commercial as an example. Roads with side ditches and roads with curbs, inlets, and storm pipes not only convey various modes of transportation to serve neighborhoods, agricultural land, and commercial developments, the system also conveys the stormwater. For this reason, roads are not included in the impervious area calculations. All parcels including Township and state as noted in your statement/question will be charged a fee based on impervious coverage.

Q: How would a user-fee help to resolve stormwater issues in the Greenbriar Development? Greenbriar was established in 1978 with 94 lots of at least one acre. At present the community includes 89 homes and 5 undeveloped lots. The present stormwater system involves drainage swales that empty into four sinkholes on private lands. There are about two miles of streets; none have curbs. Problems include runoff issues on private properties and erosion of berms, especially in front of most mailboxes.

A: The current stormwater fee cost of service model includes provisions for private/Township partnership funding to assist private property owners with

stormwater management systems that comingle public and private stormwater in the same conveyance and/or storage system. Berm erosion alone could be considered under a potential road improvement project which are handled through the Transportation Improvement Fund.

Q: How are these fees assessed?

A: Fees are calculated based on the amount of impervious area on a parcel.

Q: Where in Ferguson Township are the repairs needed most and how much will they cost?

A: Repairs are mostly needed on buried aging metal stormwater pipes installed in older developments and under roads built in 1970s and 1980s and earlier. 16 miles of the Township's 33 miles of underground pipes are made of corrugated metal which due to oxidization and moisture rusts and deteriorates over time. Over 2,300 stormwater inlets need to be inspected, cleaned, and repairs made as needed. Deteriorated pipes and inlets that leak and concentrate water over time often lead to sink holes that require emergency repairs instead of planned maintenance. Storm pipe replacement or pipe lining (depends on size and quantity) can cost \$100/linear foot and inlet repair/replacement can cost \$2,000 to \$5,000 each.

Q: Would fees be required on land parcels without a structure or impervious area? Such as completely forested and not agricultural parcels?

A: Fees are based on impervious area. As proposed at this time, if a parcel has no impervious area, no fee is charged.

Q: It was discussed the need to provide funds to maintain roadside swales and inlets. Will any liquid fuels funds provided by PennDOT be used to pay for some of these features?

A: Road materials including pipe and inlets, as well as manpower and equipment costs for road side maintenance are eligible liquid fuel costs. Current liquid fuel funding is mostly used for microsurfacing, guide rail replacement, purchase of road salt, line stripping, and road materials. Expenses for road and stormwater related expenses exceed available funding from the liquid fuels program. The stormwater fee program proposes additional funding for these materials and efforts, over what is budgeted in the General Fund today.

Q: If a homeowner has provisions to mitigate run-off from their property (ie: roof infiltration sumps, infiltration swales, rain gardens/barrels etc.) would they still be assessed on their entire amount of impervious surface? Should individuals with these mitigation method in place only be assessed on only their portions of impervious that actually sheet flow or daylight to an area in or ultimately flowing to the public ROW/SWM system?

A: Parcels are assessed a fee based on impervious coverage. A credit program is under discussion that would allow a property owner a credit toward the fee based

on certain criteria.

Q: What credit will property owners get for storm water being discharged onto private property? For instance due to changes to roadways?

A: The credit program is under development and discussion and has not been finalized. Elements of such a program could include a credit, up to a certain percent of the fee, for public education, recharging stormwater to the ground, stream buffers, disconnected impervious areas, exceeding Township stormwater ordinance requirements as examples. Changes due to roadways are not addressed under the stormwater fee program and are addressed on a case by case basis.

Q: Has consideration been given to ensure that owners of large parcels will not be charged large fees to the point that it will become a heavy burden for them to pay the fee? I ask this because Luzerne County implemented a similar program and property owners like the Wyoming Valley Mall were hit very hard and some businesses have relocated or closed because of the increase in rent due to the county stormwater fee. I don't want to see some businesses decide to relocate from Ferguson Township because of the stormwater fee.

A: The fee is based on impervious coverage and thought has been given to the impact of such a fee. It is true that properties with greater impervious coverage, under the proposed stormwater fee program, would be charged a larger fee. The Township does not want businesses to relocate from Ferguson Township.

Q: Is the total revenue generated by each of the cost approaches the same?

A: Yes, the total revenue generated from an equivalent residential unit billing method and the revenue projected from a fixed billing unit/tiered approach is the same.

Q: If we pay for this stormwater fee individually, will the portion previously belonging to the property tax be removed?

A: Staff and the consultant have not recommended lowering other taxes to off-set the additional revenue created by the stormwater fee. The needs identified by the consultant and the Stormwater Advisory Committee are based on drainage system maintenance and operation as well as response to Federal and State mandates. The process included evaluation of alternative methods for generation of revenue taken in by the Township. The Board will determine the ultimate budget and program, not only for stormwater services, but for all Township services. There are significant revenue needs for community services provided by the Township and tough decisions will be made in the future.

Q: Has the township either researched or considered obtaining any funding through grants that are available to help pay for maintenance/improvements to township roads/streets that are considered Federal Aid Routes? These type of projects are

typically bid and reviewed by PennDOT.

A: Yes. The Township has been the recipient of many transportation related grants over the years, whether on a network consider a federal aid route or not. The Township is active in the Centre County Metropolitan Planning Organization and has representation on the technical committee and the coordinating committee.

Q: Was the loading of contaminants from agricultural fertilization and its impact on runoff water quality considered when evaluating costs for non-growth areas?

A: Not directly, no. The services in the non-growth area focus on the management of stormwater in roadside ditches and cross-connecting pipes that carry the runoff from one side of the road to another. The mandates to address water quality of the runoff in this area are not imposed on the Township stormwater program but on the agricultural community directly by the State. The allocation of the fee is impervious coverage in both the growth area and non-growth area. Best management practices (BMPs) which do improve water quality such as stream bank restoration are candidates for consideration under a credit program which would reduce the fee.

Q: What is the total annual revenue target? Will it cover capital projects? How will the credits be calculated?

A: The total annual revenue target is approximately 1.2 million dollars in year one of the program. It will cover capital projects. The credit program is still being formulated and based on certain criteria would reduce the fee by a percentage, up to a maximum percent of the total fee charged to a parcel.

Q: How will a fee be assessed for privately owned farms (200 acres or more)?

A: The fee will be assessed based on the impervious area on the parcel of land. The analysis is underway and variables of development and residential use of properties classified by Centre County as "agricultural" are being reviewed.

Q: - We here in The Landings have a very large stormwater runoff area on one side of our development. Will the individual residents be responsible for the payment of fees, or does that runoff area act as a credit towards the management infrastructure, thus reducing the fees for our residents?

A: Fees will be assessed to each parcel owner based on the impervious area on their parcel. In a development or homeowner association, the fee will be charged to the name of ownership on record for the parcel. For HOAs with common area, the HOA may decide how best to collect the fee from its members. Credits may be available for property owners with BMPs such as stormwater basins.

Q: How often will the fee be increased?

A: The study has modeled the program based on services over an eight-year period. It is anticipated that rates will change overtime, currently on an average

basis of 4% annually. This increase takes into consideration inflationary impacts as well as increases in services to address the aging infrastructure needs for maintenance.

Q: An HOA owns a stormwater basin which collects private as well as public water. Who will maintain the basin, mow the yard, trim the trees, and maintain drains/headwalls?

A: The HOA will continue to maintain the basin, mow the yard, trim the trees, and maintain drains/headwalls. The Stormwater Advisory Committee discussed establishing a policy of partnership in cases where privately-owned infrastructure serves a public purpose. Should the HOA encounter significant repairs and request the Township for financial assistance, the current stormwater fee cost of service model includes provisions for private/Township partnership funding to assist private property owners with stormwater management systems that coningle public and private stormwater in the same conveyance and/or storage system.

Q: What about waiting to see how much everything costs before doing a fee?

A: Based on historical costs and pricing of in-house and contract services for stormwater maintenance and capital projects, and an anticipated level of service, a cost model was prepared to estimate a fee.

Q: What will happen to the money the used to go to stormwater?

A: Some of it will still go to stormwater management through fund transfers to make up any deficits and to pay the Township's stormwater fees. It is a Board decision on how those current general funds will be used or adjusted. They may be used for other public purposes including providing services, maintaining roads and infrastructure, community planning, and public safety.

Q: - Who allowed CMP to be installed? That is cheap and old technology but it was said that it was used in 1990.

A: CMP (corrugated metal pipe) was used as a standard construction material for storm water pipe until such time as the standard was changed by resolution 97-06 in April of 1997 requiring smooth walled HDPE (high density polyethylene) pipe.

Q: - If this MS4 is rescinded or further defined that it is not needed in this area by the State or President, would this fee go away?

A: The fee covers more than just the cost of the MS4 program and addresses the performance of the overall stormwater infrastructure.

Q: You said PSU water comes to Ferguson, but doesn't Ferguson water go to PSU. Are they going to charge you?

A: No, not under the proposed stormwater fee program. The stormwater fee is based on impervious coverage of each parcel in Ferguson Township. Stormwater does cross boundaries between municipalities and between Penn State and

municipalities. Each entity is responsible for stormwater management within their operating boundaries. .

Q: Won't large property owners use their credits to get out of the fee, even if they still create an impact?

A: The credit program is currently under development and would offset a percent of the fee, up to a yet to be determined maximum percent of the fee. A credit program's intent is to recognize a private investment that serves a public purpose, that reduces the long-term costs for public operation of the drainage system.

Q: What are the projected needs?

A: Projected needs include management of the mandated Municipal Separate Storm Sewer (MS4) permit, construction of the MS4 (system Chesapeake Bay Pollutant Reduction Plan (PRP) projects, maintenance and repair of 33 miles of underground pipes, condition assess of an additional 7 miles of cross-connection pipes and private systems carrying public runoff, 2,300 storm inlets, roadside ditches, response to resident concerns on stormwater problems and flooding, capital projects to address stormwater issues such as repair of severely eroded water way in Park Hills, private/public partnerships to address stormwater problems in systems with comingled private and public stormwater conveyance and storage.

Q: Are roads considered in the total paved area calculation? If yes, to whom is it charged?

A: No.

Q: You mentioned that older areas are the problem vs newer developments. Why don't the older ones pay more?

A: The proposed stormwater fee is based on impervious area and this method is used across Pennsylvania and the country. Both old development and new developments include impervious area.