

Commissioners set 1-cent rain tax

By Bethany Rodgers News-Post Staff | Posted: Friday, May 31, 2013 2:00 am

The so-called rain tax set to pour over many parts of Maryland will hit Frederick County residents with mere 1-cent droplets.

County commissioners Thursday decided to start charging eligible properties an annual fee of one penny, enough to net the county a grand total of \$487.81 each year, according to staff estimates. For county leaders, though, the goal is not to drum up funds but to do the bare minimum to comply with a state mandate.

Legislation passed by the Maryland General Assembly in 2012 requires 10 jurisdictions, including Frederick County, to craft a stormwater remediation fee by July 1, 2013. The law gave local leaders freedom to design the fee, known by its critics as a “rain tax,” but stipulated that proceeds should pay for watershed restoration and preservation.

The three Frederick County commissioners who approved the fee said they did so under duress. By setting the rate at one penny, commissioners aimed to send a message of rebellion while preventing the state from penalizing the county for noncompliance.

“I’m just not willing to fall in like like some little minion because the governor says you’re going to,” Commissioners President Blaine Young said after the meeting.

Commissioner David Gray, who joined Commissioner Billy Shreve in opposing the 1-cent fee, said the county was not attracting the right kind of attention. Local officials should hammer out solutions in collaboration with the state, Gray said, likening the county’s current approach to that of a child who “throws a tantrum on the floor in the middle of a department store.”

Young responded that he didn’t think the county had thrown a fit about the stormwater fee. But sometimes, a tantrum is preferable to acquiescence, he said, referencing an incident earlier this year when he lashed out at a 17-year-old basketball referee at a game.

“I apologized for my tantrum I threw with the referee, but I can tell you right now, my words to that referee would be the same words I’d give to this governor,” he said.

The new fee will apply to an estimated 48,781 properties. Exempt from the new charge are properties inside municipalities and land owned by the state, the county and volunteer fire companies.

Gray said he would’ve favored enacting a fee of about \$70 per household to open a real stream of funding for work on water restoration. However, fully funding these efforts would cost significantly more, said Shannon Moore, the county’s manager of sustainability and environmental resources.

The county is knee-deep in applying for a new five-year stormwater permit, and though negotiations are continuing, the current draft comes with a total cost of \$112 million, she said. If each eligible property owner paid an equal share of this cost, much of which relates to watershed cleanup, the yearly stormwater fees would work out to about \$529 per property, Moore estimated.

Young said he's not sure how the county will pay for its permit if it only charges a 1-cent fee. However, the penny-sized fee will buy the county time, during which state legislators could revisit the stormwater requirements.

The Frederick County decision to charge as little as possible will come with a cost, said Alison Prost, Maryland Executive Director of the Chesapeake Bay Foundation.

"They're really putting local water quality in jeopardy," she said. "The longer we delay putting projects in the ground, the harder our job is going to be."

Failure to act will mean flooded basements and polluted streams and rivers in Frederick County, Prost said.

Local taxpayers don't have to bear the full burden of watershed cleanup, she added; creative financing options and state grants could help bridge the gap.

However, uncertainty about the new stormwater fees is discouraging some businesses from settling in the state, said Chris Kline, a local resident and principal at a commercial real estate company.

"Those businesses that are looking to build are all in limbo. They're scared. They don't know what this means," Kline told commissioners.

Several jurisdictions are still working on their fees. However, Harford County set the annual rate at \$125 for each homeowner, according to information provided by the Maryland Association of Counties.

The measure passed by commissioners Thursday will take effect July 1.

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