

Elyria Announces Stormwater Utility Fee in Response to EPA Unfunded Mandate and Stormwater Concerns

Elyria, Ohio (March 24, 2016)—Today, the City of Elyria announced the beginning of its Stormwater Utility Fee Program, according to Mayor Holly Brinda.

Starting April 1, 2016, Elyria residential property owners will be billed a fixed quarterly amount of \$7.95, while non-residential property owners will pay a variable rate based upon impervious areas they own. For every 2,700 square feet or one (1) Equivalent Residential Unit (ERU), a fee of \$2.65 will be applied.

“More than 100 communities in Ohio and more than 2,000 in the United States have instituted a stormwater utility fee to cover unfunded issues relating to pollution of streams and flooding issues for homeowners and businesses,” said Brinda. “After meeting with businesses and the community, it was determined that a fee would be the best approach to meet the demands of the United States Environmental Protection Agency (U.S. EPA) regarding pollution of the Black River and the cries for assistance from homeowners with flooded basements.”

The Stormwater Challenge

The City of Elyria needs revenue for two primary reasons:

- To comply with a federal mandate known as the National Pollutant Discharge Elimination System (NPDES) water quality regulations, which are part of the 1972 Clean Water Act. The focus will be on improving the water quality of the Black River and Lake Erie.
- To address stormwater flooding and drainage problems within the city.

“Our city did not have a dedicated funding source to deal with these immense challenges. No government funds are available either,” said Brinda. “We need to go to our community residential homeowners and non-residential property owners to help us make things right. We have no other choice.”

Residential Homeowners

Homeowners will pay a fee of \$2.65 per month or \$7.95 per quarter or \$31.80 per year. Here’s the math: Through a detailed study the city determined that the average residential property in Elyria has 2,700 square feet of impervious area. (“Impervious areas” are hard surfaces that cannot absorb stormwater and lead to problem stormwater runoff -- buildings, asphalt, concrete, gravel lots, etc.) The city considers every single-family and two-family property in Elyria to be one (1) “Equivalent Residential Unit,” or ERU. There is a single fee for every homeowner, so no further calculations are necessary.

Non-Residential Property Owners

Non-residential property owners will pay a quarterly stormwater fee based on how much impervious area the owner has. A non-residential property owner is someone who owns one or more businesses, industries, churches, schools, government buildings or residential properties that contain three or more units. In calculating this specific stormwater utility fee, Elyria again uses the Equivalent Residential Unit (ERU) which is always equal to 2,700 square feet and with a rate of \$2.65 as a starting point.

The Elyria engineering department measured the total square feet of impervious area for a property or properties. The department then divided that area by 2,700 square feet (one ERU), rounded the result to the next whole number, multiplied that number by the *monthly* ERU rate of \$2.65, then multiplied that dollar amount by three (as in “three months per quarter”) to get the *quarterly* rate shown on the owner’s bill as “Current Amount Due” in the “Account Activity” box.

Here’s an example: Joe’s Garage has 27,000 square feet of measured impervious area. So the calculation divides the impervious area measurement by 2,700 square feet ($27,000 \div 2,700$) which results in 10 ERUs. The calculation then multiplies the 10 ERUs by the monthly ERU rate of \$2.65 ($10 \text{ ERUs} \times \$2.65 = \26.50) which provides the *monthly* fee. Then the monthly fee of \$26.50 is multiplied by three (as in “three months”) to arrive at the *quarterly* rate shown on the bill as “Current Amount Due” in the “Account Activity” box.

Why is this Fee Necessary?

Federal unfunded mandate. Since 2003 the City of Elyria has been required to comply with the unfunded federal mandate known as the National Pollutant Discharge Elimination System (NPDES) water quality regulations, which are part of the 1972 Clean Water Act. These regulations require the city of Elyria to reduce pollutants and stormwater runoff. In addition, the city has been audited several times by Ohio EPA, with violation findings after each audit. Without a dedicated funding source to address these regulations, Elyria will not be able to comply with that mandate, which may result in large fines to the city and other penalties.

Water-quality problems. According to the U.S. EPA, 40 percent of our nation’s waterways remain polluted -- and stormwater runoff is a leading source of that. Stormwater pollution can occur when rain events wash oil, salt, soil, fertilizer, pesticides, animal waste and other pollutants into our bodies of water and overwhelm our sewers. Elyria’s Black River is affected by stormwater pollution.

Where Will the Money Go?

The largest portion of the revenue generated by the stormwater utility fees will be used to comply with NPDES water quality regulations. Funds will also be used to support the funding of flooding and drainage projects throughout the city. The engineering department developed a plan to begin addressing these issues, with work beginning in 2016. Visit the new City of Elyria stormwater webpage -- www.elyriastormwater.com -- for a current list of priority projects, along with a map depicting locations of each.