

CITY OF PORTLAND

**PROPOSED STORMWATER SERVICE CHARGE**

***FREQUENTLY ASKED QUESTIONS***

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*The City of Portland has had a stormwater program since the City was first incorporated. When the first sewer pipes were buried those pipes were designed to carry both sewage and stormwater runoff, what we now call, today: a combined sewer system. That sewer system, underneath the streets, out in the woods, and sometimes under trails, or in fields is not all a combined system. In some places, sewage and stormwater runoff do not share the same pipe and in some cases, stormwater runoff, coming from all parts of the City, does not flow through a pipe at all, instead relying on streets, culverts, and even backyard streams, as it flows downhill to larger rivers surrounding the City and ultimately flowing into Casco Bay.*

*Unfortunately, as the combined sewer system was originally designed (before we knew better) and as more streets, more houses, more businesses, and more parking lots were built (more impervious area), the sewer system gets overwhelmed when it rains heavily and dumps raw sewage and anything else in the sewer pipes into Casco Bay, polluting the Bay and causing it to be dirty enough to make you sick if you swam in it after a rain storm and also hurting fish, clams, lobster and other marine animals.*

*Rebuilding a sewer system that does not pollute Casco Bay is underway, but it takes time and it is expensive. All sewer services provided by the City including rebuilding the sewer system, operating the sewerage treatment plant, and cleaning and repairing sewer pipes is paid for through the sewer portion (the sewer rate) of a residence's or business's water bill from the Portland Water District every month. None of these services are paid for through property taxes.*

*During 2011 and 2012, a City Stormwater Task Force met to review the current way of paying for sewer and stormwater services and determine how it could be modified to pay for those costs more equitably. As a result of those efforts, a new rate was proposed that proposes to charge customers based on impervious area, which was determined to be the best indicator of stormwater runoff.*

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### **What is stormwater runoff?**

Stormwater begins as rain or snowmelt that falls on or washes over both pervious (grass, woodlands, gardens, and other undeveloped lands) and impervious (roofs, driveways, parking lots, streets, and other hard surfaces) surfaces. Stormwater picks up pollutants including pesticides and fertilizers from lawns, bacteria from pet waste, oil that may have dripped from cars onto parking lots, tire rubber left on the road, dirt, heat, gum wrappers, and cigarette butts from sidewalks and gutters. Stormwater runoff is the water itself and any picked-up pollutant that is not immediately absorbed by pervious surfaces.

In addition to the pollutants stormwater runoff carries to rivers and Casco Bay, stormwater runoff in Portland has the added potential to cause pollution by carrying raw sewage during a rainstorm into Casco Bay. In this case, it is the stormwater that causes overflows, while the sewage causes the pollution.

## **What is impervious area?**

Impervious area is any surface (expressed as an area, area = length x width) that does not readily absorb water and impedes the natural infiltration of water into the ground. Common examples of impervious areas include roofs, driveways, parking areas, sidewalks, patios, tennis courts, concrete or asphalt streets, and crushed stone or gravel surfaces used for vehicles.

## **What's the difference between a separated and combined sewer system?**

Some parts of Portland are a separated system, meaning that sewage and stormwater do not share the same pipe while other parts of Portland's sewer system are a combined sewer system, meaning that sewage and stormwater share the same pipe.

## **Why does Portland have a combined sewer system?**

At the time that the sewer system was first built, it was not recognized that raw sewage or stormwater, for that matter, was damaging to people's health and the environment. It is important to note that Portland's waste water treatment plant was not built until the 1970's. Before that time, raw sewage was dumped into the Bay all the time.

## **What is the plan to keep raw sewage from overflowing into Casco Bay?**

The plan is to store stormwater and sewage in the combined sewer system (equivalent to the first inch of rainfall as would fall on the impervious areas of Portland) in storage tanks at key locations along the sewer system. Following a rainstorm the storage tanks would be pumped through the sewage treatment plant.

It was determined by engineers that replacing all of Portland's combined sewer system with a separated sewer system would be more costly and complicated than keeping the combined sewer system and using storage tanks to hold stormwater. If Portland embarked on a program to separate the entire sewer system, almost all the roads, in much of Portland would have to be dug-up and repaved and residents and businesses would also have to change their sewer connections, adding to the total cost. Given that stormwater runoff may need to be treated to remove pollutants in the future, controlling the flow of stormwater to central locations may also make the plan additionally more cost effective.

The plan is not only storage treatment tanks. The plan also includes some sewer separation projects in some locations of Portland, upgrades to the sewage treatment plant, and some green infrastructure projects.

## **What is the stormwater program now?**

The stormwater program is responsible for the maintenance and improvement of the city's drainage system. These systems consist of storm drains, catch basins, underground pipes, open channels, culverts, and brooks. Program activities include:

- Administering, planning, implementation, and maintenance of best practices to reduce the introduction of sediment and other pollutants into local water resources;
- Installing, operating, maintaining, and replacing as needed the stormwater drainage system and combined sewer system;
- Maintaining legal compliance with federal clean water regulations; and
- Education, engineering, inspection, monitoring, testing, and enforcement activities as necessary to maintain compliance with local, state, and federal requirements.

## **How is the stormwater program funded now and what is the plan to fund the stormwater program in the future?**

The stormwater program is currently funded through revenue raised through sewer fees. Sewer fees are billed through the Portland Water District Water and Sewer bill sent to customers in Portland every month. No property tax revenue is used to pay for the stormwater program.

The plan is to split the costs needed to fund the stormwater and sewer programs between two fees (sewer and stormwater) rather than only the sewer fee. Sewer fee revenue would continue to be used to pay for sewer related costs and the new stormwater fee would be used to pay for stormwater related costs.

## **What is a stormwater service charge?**

A stormwater service charge is similar to the water or sewer charge.

- Water charges pay for demand placed on the water distribution system and are a way to raise revenue to support the delivery of water to a customer and are calculated based on the water rate times the volume of water used by a customer every month.
- Sewer charges pay for demand placed on the sewer conveyance system and are a way to raise revenue to support conveying sewage away from a property and treat that sewage. The charges are calculated based on the sewer rate times the volume of water used by a customer every month less any volume of water that does not enter the sewer. Currently sewer charges pay for both the sewer and stormwater program.
- Stormwater charges are a way to raise revenue to support conveying stormwater from a property and are calculated based on the stormwater rate times the area of impervious area on a property. The proposed stormwater service charge will pay for the stormwater program while the sewer user charge will continue to pay for the sewer program.

## **Why is the City of Portland considering a stormwater service charge?**

Portland's sewer charges currently pay for both conveying sewage and stormwater away from a property. The proposed stormwater charge is a way to more fairly and equitably distribute the cost of providing these services to the users of those systems. The stormwater service charge will be used to raise revenue needed to fund the city's stormwater management program while the sewer user charges will be used to raise revenue to fund the city's sewer program.

## **Is a stormwater service charge legal?**

Stormwater service charges are legal. State and federal courts have ruled that stormwater fees are necessary to maintain the public stormwater system and such fees represent a more fair and equitable way for the community to share the cost of a public service. Stormwater fees are becoming more common throughout the United States.

## **How is the stormwater service charge different than a tax?**

The stormwater service charge is not a tax. The stormwater service charge is much like the fee that you pay for your water service or sewer service. Users of these services are charged based on the demand they place on the system. The stormwater runoff that flows off your property places demand on a vast system of infrastructure which is costly to operate and maintain. A property's value does not affect stormwater runoff, so property taxes are not the most equitable way to pay for stormwater services. For example, while a high-rise building and shopping mall may have similar property values and therefore similar taxes; the shopping mall probably produces more stormwater runoff due to more rooftop area and parking lot area. So, the fee system equitably will ensure that the customer pays only for the stormwater runoff they produce, effectively keeping property taxes lower.

## **Who would pay a stormwater fee?**

All developed properties within the City of Portland will be charged for stormwater services. This includes property owned by the City itself, universities, non-profits, Cumberland County, the State of Maine, and the Federal Government. Properties with less than 400 square feet of impervious area will be exempt from the fee as well as City, State, and private roads, the airport runway, and railroad tracks.

## **Is the fee based on how much rain falls on my property?**

No. While the stormwater program is in place to management runoff and volume of stormwater generated by rainwater, the fee is in no way related to the amount of rain that falls. The charge is a fee for runoff discharged from a property, not the amount of rain falling on a property. Property owners can control the level of development on their property, which directly impacts the runoff volumes and characteristics of the property.

## **Why would I pay stormwater charges if I don't have a drainage problem?**

If your property has impervious area such as rooftops, sidewalks, driveways, patios, etc., it contributes to stormwater runoff. While there may not be a drainage problem on your property, runoff generated from a property contributes to stormwater downstream. The approach being taken to pay for the cost of the stormwater program recognizes that everyone contributes to stormwater runoff if there is impervious area on your property and everyone will share the benefits of the program which include improved water quality, reduced flooding, a clean Casco Bay.

## **Why would I pay stormwater charges if there is no storm drain where I live?**

The city's stormwater conveyance system includes much more than storm drains. Ditches, curbs, gutters, culverts, and open streams make up the city-wide drainage system that conveys stormwater runoff away from properties to minimize the potential for flooding and erosion. The City is responsible for maintaining the entire manmade and natural public conveyance system. Furthermore, all properties benefit from the regulatory permits the City holds with federal and state agencies and if the city did not maintain those permits, individual properties would have to hold permits with federal and state agencies instead.

## **Why doesn't the City pay for the impervious area of roads?**

The stormwater service charge exempts roads because they are part of the stormwater drainage system. The roads create stormwater runoff, but also convey stormwater runoff away from private property. Furthermore, roadways account for approximately a third of all the impervious area in the city and if by charging the city for roads, property tax payers would have to pay for that portion of the cost.

## **What are credits and how do I apply?**

The stormwater service charge includes a way for homeowners and businesses to reduce how much they are charged in stormwater service charges by building certain stormwater retention or quality improvements on their property. These credits are in addition to any impervious area that a homeowner or business may remove to reduce their charges. Homeowners and businesses applying for a credit would need to make approved improvements to their property, have those improvements inspected by the City, and then apply to the Public Services Department for credits.