

The Montgomery County Water Quality Protection Charge Frequently Asked Questions

1) What is the Water Quality Protection Charge (WQPC)?

The WQPC appears as a line item on your property tax bills and pays for the structural maintenance of stormwater management facilities and water quality improvements in the County. The Water Quality Protection Charge is the result of years of study, recommendations and hard work by citizens serving on work groups and task forces, County Council Staff and the Department of Environmental Protection.

2) Who will pay?

The charge will be paid by all residential property owners and any associated nonresidential property owners.

3) What are associated nonresidential properties?

An associated nonresidential property is any nonresidential property from which stormwater drains into a stormwater management facility that primarily serves one or more residential properties. Some examples of associated nonresidential properties are:

- a restaurant that has a parking lot draining into a neighborhood stormwater pond
- a church parking lot draining into a neighborhood pond
- a private school that has sidewalks, parking lots and outbuildings draining to a residential pond or other type of stormwater management structure

4) Who do I call to find out more information on the charge and why my property was charged?

To find out more information on the charge please call the Department of Environmental Protection Water Quality Protection Charge hotline at 240-777-7763.

5) How has the charge been determined?

The charge is based on the average amount of square feet of roof, sidewalk and driveway for a single-family dwelling. Wet weather cannot penetrate these “impervious” surfaces, thereby washing pollutants such as oil and grease from driveways, as well as fertilizers, pesticides, and pet waste from yards and turf areas either into nearby streams or into a stormwater management structure. Accumulating stormwater also can erode stream banks if not properly managed by well-maintained ponds, sand filters, infiltration trenches or other stormwater management structures. The average impervious surface has been calculated to be 2,406 square feet and is the Equivalent Residential Unit (ERU) or the base unit for calculating the Water Quality Protection Charge.

- Associated nonresidential structures are billed as multiples of the ERU. If a restaurant has 24,060 square feet of imperviousness, then the property owner will pay ten times the ERU.
- Condominium and apartment charges are calculated based on the amount of imperviousness and are billed as multiples of the ERU.
- Town homes are billed at one-third of an ERU.
- Single family homes are billed as one ERU.
- Commercial and other land use classes that have on-site facilities that do not drain to residential facilities will not pay the charge but will be required to maintain their own structure

6) How much is the WQPC?

As of July 2009, the rate is \$45.50 per ERU. This means that single family home owners pay a flat rate of \$45.50 and town home owners pay a flat rate of \$15.02.

The County Council sets the rate of the Water Quality Protection Charge on an annual basis. A public hearing is held annually before the Council sets the rate.

7) Why do I have to pay a WQPC?

The County is required by the Montgomery County Code to provide stormwater management facilities and services that control the quantity and quality of runoff entering the streams and rivers in the County, including the structural maintenance of those facilities. Developers generally pay for construction. Funding is not provided by federal or state governments for the maintenance of these facilities.

8) Why do I have to pay a WQPC for my restaurant but the restaurant two blocks away is not charged?

Your restaurant drains to a Stormwater management facility that primarily drains residential properties. The other restaurant drains to a Stormwater management facility that drains only non-residential properties.

9) Do tax exempt properties (if they are considered an associated nonresidential property) have to pay?

Yes, because it is a charge, not a property tax. Property taxes are based on the assessed value of the property. The WQPC is assessed based on how much the property contributes to the amount of Stormwater runoff from the property.

10) If tax exempt properties have to pay, why don't government owned facilities (that are considered associated nonresidential properties)-Federal, state, or local?

All government properties are not charged. An exemption is provided to State and Federal properties under Maryland state law.

11) I own a farm. Why is my agricultural property (if it is an associated nonresidential property) being assessed this charge?

Farmhouses are being treated as residential properties. You are being charged based on the impervious area of your farmhouse, driveway, etc., not your whole property area. Cropland and pastureland are not charged.

12) Is the Water Quality Protection Charge deductible from my Federal Income Tax?

No. The Water Quality Protection Charge is not deductible from Federal or State Income Taxes.

13) Do I have to pay for any undeveloped properties that I own?

No, because there is no impervious area associated with your property.

14) Do I have to pay for any unoccupied developed properties that I own?

Yes, because that property contains impervious area.

15) What happens if I don't pay or I pay late?

Interest on the overdue payment accrues according to the same schedule and at the same rate charged for delinquent real property taxes until the owner has remitted the outstanding payment and interest. An unpaid Charge is subject to all penalties and remedies that apply to unpaid real property taxes. If the unpaid Charge becomes a lien against the property, the lien has the same priority as a lien imposed for nonpayment of real property taxes.

16) Can I appeal the charge?

If a property owner believes that a Charge has been assigned or calculated incorrectly, the property owner may petition the Director for an adjustment by submitting a written request in a form acceptable to the Department of Environmental Protection within 21 days after the property owner receives a bill for the Charge. The request must state the grounds for the property owner's petition.

17) Will revenues be spent throughout the County?

The Stormwater maintenance program is County-wide. However, the Cities of Rockville, Gaithersburg, and Takoma Park will not be included in this program because they are already implementing a Stormwater maintenance program in their own respective cities. Takoma Park will continue to assess its own stormwater fee to its residents.

18) How was the amount of impervious surfaces determined?

Impervious surfaces were determined by analyzing a statistically significant number of residential parcels in the geographic information system (GIS) available from Montgomery County and the Maryland-National Capital Park and Planning Commission (M-NCPPC).

19) Why do I have to pay when I do not have any drainage or stormwater problems?

Everyone in the County benefits from the stormwater maintenance program. If stormwater runs off your property, the County must have a program and funding to manage the increase in runoff and pollutants.

20) Why is the stormwater management program not funded by tax revenues?

It has been funded in the past by tax revenues. However, the WQPC is fairer than a stormwater tax based on the assessed value for the real property, because: The charge is based on each property's actual contribution to stormwater runoff. Each property contributes a fair and equitable share towards the overall cost of the stormwater maintenance program.

21) Why do we have the stormwater management?

Rain and stormwater runoff is an issue few people spend much time worrying about unless they have forgotten an umbrella during a downpour or come home to a flooded basement. However, taking appropriate steps to control stormwater runoff is becoming an extremely important issue for Montgomery County. Impervious surfaces such as roofs, driveways, parking lots, and streets prevent precipitation from entering the ground and the groundwater where it completes the hydrologic cycle. Instead stormwater is collected and either sent to a stormwater facility or discharged directly to the streams without control. Older, urbanized areas of the county without stormwater controls bear witness to the devastation visited upon nearby stream valleys, which were blasted by incredible volumes of water, sediment, and pollution, changing from gurgling, bucolic streams to 50 foot wide lifeless channels with toppled trees, exposed sewer lines, and deeply cut and eroded banks. Funding from the Water Quality Protection Charge helps to correct and improve our damaged streams and water ways by maintaining the stormwater management facilities, installing new facilities, monitoring water quality, and restoring damage streams.

22) What is the Stormwater Facility Maintenance Program?

The Stormwater Facility Maintenance Program is responsible for inspecting and ensuring maintenance for all public and private stormwater management facilities within Montgomery County. These facilities, comprised of wet ponds, dry ponds, sand filters, infiltration trenches, oil grit separators and underground storage structures, are vital components to protecting our streams and our safety. The program is responsible for inspection and maintenance of over 1,500 stormwater management facilities, and inspection of an additional 2,500 facilities. Inspection and maintenance of this valuable infrastructure is imperative to keep them functioning so they continue to remove pollution, recharge groundwater, protect stream banks and keep roads from

flooding. The Water Quality Protection Charge provides the funding to maintain these structures as assets to our parks, schools, businesses and neighborhoods.