## Why we need the Stormwater Utility – the RCS Perspective

The Rivanna Conservation Society has, for more than 20 years, been concerned about the impact of the runoff that occurs after major rain and or snow storm events. With each storm, pollution is washed from the land surfaces into the rivers and streams that flow in our lovely community. Working with the UVA Conservation and Environmental Law Clinic and the Southern Environmental Law Center, RCS and its partner submitted recommendations to the various governmental jurisdictions, many of which have been implemented

Now the City of Charlottesville is proposing to increase its focus on stormwater management and has a stormwater program that will come before the City Council of February 4, 2013. This program is needed because as Charlottesville has developed, large areas have been covered with impervious surfaces – (surfaces that do not absorb water). These hard surfaces account for over 105 million square feet, or about 37%, of the city, which is enough to cover almost 2,000 football fields. RCS is supporting the proposal to improve the City's stormwater systems and the utility being developed to support it. Here's why…

When rain falls on these hard surfaces, the water cannot infiltrate into the ground; instead, the precipitation runs off as stormwater into a system of drains, ditches and pipes designed to collect and convey the stormwater to keep our homes and businesses safe from flooding. It is important to keep in mind that this system of stormwater infrastructure does not connect to water treatment facilities. Stormwater flows directly into our local creeks, streams, and the Rivanna River.

As stormwater runoff flows over the ground, it picks up oils, greases, and heavy metals from roads and parking lots, pesticides and fertilizers from yards, trash, debris and pet waste that has not been properly disposed of, as well as nutrients, sediment, and other harmful pollutants. Since our storm drains connect directly to our local waterways, these pollutants are carried along with stormwater runoff into our creeks and streams. Because much of the stormwater can't soak into the ground, it drains in much higher volumes and at much faster rates then it naturally would.

The stormwater can accumulate and lead to drainage and flooding problems and puts a heavy burden and wear and tear on infrastructure. The City's current system of stormwater infrastructure includes sections that are quite old, and as a result are either inadequately sized to handle current levels of runoff or are deteriorating and need to be rehabilitated. A proactive rehabilitation (repair and replacement) program is needed to ensure that the current system functions properly.

The City has assessed and evaluated the current level of stormwater services provided to the citizens of Charlottesville, as well as the current and future need for and cost of enhanced and additional services. With the guidance of a citizen Advisory Committee appointed by the City Council, a proposed Water Resources Protection Program (WRPP) was developed to address Charlottesville's stormwater related challenges in what we at RCS believe is a comprehensive and economically and environmentally sustainable manner. From our perspective, 1) The program should meet all state and federal mandates and include public participation as a fundamental component. 2) The program should be realistic and achievable and establish clear lines of accountability and decision making. 3) Services provided by the City should be clearly defined, be based on an assessment of actual need, and be provided as efficiently as possible.

4) Program funding should be fair and equitable and the rate methodology should be set to avoid unintended consequences on local residents and businesses. 5) The City should seek to move from just managing stormwater system components to a comprehensive water resources protection program.

RCS believes that charging a fee is fair and equitable because it is based on a property's contribution to the problem (runoff from impervious surfaces), not simply on assessed value, and includes all properties (including tax-exempt ones). A stormwater utility also ensures that collected user fees are wholly dedicated to funding the WRPP components. This fee will provide a consistent and stable funding source to ensure that the WRPP is both environmentally and economically sustainable.

As currently proposed, the fee is based on the amount of stormwater runoff that a property contributes to the stormwater system and local waterways, which is directly related to the amount of impervious area (surfaces such as rooftops, driveways, and parking lots) on the property. The City has measured the amount of impervious surfaces on every developed property in Charlottesville using computerized maps, called Geographic Information Systems (GIS), and recent high quality aerial photography. This methodology is consistent with how other communities in Virginia and across the country determine stormwater fees. The stormwater user fee is determined by the amount of impervious surfaces on a piece of developed property, broken down into 1,000 square foot units, called billing units.

The revenue collected through the utility must, by law, be dedicated to providing stormwater services. These services under the WRPP will be specifically targeted to 1) Meet the increasing regulatory requirements of the City's stormwater permit, 2) Repair and replacing deteriorating stormwater pipes and infrastructure, 3) develop of a master plan for integrating water quality improvement goals with drainage system improvement projects and to establish a strategic plan for mandated pollution reduction requirements, 4) Construct projects to address drainage and flooding problems in the city, 5) Environmental protection and restoration efforts, and 6) Increase inspection and enforcement services

In order to assure fairness, the Advisory Committee recommended that all developed properties in the City of Charlottesville that are not specifically waived by the state enabling legislation will have to pay the fee. And to help offset costs, the proposal includes a credit policy for property owners. Credits and an associated fee reduction can be pursued by property owners for structural stormwater management facilities that reduce stormwater levels and pollution. The fee may also be reduced if there is a reduction in impervious surface on the property. An incentive program will also be developed that will include rebates and mini-grants for smaller scale practices, such as tree planting and rain garden plantings, that improve a property's management of stormwater.

This is not a new concept, in fact over 1,000 municipalities across the country with fee-based stormwater funding in place, including numerous examples in Virginia. Fee-based programs are promoted by the US Environmental Protection Agency and authorized by the Commonwealth of Virginia as a fair, equitable, stable, and effective way of addressing water resources challenges at the local level. And there are a number of reasons why now is a critical time to establish a Stormwater Utility.

1) The City, like many other municipalities in Virginia and across the nation, is facing increasingly more stringent, onerous, and costly Federal and State water quality and stormwater regulations.
2) The recent requirements to develop and implement pollution reduction plans to comply with the federal mandate to restore the Chesapeake Bay will be particularly challenging and expensive.

3) The City has stormwater infrastructure that is aging and in many cases is at or nearing the end of its useful life, as well as historic and serious drainage problems that need to be addressed.
4) The City is poised to make serious commitments to environmental stewardship and sustainability over the past several years. Current levels and sources of funding are not adequate or stable enough to meet these challenges. We want to support them in their effort.

For more information you can click on the documents attached or visit the City's website, www.charlottesville.org/stormwater.