

TOWN OF CEDAR LAKE STORM WATER USER FEE



Background on Federal Unfunded Mandate

According to U.S. EPA, polluted stormwater runoff is a leading cause of impairment to the nearly 40 percent of surveyed U.S. water bodies which do not meet water quality standards. Over land or via storm sewer systems, polluted runoff is discharged, often untreated, directly into local water bodies. When left uncontrolled, this water pollution can result in the destruction of fish, wildlife, and aquatic life habitats; a loss in aesthetic value; and threats to public health due to contaminated food, drinking water supplies, and recreational waterways.

Mandated by Congress under the Clean Water Act, the NPDES Stormwater Program is a national program for addressing the non-agricultural sources of stormwater discharges. These discharges adversely affect the quality of our nation's waters. The program uses the National Pollutant Discharge Elimination System (NPDES) permitting to require the implementation of controls that are designed to prevent harmful pollutants being washed by stormwater runoff into local water bodies.

Small MS4 Stormwater Program Unfunded Mandate Requirements

Operators of regulated small MS4s (which includes the Town of Cedar Lake) are required to have permit coverage through the Indiana Department of Environmental Management (IDEM). Under the Small MS4 Stormwater Program, operators of regulated small MS4s are required to:

- Apply for NPDES permit coverage
- Develop a Stormwater Management Program which includes minimum control measures
- Implement the Stormwater Management Program using best management practices (BMPs)
- Develop measurable goals for the program
- Evaluate the effectiveness of the program

The legal documents to support this unfunded mandate are:

- U.S. Environmental Protection Agency - Phase II of the National Pollution Discharge Elimination System program (FR Doc. 99-29181) authorized by the 1972 amendments to the Clean Water Act
- Indiana Department of Environmental Management – Rule 13 (327 IAC 15-13)

Without the funding to implement the requirements, small MS4s have to develop mechanisms to fulfill federally mandated objectives to treat stormwater.

Impervious surfaces and stormwater

Impervious surfaces and hardened surface areas prevent or limit the natural entry of water into the soil, to include: rooftops, buildings, streets, parking lots, sidewalks, asphalt, concrete, other paving, driveways, compacted gravel, patios, artificial turf, etc.

Since rainwater cannot be absorbed by these surfaces, the water must be managed through a stormwater system to prevent flooding. Stormwater runoff from impervious surfaces is often polluted with automotive fluids, metals, sediment, and debris. This polluted stormwater runoff ends up in our streams, ditches and lakes.

What is an ERU?

The rate used to calculate stormwater fees for Cedar Lake parcels is based on the amount of impervious surface area. Much like a “kilowatt” serves as the basis for electrical utility, the “Equivalent Runoff Unit”, or ERU, is the base unit for a stormwater utility. An ERU is a measure of the amount of impervious surface on a property.

Residential Rates

Multiple lots that are combined under one (1) tax parcel number and are contiguous and residential and under five (5) acres is established as the "Equivalent Runoff Unit" or ERU. Therefore, one (1) single family residential parcel < 5 AC = 1 ERU = \$10.00/month.

Benefits

Revenue generated from the stormwater user fee will improve the Town in the following ways:



- Supplement roadway drainage improvement.
- Provide long term maintenance for existing stormwater detention.
- Minimize off-site sediment from construction sites.
- Provide education to the residents on water quality.
- Routine testing of water quality.
- Shoreline and ditch bank stabilization.
- Reduce sediment into our waterways and Lake.
- Fish and wildlife enhancement.
- Reduce flooding.
- Wetland protection.

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