

PUBLIC COMMENTS RECEIVED ON STORMWATER UTILITY FEE PROGRAM

Between September 29 and December 20, 2014 **42 individuals** submitted comments regarding the proposed Stormwater Utility Fee Program. Written comments were received on Be Heard Harrisonburg, submission of public comment forms at open house meetings, by fax, by mail, and by e-mail. Of comments made there were:

- 26 city residents
- 9 representing city businesses
- 7 other/ unknown

- 7 explicitly stated support for the program
- 11 explicitly stated opposition for the program
- 24 neither stated support or opposition, but had questions about the program or made recommendations for improving the program

Below is a list of general comments and questions received. This is not an inclusive list of comments. Original comments and associated responses by city staff are included in this packet.

- Good to help clean up the bay and to decrease pollution
- Program addresses water quality issues fairly and equitably;
- Program is modeled after best practices in similar communities
- That another fee (or tax) is unfair. There are already too many taxes and fees.
- Simplify the program by increasing the property tax instead
- Make the credit program attractive enough to support investment paybacks
- Increase credit opportunities; types of eligible stormwater practices
- Encourage cost-share for public/ private partnership projects
- Evaluate all fees implemented by city; too many, too high fees for city residents and businesses
- Hope that all measures and credits allowed will be applicable to both commercial and non-commercial property owners
- Most of my roof sheds drain onto the ground, not onto a hard surface
- Look at alternative funding measures
- Consider “phasing-in” fees; with a lower fee that is increased over time
- Not convinced what city is doing will have a measurable effect
- Consider taxing items that are non essential like tobacco and alcohol instead
- Question around equity. What can be done to benefit every economic level? Suggest placing some funds into a separate fund for a rotating “grant”.
- Will land and buildings in our city that are owned by the state be exempt?
- Properties that have an Industrial Stormwater Permit (VPDES Permit) from VA Department of Environmental Quality should receive a credit.

Comment Form

Stormwater Utility Ordinance and Fee— Public Input



**KEEP IT CLEAN,
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Name: Dave Byers

Address: 320 Maryland

Email: # Phone: _____

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? _____

Good to help clean up the bay

What would you change about the stormwater utility program? _____

Just learned now about it

Other questions/ comments/suggestions: _____

Please use backside if needed.

Please submit comments by **December 20 2014**

Please email comments to: Thanh.Dang@harrisonburgva.gov or mail form to:
ATTN: Thanh Dang Harrisonburg Public Works, 320 East Mosby Road, Harrisonburg, VA 22801

More information about the proposed Stormwater Utility Fee and the city's efforts to stop polluted runoff
can be found here: www.harrisonburgva.gov/stormwater-utility

Comment Form

Stormwater Utility Ordinance and Fee— Public Input



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Name: _____

Address: _____

Email: _____ Phone: _____

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? _____

Decreasing pollution

What would you change about the stormwater utility program? _____

simplify by adding it to property tax

Other questions/ comments/suggestions: _____

Please use backside if needed.

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Name: Larry Fanella

Address: 1018 Summit Ave

Email: Larrygf@hottmail.com Phone: 478 3914

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? _____

Fees too high, consider floating a bond
To spread the cost over longer period for very large
projects - then reduce the fees

What would you change about the stormwater utility program? _____

Other questions/ comments/suggestions: _____

Be sure, very important, that the credit program
is attractive enough to support investment payback
for systems that will accomplish the ultimate
goal (not just half way)

Please use backside if needed.

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Name: Danielle Morris

Address: 1841 Shenstone Dr

Email: Danielle.Morris@harrisonburgva.gov Phone: 433-3458

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? _____

it will help maintain the stormwater system

What would you change about the stormwater utility program? _____

give more options on lowering the fee - metal roof
instead of shingles !!

Other questions/ comments/suggestions: _____

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Name: Ben Craig

Address: 441 Ohio Ave

Email: Craigb@vt.edu Phone: 4

Are you a city resident? Yes ___ No

Do you own a business in the city? Yes ___ No

What do you like about the proposed stormwater utility program? Addressing
water quality issues fairly and equitably; ^{program} modeled after
best practices and similar communities.

What would you change about the stormwater utility program? _____

Other questions/ comments/suggestions: Work of non-profit or
other organization to develop a guide / listing of
contractors who can implement "credit" practices.

Please use backside if needed.

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Name: James Reidler

Address: 1181 King Edward Way Harrisonburg VA 22801

Email: superwrench48@comcast.net Phone: 540 4381977

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? Nothing. Looking at the billboards at the meeting the large farm polluters get a low priced (free) pass while the homeowner pays for the petty amount of rainwater that wastes away the bird manure on his roof.

What would you change about the stormwater utility program? where the water ends up on the property should be considered. My roof and driveway deposit rainwater on the grass which eventually enters the underground aquifers and becomes the well water we drink

Other questions/ comments/suggestions: Too many to list.

Please use backside if needed.

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Name: Susan Broderick

Address: Shenandoah Valley Appl. Assoc -

Email: sbroderick@msc-rentals.com Phone: 442-4800

Are you a city resident? ___ Yes No

Do you own a business in the city? ___ Yes No

What do you like about the proposed stormwater utility program? _____

I haven't seen anything I like about it yet

What would you change about the stormwater utility program? _____

I certainly wouldn't strangle businesses.

Other questions/ comments/suggestions: _____

Evaluate all the "fees" you keep implementing.

Evaluate the necessity of # of city employees, fees

and management. needs improvement

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Name: Chip Brown

Address: 977 S Dogwood Dr. 22801

Email: cbrown2001@gmail.com Phone: 507-459-1839

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? _____

Fee based on impervious surface - opportunities
to offset fees with credits - spreading responsibility
and stewardship out among all citizens.

What would you change about the stormwater utility program? _____

Other questions/ comments/suggestions: _____

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Name: Chris Rowan / Heifer Investments LLC

Address: 560 Waterman Dr.

Email: crunion@eesigns.biz Phone: 434-8595

Are you a city resident? ___ Yes No

Do you own a business in the city? Yes ___ No

What do you like about the proposed stormwater utility program? _____

addresses state requirements

What would you change about the stormwater utility program? _____

- increase available credit for commercial/industrial sites
- allow gravel to be considered pervious surface
- encourage thru cost share public/private partnership projects

Other questions/ comments/suggestions: _____

change fee calculation from area to consumption
based to capture revenue from transient &
student population

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Name: DIANE S. GRAY

Address: 879 COLLICELLO ST.

Email: dsgilw2live@hotmail.com Phone: 433-8280

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? _____

That you are attempting to explain it to the public

What would you change about the stormwater utility program? _____

Other questions/ comments/suggestions: _____

My gutters are detached from sewer
~~My entire~~ 90% of my property is under tree coverage -
stopping/absorbing run-off. Should get credit.

Please use backside if needed.

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Name: DIANE S. GATEY

Address: 2192 LAKE TERRACE DR.

Email: dsiduo2ln@hotmail.com Phone: 433-8280

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? _____

What would you change about the stormwater utility program? _____

Other questions/ comments/suggestions: _____

* I don't think the deck & stairway should be included - it goes to back yard
* Back gutter drain runs into yard - not into sewer.

Please use backside if needed.

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Name: Robert Jennings

Address: 260 Sunshine Ln., Shipman, VA 22971

Email: whiteoaktalkinge@hotmail.com Phone: 484-888-2966

Are you a city resident? ___ Yes No

Do you own a business in the city? ___ Yes No

What do you like about the proposed stormwater utility program? _____

It's fair & necessary.

What would you change about the stormwater utility program? _____

Nothing.

Other questions/ comments/suggestions: _____

This fee is just. We as landowners & citizens need to do our individual fair share to ensure a legacy of clean water for generations to come. I hope this fee raises awareness that we all live upstream & downstream as well from others & simply need to be a good neighbor. We need to take care of our resources.

Please use backside if needed.

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Name: Ralph Medina

Address: 375 Franklin St

Email: _____ Phone: 1193 1573

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? we all
DO

What would you change about the stormwater utility program? For
year we did OK
Follow we had
what next?

Other questions/ comments/suggestions: \$\$\$ now
in to spend the cost ?
all ships that come to these
water what do they do
in Chesapeake Bay put there
were trash. Who no what?

Please use backside if needed.

Please submit comments by **December 20 2014**

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RECEIVED 12/15/14

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Name: D. Mark Bradshaw

Address: 1733 Erickson Ave

Email: dmkbrad @ verizon.net Phone: 433-1530

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? _____

You held an open house

What would you change about the stormwater utility program? _____

see enclosed sheet

Other questions/ comments/suggestions: _____

Please use backside if needed.

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Fax 434-2695

12/15/14

D. Mark Bradshaw MD FAAFP
Erickson Professional Park
1733 Erickson Avenue
Harrisonburg VA 22801

540-433-1530
(fax)540-433-3941

Dear Sirs:

In reading over the proposed regulations there are a number of ways to earn credits in the proposed fees for both homeowners and businesses. However, there are a number of simple measures offered to home owners which are not offered to businesses; the only solutions offered to businesses are to implement rather technical measures as outlined in a complex state guideline! This does not seem equitable or justifiable. If the measures are good enough for homeowners to reduce their runoff then they should be accepted for businesses as well. To do otherwise is to legislate like the state and federal authorities which frequently overly burden the businesses since they are the "deep pockets". Quite simply, as a small business, I take exception to such an approach and hope our city will think likewise. I know it's not your intent but such treatment only supports the flight of businesses out of the city and into the surrounding county. I appreciate your consideration and hope that all measures and credits allowed will be applicable to both commercial and noncommercial property owners.

Sincerely,



D. M Bradshaw

Comment Form

Stormwater Utility Ordinance
and Fee— Public Input



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Name: Margaret D. Lam

Address: 929 Greendale Rd Harrisonburg VA 22801

Email: _____ Phone: 540 434-0011

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? _____

I like that it could help reduce
pollution, or help streams & fish

What would you change about the stormwater utility program? The fee

for people with long Hard Surface Driveways
this is expensive. I have 1 Cat^{inPooH} waste goes
in trash. I have a garden to catch rain water
I can't change my Drive way.

Other questions/ comments/suggestions: I have lots of trees

and shrubs at my home if this will Reduce fee
any/ can put some rain Barrels in.

what else. I understand what you are trying
To do, But this is unfair that some home
owners should have to pay so much more than
others. M.L. 231.00 year Please use backside if needed.

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City Council Members
City of Harrisonburg, Virginia
101 North Main Street
Harrisonburg, Virginia 22801

11-17-2014 10:40 AM

Dear Members,

I am intrigued with the details of your proposed "Storm Water Runoff" program.

You propose credits for porous roadways and streets on the "grounds" that instead of runoff into the waterways it leaches into the ground for natural filtration.

Yet you propose to tax roof tops. I should remind you that most of those roof tops shed their rain onto the ground that is mostly covered by grass and it too leaches into the ground for natural filtration. I suspect rain barrels merely delay the eventual dumping onto the ground likewise, or a more environmentally "catchy" garden.

Further in thought, most new developments have been built with "cache basins" to your specifications. Except in rare "Noah" conditions, these basins allow the "runoff" not to runoff but to leach into the ground to undergo natural filtration.

I wonder if you would please consider my observations and weigh them against those proposed by your up and coming bureaucracy for the purpose of designing an appropriate taxing for our real world as it is, not as we would wish it to be.

Please provide to me from you, City Council only, with a written explanation of the error of my observations.

Very Respectfully,

W. R. Waddell, Jr.
W. R. (Ray) Waddell, Jr.
482 Hickory Grove Circle
Harrisonburg, Va. 22801
11/12/14

Copy to:
Daily New Record
The Village At Meadow Point,
Home Owners Association

Mr. Waddell,

Thank you for your questions regarding the proposed stormwater utility ordinance and fee in the City of Harrisonburg.

Stormwater runoff flows over the ground and into the City's storm sewer system or directly into Blacks Run and other waterways, including runoff from wood land and grass areas. Runoff can pick up pollutants such as oil, dirt, chemicals, and lawn fertilizers which harm our waterways. Building roofs, driveways, roads, parking lots, and other impervious surfaces do not allow for rain and snowmelt to soak into the ground. Although some of these impervious surfaces drain into grassy areas for natural filtration the total amount of water falling onto grassy areas and draining from adjacent impervious surfaces causes the ground to get saturated more quickly causing surface run off even from grassy areas to enter the storm drains or streams.

Although infiltration into the ground is ideal, it is not the only method of managing stormwater. For example, rain barrels, and other water quantity controls, slow the rate of runoff and release stormwater over a longer period of time and reduce the impact of high-flow storms. This *is* helpful to the overall storm sewer system because capturing stormwater during a storm event lessens the peak amount of runoff and lessens the impact of stormwater runoff on stream banks and the risk of local flooding issues.

The stormwater utility fee differs from a tax in that it is a fee for service dedicated specifically to pay for the City of Harrisonburg's stormwater program, which includes capital projects to reduce polluted runoff and protect our drinking water sources.. The storwmater utility fee is set in place to:

1. Design and construct new stormwater capital projects, to reduce polluted runoff from pre-existing infrastructure which has not been addressed in terms of water quality and water quantity controls and has caused the continued impairment of our local waterways. This includes projects on city owned properties and partnerships (such as grants or cost-share) with private property owners.
2. Maintain and operate city-owned stormwater drainage and management facilities for our roadways that we all use and benefit from, and
3. Coordinate further pollution reduction efforts including a pollution detection and elimination program, pollution prevention and good housekeeping practices for municipal operations, and public education and outreach.

Again, thank you for your insight and questions. I hope this letter has sufficiently addressed your concerns. If not, please consider visiting <http://www.harrisonburgva.gov/stormwater-utility> for more information and/or joining city staff at the next Open House meeting on Tuesday December 2, 2014 from 5:30pm-7:30pm at Spotswood Elementary School

Sincerely,

Kurt Hodgen
Ek\ "O cpci gt"

From: Thanh Dang
Sent: Wednesday, December 03, 2014 11:37 AM
To: 'Bvmiller@aol.com'
Subject: RE: Proposed water runoff fee

Dear Sir/ Madam:

The proposed stormwater utility fee will only effect property owners in the City. If you live in Rockingham Co, you will not be charged this fee.

Please visit our website at <http://www.harrisonburgva.gov/stormwater-utility> to learn more about polluted runoff and the proposed stormwater utility fee.

Thank you for your interest.

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695
Thanh.Dang@harrisonburgva.gov

www.harrisonburgva.gov
www.harrisonburgva.gov/biking-and-walking
www.harrisonburgva.gov/stormwater-management-program
www.harrisonburgva.gov/environmental-initiatives

Sign up for City of Harrisonburg email notification and alert services, www.harrisonburgva.gov/notify-me



Please consider the environment before printing this e-mail

From: Bvmiller@aol.com [<mailto:Bvmiller@aol.com>]
Sent: Wednesday, December 03, 2014 10:22 AM
To: Thanh Dang
Subject: Proposed water runoff fee

How would this affect those of us who live in the county but have city water and our own septic systems.

B.Miller

From: Thanh Dang
Sent: Wednesday, December 03, 2014 12:22 PM
To: 'Andrew Forward'
Subject: RE: Stormwater charge

Hi Andrew,

Yes, the proposed stormwater utility fee program includes opportunities for property owners to receive credits (aka fee waivers) for BMPs they have implemented. We are proposing that BMPs that are implemented due to VSMP requirements would receive a 15-20% credit towards the area of impervious draining into the BMP, and for BMPs that are implemented in addition to VSMP (voluntarily going "above and beyond") could receive up to 100% credit towards the impervious area draining into the BMP.

We've posted all the proposed program information, including the credit manuals, here <http://www.harrisonburgva.gov/stormwater-utility> and are seeking public comments through December 20.

Please feel free to let me know if you have additional questions.

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695
Thanh.Dang@harrisonburgva.gov

www.harrisonburgva.gov
www.harrisonburgva.gov/biking-and-walking
www.harrisonburgva.gov/stormwater-management-program
www.harrisonburgva.gov/environmental-initiatives

Sign up for City of Harrisonburg email notification and alert services, www.harrisonburgva.gov/notify-me

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From: Andrew Forward [<mailto:andrewfwd@gmail.com>]
Sent: Wednesday, December 03, 2014 9:11 AM
To: Thanh Dang
Subject: Stormwater charge

Thanh,
As a follow up to the article and your recent open house, i wanted to know if there has been any thought to a reduction or credit of the fee in light of remedial work completed by the property owner.

We have several properties that have been through the site plan approval process and as a result we have implemented BMP i.e constructed modular wetlands and thus reducing the impact of the runoff.

I look forward to your comments.

Regards
Andrew

Andrew Forward
540 830 0682
Chathill Associates
www.andrewfwd@gmail.com

www.LiveUE.com
www.cityexchangeflats.com

From: Guy Spruhan [gspruhan@rockingham.k12.va.us]
Sent: Thursday, December 04, 2014 9:02 AM
To: Thanh Dang
Subject: Stormwater runoff

Before initiating fees for stormwater runoff please consider installing curb and gutter on Edgewood Road. We the residents, have been requesting this for years. The water runoff down the street has been a major problem. We should not have to pay the fees until our problem has been corrected.

Thanks for listening,

Guy Spruhan

From: Leonard "Shifty" Shifflette [captshifty@comcast.net]
Sent: Saturday, December 06, 2014 2:25 AM
To: Thanh Dang
Cc: Ted Byrd
Subject: Storm Water

I have never in my 84 years read or heard of a more stupid tax or fee that you people are going to impose on us! How much run off from one's house generates into "Storm Water Run Off"?

To me all rain water from our residence runs off into our yards, with the grass absorbing it! The only run off is from one's driveway. This small area would be insignificant!

This is just another fee that the city government mandates that we citizens MUST absorb!

Who is going to pay for all the run off of the city streets, parking lots, and etc?

From a concerned citizen.

Captain Leonard R. Shifflette USMC (Ret)
25 Emery Street
City

From: Thanh Dang
Sent: Friday, January 30, 2015 10:48 AM
To: 'Kathleen McCluskey'; Mike Hendricksen
Cc: Stormwater - Public Mail
Subject: RE: Comment Form

Dear Mr. Hendricksen,

Thank you for your comment regarding the proposed Stormwater Utility Fee in Harrisonburg.

The City's Stormwater Advisory Committee (SWAC) started in February 2014 exploring different funding measures. Primarily, the SWAC considered bonds, raising the property taxes, and establishing a stormwater utility fee. After several months of research, the SWAC felt that a stormwater utility fee was the most equitable method of raising the funds for the stormwater program. Property owners would be charged based on their contribution to runoff, based on impervious (hard) surfaces, rather than being charged an increased property tax based on the assessed value of their property. (If based on property taxes, properties with smaller impervious surfaces may pay more than properties that are completed paved and lower in value).

Additionally, by establishing a stormwater utility fee program, the City is able to give "credits" or reduce fees for properties that have implemented a best management practice/ stormwater management features on their property. This is an opportunity for property owners to both help reduce polluted runoff and reduce their fee. We would not be able to have a stormwater credit program with other funding mechanisms.

You suggested that the City consider "phasing-in" fees. The City has requirements from the Commonwealth of Virginia to implement projects and programs to reduce a specified amount of pollutants (see Open House Information Board titled "What do we need to do?"). We have set the fee so that the total fees collected would be equal to what we need to meet requirements. Fees will be re-evaluated in the future by staff, the SWAC, and City Council as our needs and Virginia's requirements change in the future.

There are nearly 20 communities in Virginia that have established stormwater utility fees and over 1,400 nationwide. Harrisonburg's program is set up most similar to Charlottesville, Virginia, and looked closely at also reviewed Lynchburg's, Richmond's, Roanoke's programs as well.

Within the next 3-5 years, the City will be working on the following:

- We will design and construct a [stormwater regenerative conveyance channel](#) along the median of East Market Street between Chestnut Ridge Dr and Country Club Road. The City was awarded \$300K from VA Department of Environmental Quality and will match the funds with \$300K of city funds from the stormwater utility. This project is anticipated to begin construction in 2016.
- We will develop a Stormwater Improvement & Pollution Reduction Plan to identify, select, and prioritize capital projects to manage stormwater and reduce pollution.
- We will begin designing additional stormwater projects for implementation in 3-5 years so that we can meet the increased pollutant reduction requirements (referenced in Open House Information Board titled "What do we need to do?").
- We will develop and implement a cost-share program for the City to partner with private property owners on capital projects that will reduce pollution and address stormwater issues on private property. We foresee establishing an application process with scored criteria, and for projects to be selected/ recommended by the SWAC.

- We will continue to coordinate pollution reduction efforts including staff training, pollution prevention and good housekeeping practices for municipal operations, pollution detection and elimination program, and public education and outreach.
- We will continue to maintain and operate city-owned stormwater drainage and stormwater management facilities.

The Stormwater Advisory Committee is considering the latest revisions to the stormwater utility program at their February 4 meeting. From there, I anticipate to present the proposed program to City Council on February 24 for public hearing.

For more information about the program, please visit <http://www.harrisonburgva.gov/stormwater-utility>. We will be posting the SWAC recommended versions of the document online by February 9.

Thank you again for your comments and please let me know if you have any further questions.

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695
Thanh.Dang@harrisonburgva.gov

From: Kathleen McCluskey [mailto:kathleen@matchboxrealty.com]
Sent: Monday, December 08, 2014 10:55 AM
To: Thanh Dang
Cc: Mike Hendricksen
Subject: Comment Form

Thanks,

Kathleen McCluskey



Matchbox Realty & Management Services, Inc.

Accounts Coordinator
202 North Liberty Street Suite 101
Harrisonburg, VA 22802

Kathleen@MatchboxRealty.com

Phone: (540) 434-5150 x110

Fax: (540) 434-3634

www.MatchboxRealty.com

www.OffCampusHousing.com

www.HarrisonburgHousing.com

www.MyPoa.com



Comment Form

Stormwater Utility Ordinance and Fee— Public Input



**KEEP IT CLEAN,
HARRISONBURG**
STOP POLLUTED RUNOFF



Name: Michael A. Hendricksen

Address: 202 N. Liberty St., Suite 101, Harrisonburg, VA 22802

Email: Mike@MatchboxRealty.com Phone: 540.434.5150 x112

Are you a city resident? Yes ___ No

Do you own a business in the city? Yes ___ No

What do you like about the proposed stormwater utility program? I appreciate the effort to control the amount of pollutants that are finding their way into our water sources and we should not allow situations that will harm our water sources to continue.

What would you change about the stormwater utility program? The fees that are mentioned could be huge for many of our clients...some of whom own large properties throughout the City. Please look for alternative funding measures rather than just putting this on property owners. Please also at least consider some 'phasing-in' of these fees...start with a lower fee the first few years and then increase this over time. We just got hit with an increase in real estate taxes and this additional Stormwater Utility Fee will cause hardships for many owners whose properties are not even covering their current operating expenses.

Other questions/ comments/suggestions: What other funding resources were considered? What have other communities this program is modelled after done to reduce to costs for owners? What sort of programs/measures do you see these fees actually covering 3-5 years down the road?

Please use backside if needed.

Please submit comments by **December 20 2014**

Please email comments to: Thanh.Dang@harrisonburgva.gov or mail form to:
ATTN: Thanh Dang Harrisonburg Public Works, 320 East Mosby Road, Harrisonburg, VA 22801

More information about the proposed Stormwater Utility Fee and the city's efforts to stop polluted runoff can be found here: www.harrisonburgva.gov/stormwater-utility

From: Keith Bly [dbstax@verizon.net]
Sent: Monday, December 08, 2014 1:30 PM
To: Thanh Dang
Subject: Storm Water

Sir,

While it may seem like a desirable thing to reduce sources of bay pollution, this plan of action as it relates to homeowners has very little to do with it. I am a Harrisonburg citizen with a home situated on less than half an acre. It does have a concrete driveway leading to my garage, but the runoff goes directly into the lawn surrounding my house. Can you tell me how much pollution comes from rain water washing over concrete? Perhaps some from asphalt, but concrete? Before you pigeon hole me as opposed to environmental concerns, I am very concerned about clean air, clean water, and love having trees and shrubs on my property.

But, I am not convinced that what the city is doing will have any measurable effect on the stated reason for the tax. This action on the part of the city has come down from a very overbearing and oppressive E P A. It is foolish to think things will stop after this action on their part. I am 69 years old and as yet have not seen where the E P A is satisfied with their regulations. Therefore, I am on record opposing this overreaching power grab and oppressive regulation. So far as I am concerned, it is just another way of legally extorting money from my pocket. What choice do I have than to go along? Nothing I say or anyone else says will make any difference. The E P A has spoken and the city now must comply. The whole idea that rain water is now considered a pollutant is absurd and just an excuse to take more money and freedom from me/us.

I am opposed to this thinly veiled reach into my pocket!!

Keith W. Bly
257 Divot Dr.
Harrisonburg, VA 22802

From: T. Gladu [fishheadlouie@yahoo.com]
Sent: Thursday, December 11, 2014 10:41 AM
To: Thanh Dang
Subject: Re: water run off "tax"
Attachments: ATT4997173.jpg

i'm glad someone got back to me. i really don't think this tax is fair. from your interview on television, it didn't seem to even convey that your department even knows for sure what the "2 million dollars" is going to be used for. "we might build this or use it for this..." other ways to generate revenue are to only tax businesses as I only live in the city and don't use my house to make money--i can't very well sell my home to avoid this tax--and move to the county-though I'm considering it. the city already taxes fast and prepared food, which i disagree with. why should someone be punished for wanting to support a local business or eatery? why not tax items that are not essential like cigarettes, tobacco, or alcohol. those taxes should be raised--place a local tax on those to raise a lot more than two million dollars. virginia is one of the lowest states when it comes to cost of tobacco and cigarettes. people buy them here and bring them to states like NJ and resell them for a large profit. most cities and school administrations are top heavy regarding having officials for this and that and funding optional programs for this and that like renaming cantrell ave, martin luther king way...at a cost of 40,000\$...perhaps we could steer away from pet projects like this that are not needed and very optional. i would gladly be willing to go through the budget and get rid of "fluff." aren't there also US government grants for environmental needs?

From: Thanh Dang <Thanh.Dang@harrisonburgva.gov>
To: fishheadlouie@yahoo.com
Cc: Kurt Hodgen <Kurt.Hodgen@harrisonburgva.gov>
Sent: Thursday, December 11, 2014 10:07 AM
Subject: RE: water run off "tax"

Dear Sir/ Madam:

City Manager Hodgen asked if I could answer your questions about the proposed Stormwater Utility Ordinance and Fee. As you may already know, the City of Harrisonburg has hosted public input/ open house meetings on November 12 and on December 2. We are currently receiving public comments in writing through December 20. More information about the proposed Stormwater Utility and a *public comment form* is available at, <http://www.harrisonburgva.gov/stormwater-utility>.

Earlier this year, City Council appointed 8 citizens to form a Stormwater Advisory Committee (SWAC). For many months, the SWAC has spent time researching different methods for generating funds needed to construct projects to reduce polluted runoff and administer the stormwater program required by state regulations. The City and SWAC considered two methods: (a) raising property/ real estate taxes and (b) establish a stormwater utility fee. After much consideration, we believed that a stormwater utility fee was a better and more equitable way to raise funds.

Property Tax/ General Fund	Stormwater Utility Fee
Not dedicated funding source.	Dedicated funding source to support stormwater management program.
Not equitable – property taxes are based on the assessed property value not contribution to stormwater runoff.	More equitable – property owners are charged a fee based on their contribution to stormwater runoff.
Tax-exempt properties don't pay real estate tax.	Charged to all properties.
No opportunity to reduce fees	Gives property owners the opportunity to reduce fees (credit system)
Lower implementation and administration cost.	Higher implementation and administration cost.

You mention in your email that there are alternative methods to generating the funds needed. We would greatly appreciate it if you could describe these alternative methods in your written comments for us to consider also.

If you provide me with your property address, I can provide you with an estimate of your annual stormwater utility fee.

If you have additional questions, please do not hesitate to contact me.

Thank you,

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695
Thanh.Dang@harrisonburgva.gov

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Please consider the environment before printing this e-mail

From: T. Gladu [<mailto:fishheadlouie@yahoo.com>]
Sent: Monday, December 08, 2014 5:58 PM

To: Kurt Hodgen; Kurt Hodgen

Subject: water run off "tax"

please let me know whom to contact to show my disapproval for the proposed city water run off "tax." thank you. there are alternative method to generate 2 million dollars rather than directly punish people that live in the city limits. this is one of the reasons I moved from virginia beach city county.

Thanh Dang

From: Thanh Dang
Sent: Friday, December 12, 2014 2:17 PM
To: 'samuelnickels@yahoo.com'
Subject: RE: Hburg EcoMinds Stormwater Utility Fee - Comments Due December 20

Sam,

Thank you for your comments.

Your estimated annual stormwater utility fee is \$63.00. We have measured 3,072 sf of impervious surface on your property. Good news is that, assuming that the proposed ordinance and associated documents get approved by City Council, I anticipate that you will be eligible for stormwater utility fee credits for your rain barrels and conservation landscaping on your property. You can review the draft Credit Manual for Residents here, <http://www.harrisonburgva.gov/stormwater-utility>. I would love to have your comments on anything you think we need to tweak with the credit manual; to make it easy for you to apply for credit, or if you have questions that aren't addressed in the manual.

I also appreciate your comment about the "grant" very much and agree that this is the best way to get the largest return on investment. That's actually part of our plan, although we haven't developed the program elements and applications yet. You will notice that the second bullet under "What would the stormwater utility fee pay for?" says: "Design and construction of stormwater capital projects, including retrofits and community greening projects to reduce pollution and improve water quality. This includes projects on city owned properties and partnerships (such as grants or cost-share) with private property owners." Once we have the stormwater utility in place and can anticipate the collection of funds in the future, city staff and the Stormwater Advisory Committee will work on developing a "grant" or cost-share program, where we'll accept applications for projects on private properties (both residential and commercial properties). My best guess is that we'll develop this program in Fall 2015 and begin accepting applications in 2016.

Please let me know if you have additional recommendations or suggestions.

Thanh

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695
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Please consider the environment before printing this e-mail

From: Thanh Dang [mailto:thanh.ha.dang@gmail.com]
Sent: Tuesday, December 09, 2014 7:45 AM
To: Thanh Dang
Subject: Fwd: Hburg EcoMinds Stormwater Utility Fee - Comments Due December 20

----- Forwarded message -----

From: Sam Nickels <samuelnickels@yahoo.com>
Date: Tue, Dec 9, 2014 at 7:30 AM
Subject: Re: Hburg EcoMinds Stormwater Utility Fee - Comments Due December 20
To: Thanh Dang <thanh.ha.dang@gmail.com>

Hi Thanh.

Thanks for this email. Good to hear you all are working on this.

It is important for everyone to participate, so I'm not at all opposed to a fee, although I'm curious how much it would be.

My bigger question is around equity. If people who are educated and have expendable funds for reducing their run-off and they get a credit for it, it seems to benefit them economically at the expense of others, including those of us who have already reduced our run-off through rainbarrels, raingardens, etc. I know the idea is to create an economic incentive, but I wonder if it could be done in a way that everyone at every economic level could benefit. For example, if the money that would have been used to pay for credits were simply put into a separate fund that anyone could access, a sort of rotating "grant", that would be cool. Or even better, the city staff and student volunteers (high school and college) could identify properties around the city that would be most in need and could most benefit from some type of run-off prevention, and the funds each year would be dedicated to that one or two projects. That would be the way for us to get the largest return on the investment. People around the city can still be educated about systems they can install, the city can provide free technical assistance, and the wealthier middle and upperclass people around the city will do this on their own anyway with the small "credit," I think. Just trying to create a bit more of a strategic approach to this.

Sam

Sam Nickels

Director, Mental Health International: A project of the
Center for Health and Human Development (chhd.org/mental-health-international)
Socio, Asociación de Capacitación e Investigación para la Salud Mental (acisam.org)
Doctoral candidate, School of Strategic Leadership Studies, James Madison Univ.
(jmu.edu/leadership)
[540- 476- 4180](tel:540-476-4180)

From: Thanh Dang
Sent: Wednesday, December 17, 2014 7:57 AM
To: 'BLASTFROM@aol.com'
Subject: RE: Storm Water Tax

Jeff & Cindy,
Thank you for the recommendation and comment.
Have a great day.

Thanh

From: BLASTFROM@aol.com [mailto:BLASTFROM@aol.com]
Sent: Tuesday, December 16, 2014 8:19 PM
To: Thanh Dang
Cc: blastfrom@aol.com
Subject: Re: Storm Water Tax

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager,

Thanks for the examples. I now understand fully.
However, I must say the way is stated in the summary is confusing - On PAGE 1, under "Credits for On-site Stormwater Management Facilities", line item number 3. states a 100% credit reduction is allowable. I am confident most people who would read that would agree. Line 3 should be revised.
Thanks again,
Jeff and Cindy

In a message dated 12/16/2014 4:12:41 P.M. Eastern Standard Time, Thanh.Dang@harrisonburgva.gov writes:

Jeff & Cindy,

If a Non-Residential (commercial) property had 10,000 sf of impervious surface on their property, they would pay \$105,000 in stormwater utility fees per year. Let's say that they install a voluntary stormwater BMP that treats 2,500 sf on their impervious surface. The City would give them 100% credit for treating that area, up to 50% of their calculated fee.

$$\text{Credit} = 2,500 \text{ sf} \times \$10.50 = \$26,250$$

$$\text{Re-Calculated Fee} = \$105,000 - \$26,250 = \$78,750$$

Let's say another Non-Residential property had 10,000 sf of impervious surface on their property, and would pay \$105,000 in stormwater utility fees per year. Let's say they install a voluntary stormwater BMP that treats 7,500 sf of their impervious surface. The City would give them 100% credit for treating that area, up to 50% of their calculated fee.

$$\text{Credit} = 7,500 \text{ sf} \times \$10.50 = \$78,750$$

Re-Calculated Fee = \$105,000 - \$78,750 = \$26,250. HOWEVER, this is greater than 50% credit of their original fee, therefore the maximum credit they can claim is 50%.

So their actual recalculated fee is = \$105,000 x 50% = \$52,500. This would be what their fee is.

I hope that helps you understand the credit process. If you still have questions about this, please give me a call at 540-434-5928 or email me to set up a time that we can discuss.

Thank you for your interest.

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695

Thanh.Dang@harrisonburgva.gov

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Please consider the environment before printing this e-mail

From: BLASTFROM@aol.com [<mailto:BLASTFROM@aol.com>]
Sent: Friday, December 12, 2014 3:06 PM
To: Thanh Dang
Cc: blastfrom@aol.com
Subject: Re: Storm Water Tax

(Ms.) Thanh H. Dang,

We appreciate your response, but still are confused. We are looking at the "City of Harrisonburg Non-Residential Credit Manual - Summary" which we downloaded/printed from the City's website. On PAGE 1, under "Credits for On-site Stormwater Management Facilities", line item number 3. states a 100% credit reduction is allowable. Can you explain the 100%?

Thanks,

Jeff and Cindy

12-12-2014

In a message dated 12/12/2014 2:28:49 P.M. Eastern Standard Time, Thanh.Dang@harrisonburgva.gov writes:

Dear Jeff and Cindy,

Thank you for your comments.

I believe there is a misunderstanding. The City and Stormwater Advisory Committee are proposing that both residents and non-residents are only eligible for a maximum 50% credit. In the Stormwater Utility Fee Credit Manual for *Non-Residents*, available at <http://www.harrisonburgva.gov/stormwater-utility>, you will see this written around line 110 (in the orange sidebar) and again on lines 236 and 237. "In no case shall the total credit exceed 50% of the annual stormwater utility fee charged to the parcel owner".

The method in which Non-Resident credits are calculated differ from Residents in that

- Residents receive a percentage credit based on their fee, up to 50% of their fee.
- Non-Residents receive a percentage credit based on the total impervious area draining into their stormwater BMP, up to 50% of their fee.

Please let me know if you have additional questions, and if you have additional comments, please send them by December 20, 2014.

Thank you,

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695

Thanh.Dang@harrisonburgva.gov

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Please consider the environment before printing this e-mail

From: BLASTFROM@aol.com [<mailto:BLASTFROM@aol.com>]

Sent: Thursday, December 04, 2014 5:24 PM

To: Thanh Dang

Cc: blastfrom@aol.com

Subject: Storm Water Tax

Hello,

I do not think it is fair to allow a non-residential establishment to be 100% exempt from the Storm Water TAX and only offer up to 50% exemption to a Homeowner. I can do and was planning before this tax issue came up, to barrel the roof water from my house, etc.(Mother Natures rain is so much better for plants and the garden.) Either EVERYONE max's out at 50% or you allow Homeowners the same 100% possibility. Please respond.

Thanks,

Jeff and Cindy

Harrisonburg Residents

12-4-2014

From: Thanh Dang
Sent: Wednesday, December 17, 2014 11:05 AM
To: 'Brenda Babcock'
Subject: RE: storm water runoff

Ms. Babcock,

For the purposes of calculating the stormwater utility fee, we are not taking into account the lay of the land, or how stormwater drains from one property and into another property. We are only looking at the amount of impervious surface (hard surfaces) that each property has.

If you have additional questions, please give me a call at 540-434-5928 or email me to set up a time for a phone call. I can explain answers better by phone than email.

Thanks again,
Thanh

From: Brenda Babcock [<mailto:babcock.brenda991@gmail.com>]
Sent: Monday, December 15, 2014 2:44 PM
To: Thanh Dang
Subject: Re: storm water runoff

Four other units also drain across my drive and parking space. Now what?

On Fri, Dec 12, 2014 at 2:55 PM, Thanh Dang <Thanh.Dang@harrisonburgva.gov> wrote:

Dear Ms. Babcock,

Thank you for your inquiry.

Your estimated annual stormwater utility fee for 196 Emerald Drive is \$52.50. The stormwater utility fee is charged based on the amount of impervious surface (or hard surface that water cannot soak through) within a property. For your home, this includes the rooftop of your townhome unit, the walkway in front of your home, and any parking/ drive area that is within your property boundaries.

The fee does not take into consideration how water drains across properties, only considers impervious surface.

I would encourage you to review our information boards and the draft Residential Credit Manual available here, <http://www.harrisonburgva.gov/stormwater-utility>.

If you have additional public comments you would like to make, please send them to me in writing (by email is fine). If you have questions you'd like to discuss, I'd be happy to discuss by phone or in person. Please let me know and we can set up a date/ time.

Have a great weekend.

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: [540-434-5928](tel:540-434-5928) Fax: [540-434-2695](tel:540-434-2695)

Thanh.Dang@harrisonburgva.gov

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Please consider the environment before printing this e-mail

From: Brenda Babcock [mailto:babcock.brenda991@gmail.com]
Sent: Saturday, December 06, 2014 8:58 AM
To: Thanh Dang
Subject: storm water runoff

Hello Mr. Dang,

I was unable to attend either discussion regarding the possible new tax. I live in one of eight units of townhouses. All eight owners have hooked up to drain through my land. How do you decide on the charges for such a situation? I would be happy to discuss this with you in person.

Thank you.

Brenda Babcock

196 Emerald Drive

434-5225

From: Thanh Dang
Sent: Thursday, December 18, 2014 1:17 PM
To: 'Christine Robinson'
Cc: William B. Jarrels; Kelley K. Junco
Subject: RE: Comment on Stormwater Solutions + Volunteer projects?

Ms. Robinson,

Thank you for your comment on the City of Harrisonburg's proposed Stormwater Utility Ordinance and Fee.

I am CC'ing Trey Jarrels, Stream Health Coordinator, and Kelley Junco, MS4 Program Coordinator, who work with me at the City and ask that they let you know if there are future volunteer opportunities for outdoor watershed projects.

I would also encourage you to sign up for the City's Stormwater & Environmental Newsletter for updates, <http://www.harrisonburgva.gov/notify-me>.

Happy Holidays.

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

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Thanh.Dang@harrisonburgva.gov

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Please consider the environment before printing this e-mail

From: Christine Robinson [<mailto:crazy.f8ith@gmail.com>]
Sent: Tuesday, December 09, 2014 11:08 AM
To: Thanh Dang
Subject: Comment on Stormwater Solutions + Volunteer projects?

Dear Ms. Dang,

I appreciate and fully support all your efforts to help keep our local waters protected from stormwater pollution. I care about this for the sake of our own local waterways as well as the health of the Chesapeake Bay.

I also wanted to contact you to let you know that if there are opportunities for volunteers to help, for example, with planting trees and shrubs for riparian buffers or other outdoor watershed projects, that I would very much appreciate knowing about those opportunities. I live in Harrisonburg and recently completed the Volunteers as Chesapeake Bay Stewards (VOICES) course with Robert Jennings in Charlottesville and would like to take advantage of any opportunities locally to do my part to help with any projects for which you could use some (unskilled) labor. I might also be able to enlist some others locally to help as well.

If there's a way for citizens to learn about such opportunities (perhaps on this eco-minds google list), please let us know.

Thank you again.
Christine Robinson

--
Christine Robinson

From: Scott French [scottf@sunrn.com]
Sent: Sunday, December 21, 2014 7:35 PM
To: Thanh Dang
Subject: Proposed Stormwater Fee

Dang Thanh, and City Administration,

Although I have seen other towns and cities in the Valley area enact and carry through this idiotic fee, the EPA and the DEQ with all their huge budgets have been unable make a difference with local river water quality and the Chesapeake Bay, what makes you think this program will make a difference? Seriously!

You can forward this to Bill Latham for his consideration also, it's arrogant to address the water quality issue with a tax on the pedestrian residences. Silt fences at construction sites, farm fertilizer, industrial processes (beer, pharmaceutical plus others)

are the real causes, why make the little guy pay more? Hell they spread our feces on the fields here locally!? I mean what's up with that?, and you want me to pay for the sheet flow off of my single acre city residence? Your lost in a big government game, serving no people simply the system. I think you will find valid concern for the environment, and pollution, however the guts of this program stink, but you have nice window dressing. Rain barrels, humph. We cannot make water, we cannot destroy water, as man has in the past we only pollute the water. I regret the fragile Eco balance of the Bay has been altered, but making the residence of Harrisonburg pay extra will be ineffective also in making a difference.

I am sure as I get billed for the rain falling on my property, soon here after you will be billing me for the air I breath. I know your just doing your job, but really, tell it like it is, take the lip stick off the pig.

A concerned life long Valley resident
Scott French

From: Thanh Dang
Sent: Friday, January 30, 2015 11:15 AM
To: 'Kathy White'
Subject: RE: Comment Form Stormwater Utility Ordinance

Kathy,

Thank you for Mr. Forbes comments. I would appreciate if you could share my response with him.

Mr. Forbes,

Thank you for your comments and attachments regarding the proposed Stormwater Utility Fee Program in Harrisonburg. Your suggestions have been shared with the Stormwater Advisory Committee and will be included with the agenda packet for City Council when they consider the program.

You asked whether land and buildings owned by the Commonwealth of Virginia would have to pay the stormwater utility fee or if they would be exempt. Pursuant to Va. Code § 15.2-2114 that grants authority to localities to establish a stormwater utility fee, the only properties that can be exempt from paying the stormwater utility fee are publicly owned roadways, and government entities that hold a permit to discharge stormwater from a storm sewer system. The latter applies to James Madison University properties (excluding JMU Foundation properties).

Similar to the City, James Madison University must meet the same requirements of Virginia's Municipal Separate Storm Sewer System (MS4) permit. The stormwater utility fee is being established to implement projects and programs to meet MS4 permit requirements.

The Stormwater Advisory Committee is considering the latest revisions to the stormwater utility program at their February 4 meeting. From there, I anticipate to present the proposed program to City Council on February 24 for public hearing.

For more information about the program, please visit <http://www.harrisonburgva.gov/stormwater-utility>. We will be posting the SWAC recommended versions of the program documents online by February 9.

Thank you again for your comments and please let me know if you have any further questions.

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695
Thanh.Dang@harrisonburgva.gov

-----Original Message-----

From: Kathy White [<mailto:information@lbjlimited.com>]
Sent: Tuesday, December 09, 2014 1:26 PM
To: Thanh Dang

Subject: FW: Comment Form Stormwater Utility Ordinance

Ms. Dang:

Attached is the comment form and other information from Mr. Bruce Forbes.

Thanks,

Bruce Forbes

Managing Member

Forbes Development, LLC

PO Box 1039

Harrisonburg, VA 22803

(540) 432-9477

fax: (540) 564-1609

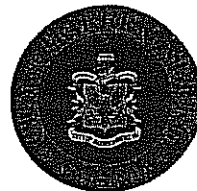
information@lbjlimited.com

Comment Form

Stormwater Utility Ordinance and Fee— Public Input



**KEEP IT CLEAN,
HARRISONBURG
STOP POLLUTED RUNOFF**



Name: Bruce Forbes

Address: 256 Bluestone Hills Drive, Harrisonburg, VA

Email: information@LBSJlimited.com Phone: 540-432-9477

Are you a city resident? Yes No

Do you own a business in the city? Yes No

What do you like about the proposed stormwater utility program? Recommendations for individuals to make a change such as adding a rain barrel to their gutter down spouts at their own discretion and their expense.

What would you change about the stormwater utility program? Do not add a proposed fee to the now "overburdened" residents and business owners in Harrisonburg.

8 million left from budget this part of year

Other questions/ comments/suggestions: utilize the excess funds by the Harrisonburg Electric Commission given to the city for a restricted use of the storm water runoff project. Winwin for all. City has a corrective measure required by the state; taxpayers will not pay higher fees; city of Harrisonburg will need to work within their budget and not misuse additional funding. Please see the

Please use backside if needed.

Please submit comments by **December 20 2014**

Please email comments to: Thanh.Dang@harrisonburgva.gov or mail form to:
ATTN: Thanh Dang Harrisonburg Public Works, 320 East Mosby Road, Harrisonburg, VA 22801.

More information about the proposed Stormwater Utility Fee and the city's efforts to stop polluted runoff can be found here: www.harrisonburgva.gov/stormwater-utility

Additional information as I have contacted the governor and had a response from his office. Once again taxpayers are paying for the past and not the present. Once the rivers and streams were polluted it was too LATE.

What about the land & buildings in our city that are owned by the state (all of Jmu's complexes) are they to pay a tax too or exempt?

No one building pictures of remodeling jobs attached.

**Forbes Development
PO Box 1039
Harrisonburg, VA 22803
(540) 432-9477**

July 21, 2014

**The Honorable Terry McAuliffe
Office of the Governor
State of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, VA 23219**

Dear Terry:

As always, it is very nice to see you in Harrisonburg last month for James Madison University.

I wanted to take a few minutes of your time to discuss the new law on water quality runoff and the effects of the law. Please keep in mind that there are many developers and construction companies that have closed their businesses down or gone bankrupt.

The facts to my particular situation are as follows:

- **I have a one acre site I want to build on**
- **I have had a site plan into the city of Harrisonburg since February 2014 and I still don't have site approval**
- **There is a 40 year old sanitary sewer 20' easement**
- **There is battle over a 40 year old clay terra cotta pipe with cracks on who is at fault for the cracks**

- I must give a 40' sanitary sewer easement to build on the site or Harrisonburg Rockingham Regional Sewer Authority will not approve my site plan
- The new state law says that I must have water quality run off calculations which I did not need with the first review from the city, but because of the delays are now required
- I must now get 1.28 pounds of phosphorous for the site which I can buy the rights of this phosphorous anywhere in Virginia (I am not a scientist but shouldn't the balance of good & bad be in the same locality of cleansing)
- Phosphorous goes for approximately \$17,000 per pound which will cost me almost \$22,000 for the 1.28 pounds
- An engineered offered alternative is a \$25,000 filter system designed by an engineer
- We must get yearly inspections

Please keep in mind, that I still do not have a site plan. I have paid for the land. I pay real estate taxes. The new laws are making it so that a developer, such as I, cannot afford to build. I keep paying the lawyers and the engineers. I must sink another \$50,000 into my one acre lot between attorney, engineers and phosphorous rights. Why are my properties needing to be in all this compliance and paying for something I haven't done yet? Are the lawyers and engineers changing the requirements to put more money in their pockets?

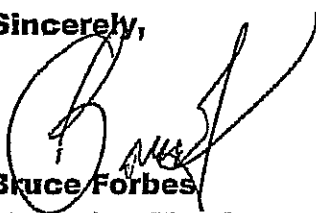
Let me add another item into the equation. Locally, in Harrisonburg it is easier to get approval for a renovation project through community development than it is for a brand new building. But, the construction materials for any brand new building have passed all the new regulations on a piece by piece basis. The laws are making the new construction pay for the past mistakes, just like the federal government's social security issue.

How to clean the water that is running off the land and going into the Chesapeake Bay is from existing real estate improvements. I would recommend that Virginia start with a notification process with a six month deadline for the culprits such as trash companies, junk yards, old gas stations, old car washes, old service stations to clean up their run off water. There should be no grandfather clause on the past. Furthermore, I don't understand where a farmer can disturb and spread chemicals on their land, yet I cannot get approval on a one acre site.

I think it is time to take a look from the entire state level on what is best and who should pay. I am tired of paying all the overhead expenses with nothing going to the actual quality of the water.

I decided that I would write a letter to you to see if there was anything that you could do for my situation. Should you have any questions, please do not hesitate to contact me at the number listed above or my General Manager, Kathy White.

Sincerely,



Bruce Forbes
Managing Member

**CC: Kathy White
Kenneth Alexander
George Barker
Richard Black
Charles Carrico, Sr.
Charles Colgan
John Cosgrove, Jr.
Creigh Deeds
Adam Ebbin
John Edwards
Barbara Favola
Thomas Garrett, Jr.
Emmett Hanger, Jr.
Janet Howell
Lynwood Lewis, Jr.
Mamie Locke
Louise Lucas
David Marsden
Stephen Martin
Ryan McDougle
A. Donald McEachin
Jeffrey McWaters
John Miller
Stephen Newman**

Thomas Norment, Jr.
Mark Obenshain
Chapman Petersen
Linda Puller
Bryce Reeves
Frank Ruff, Jr.
Richard Saslaw
Ralph Smith
William Stanley, Jr.
Walter Stosch
Richard Stuart
Jill Vogel
Frank Wagner
John Watkins
Jennifer Wexton

Filename: governor water quality



COMMONWEALTH of VIRGINIA

Office of the Governor

Molly Joseph Ward
Secretary of Natural Resources

August 13, 2014

Mr. Bruce Forbes, Managing Member
Forbes Development
P.O. Box 1039
Harrisonburg, Virginia 22803

Dear Mr. Forbes:

Thank you for your letter to Governor McAuliffe concerning the new stormwater management requirements that all regulated land-disturbing activities will need to meet under the Virginia Stormwater Management Program (VSMP) Regulations (9VAC25-870) and the General VPDES Permit for Discharges of Stormwater from Construction Activities (9VAC25-880) that took effect on July 1, 2014. The Governor asked that I respond on his behalf.

In accordance with § 62.1-44.15:28 of the Virginia Stormwater Management Act, the Commonwealth adopted in September 2011 new stormwater management requirements to control water quality impacts, localized flooding, and stream channel erosion from new and redevelopment projects. These stormwater requirements serve to further safeguard the Commonwealth's receiving waters as well as fulfill the Commonwealth's commitment to reduce nonpoint source pollution from new and redevelopment projects under the Chesapeake Bay Total Maximum Daily Load (TMDL).

In your letter, you indicated that you have a one (1.0) acre site and that site must now comply with the Commonwealth's water quality requirements. Since January 1, 2005, all land-disturbing activities regulated under the Virginia Stormwater Management Act must comply with the Commonwealth's water quality requirements. These activities include land disturbance equal to or greater than one (1.0) acre and land disturbance less than one (1.0) acre that is part of a larger common plan of development or sale (e.g., a larger residential, commercial, or industrial subdivision). Compliance with the Commonwealth's water quality requirements may be achieved through the implementation of best management practices (BMPs) or through the purchase of off-site nonpoint source nutrient (i.e., total phosphorus) credits prior to beginning construction. Please note that the VSMP Regulations do not govern the cost of total phosphorus credits.

You also refer to the lack of site plan approval from the City of Harrisonburg. Effective July 1, 2014, the local VSMP authority (i.e., the City of Harrisonburg) shall review, within forty-

Bruce Forbes
August 12, 2014
Page 2

five (45) calendar days of resubmission, any stormwater management plan that has been previously disapproved. However, please also note that the VSMP Regulations do not govern the construction or reconstruction of sanitary sewer nor do they govern the dedication of sanitary sewer easements in order to obtain site plan approval.

Please be assured that the Commonwealth intends to continue discussions with stakeholders for the effective implementation of the VSMP to better serve all impacted parties.

It is important to the Governor that every Virginian's voice is heard, and it is valuable for him to know of the concerns of citizens across the Commonwealth.

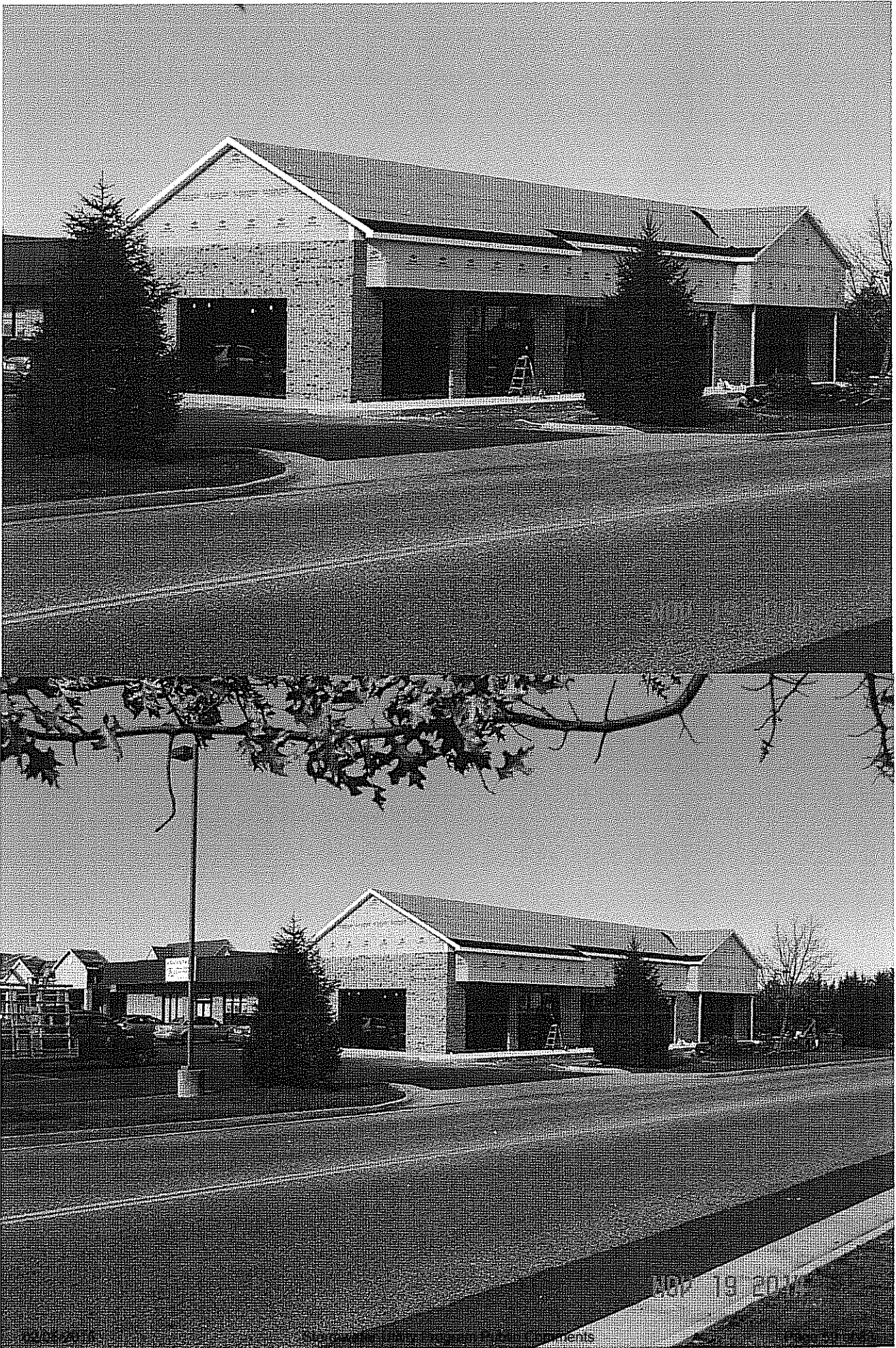
Again, thank you for your input. Please be assured that the Commonwealth intends to continue discussions with stakeholders for the effective implementation of the VSMP to better serve all impacted parties.

Sincerely,



Molly Joseph Ward









NOV 19 2014



NOV 19 2014

NOV 21 2014





NOV 19 2014



NOV 19 2014

From: Thanh Dang
Sent: Friday, January 30, 2015 11:28 AM
To: 'Hobey Bauhan'
Subject: RE: VPF Comments on Harrisonburg Stormwater Fees

Dear Hobey,

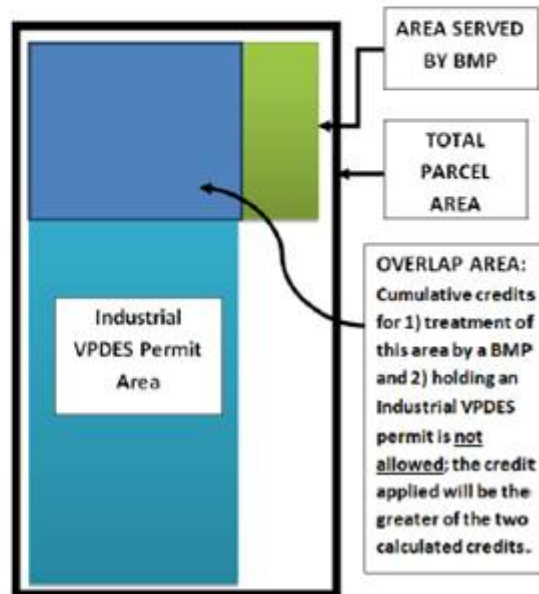
Thank you again for comment and open discussions with me about the proposed Stormwater Utility Fee Program. I presented your comment to staff and the Stormwater Advisory Committee, and after careful consideration and reviewing what other communities in Virginia have done for properties that hold a VPDES Industrial Stormwater Permit, we are recommending to City Council that properties with a VPDES permit may receive a 20% reduction in the stormwater utility fee. The credit will be applied only to the area subject to the VPDES permit.

I am inserting here for you an excerpt from the latest draft version of the Non-Residential Credit Manual.

CREDITS FOR INDUSTRIAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT

A **20% credit reduction** is allowable if a property owner has a current individual or general Industrial Virginia Pollutant Discharge Elimination System (VPDES) permit. The credit will be applied only to the area subject to the VPDES permit. The property owner must provide a copy of the VPDES permit, stormwater pollution prevention plan (SWPPP), and discharge monitoring reports (the latest submittal to DEQ in accordance with the semiannual reporting requirements) to be eligible for the credit.

If there is a BMP treating area within and/or outside the Industrial VPDES subject area and the property owner requests credit for the VPDES permit, the property owner shall not receive credit for the impervious area treated by the BMP within VPDES area. Credit will be given to whichever credit is greater.



The Stormwater Advisory Committee is considering the latest revisions to the stormwater utility program at their February 4 meeting. From there, I anticipate to present the proposed program to City Council on February 24 for public hearing.

For more information about the program, please visit <http://www.harrisonburgva.gov/stormwater-utility>. We will be posting the SWAC recommended versions of the document online by February 9 so you can review the documents in their entirety.

Thank you again for your comments and please let me know if you have any further questions.

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695
Thanh.Dang@harrisonburgva.gov

From: Hobey Bauhan [mailto:hobey@vapoultry.com]
Sent: Friday, December 19, 2014 4:39 PM
To: Thanh Dang
Subject: VPF Comments on Harrisonburg Stormwater Fees

Thanh,

Thank you for the opportunities to learn more about the proposed impervious surface fee on Harrisonburg property owners to help cover the cost of the City's compliance with its MS4 Permit required by state and federal law. This e-mail will serve as official comments of Virginia Poultry Federation, which has member companies with operations within the Harrisonburg that have a significant positive economic impact on the City.

The poultry industry understands the importance of being a responsible steward of our natural resources, and we are committed to doing our part to protect and improve the environment. Poultry operations are highly regulated by environmental agencies and have spent millions of dollars on environmental protection measures over the years in compliance with and in some cases beyond regulatory requirements.

Poultry companies operate a number of facilities in the City including hatcheries, feed mills, processing plants and offices. Many of these locations already have an industrial stormwater (VPDES) permit issued and enforced by the Virginia Department of Environmental Quality (DEQ). The permit requires facilities to control and treat runoff of pollutants from the site, including parking lots and other impermeable surfaces. Facilities pay a permit fee and incur the cost of BMP implementation and maintenance as well as testing of discharges for compliance with applicable water quality standards. These facilities are not heavy industry handling hazardous chemicals. The constituents of concern at a feed mill, for example, are things like a small amount of spilled corn and minimal process dust, the latter of which is controlled and regulated by DEQ via air permitting. Facilities have installed expensive BMPs to address stormwater at their facilities.

By contrast, many large office spaces and retail sites are not permitted, and not required to treat polluted runoff that enters the City storm drainage system. In this regard, it does not seem equitable to charge facilities under an industrial stormwater permit the same fee as unpermitted facilities. We respectfully ask that you reduce or waive fees for properties under an industrial stormwater permit. Thank you for your consideration.

Hobey Bauhan, President
Virginia Poultry Federation
P.O. Box 2277
Harrisonburg, VA 22801
540-433-2451 (O)/540-478-8199 (M)
www.vapoultry.com



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immediately delete this email. Use, disclosure or reproduction of this email by anyone other than the intended recipient(s) is strictly prohibited. No representation is made that this email or any attachments are free of viruses. Virus scanning is recommended and is the responsibility of the recipient.

From: Thanh Dang
Sent: Friday, January 30, 2015 11:54 AM
To: 'davidwdriver@aol.com'
Subject: RE: Stormwater Utility Ordinance comments

Mr. Driver,

Thank you for your comments regarding the Proposed Stormwater Utility Fee. Your suggestions have been shared with the Stormwater Advisory Committee and will be included with the agenda packet for City Council when they consider the program.

I'd like to take a moment to address your comments below:

- 1- Harrisonburg's proposed stormwater utility program is consistent with programs set up by nearly 20 localities in Virginia and over 1,400 communities nationwide. I am not aware of any community that has provided an exemption to not-for-profit entities. This is a fee for stormwater services and is charged equitably to all property owners. Unlike a property tax, which is charged based on the assessed value of a property, a stormwater utility fee is based on the amount of impervious (hard) surface area a property has.
- 2- While we would like to encourage property owners to implement the greatest number of stormwater measures on their property as they can, and to offer more financial incentive (utility fee credit), the city still has many other program elements to implement in order to meet requirements of the Virginia Municipal Separate Storm Sewer System (MS4) permit. The 50% cap proposed is an effort to strike a balance between needing to raise revenues to support stormwater program elements ([described on this webpage](#)), while also providing a financial benefit to property owners who are helping the City meet its pollution reduction requirements from the MS4 permit.
- 3- The Stormwater Advisory Committee and staff considered establishing an appeals process to review property specific issues that would be reviewed by a Stormwater Advisory Board appointed by City Council. However, we have been advised by the City Attorney that we cannot establish a Board (to review appeals) because there is no statutory authority from the state allowing localities to establish a Stormwater Advisory Board. Instead we will be proposing to City Council to keep the Stormwater Advisory Committee and one of their responsibilities would be to review and consider future amendments to the Stormwater Utility Fee Program.

The Stormwater Advisory Committee is considering the latest revisions to the stormwater utility program at their February 4 meeting. From there, I anticipate to present the proposed program to City Council on February 24 for public hearing.

For more information about the program, please visit <http://www.harrisonburgva.gov/stormwater-utility>. We will be posting the SWAC recommended versions of the document online by February 9 so you can review the documents in their entirety.

Thank you again for your comments and please let me know if you have any further questions or suggestions.

(Ms.) Thanh H. Dang
Transportation & Environmental Planning Manager

City of Harrisonburg, VA - Department of Public Works
320 East Mosby Road Harrisonburg, Virginia 22801
Ph: 540-434-5928 Fax: 540-434-2695
Thanh.Dang@harrisonburgva.gov

From: davidwdriver@aol.com [<mailto:davidwdriver@aol.com>]
Sent: Saturday, December 20, 2014 6:44 PM
To: Thanh Dang
Subject: Fwd: Stormwater Utility Ordinance comments

-----Original Message-----

From: davidwdriver <davidwdriver@aol.com>
To: davidwdriver <davidwdriver@aol.com>
Sent: Sat, Dec 20, 2014 6:34 pm

- 1- Not for Profit (i.e. 501-c-3) organizations currently exempt from real estate taxes should automatically be exempt from the proposed fee.
- 2- The 50% cap on credits, as proposed by the ordinance is arbitrary and limits the ability of the property owner to further reduce stormwater runoff. Credits should be unlimited, possibly even negative to promote a positive impact in excess of that required, for example - mitigating a neighbors runoff.
- 3- The appeals process should be expanded to include a citizens and or professional board of appeals similar to the Board of Zoning Appeals for zoning issues and the Board of Equalization for real estate assessment appeals. As proposed, the only recourse a citizen has it to take the matter to court. This is totally inconsistent with current practices in the Friendly City.

Comments from Be Heard Harrisonburg

This Discussion channel is currently closed.

Discussion: Managing Polluted Runoff

Harrisonburg continues working to educate and inform its citizenry about polluted runoff, stormwater runoff, stormwater management, regulations, and the responsibility that is shared by the entire community. We want to know, what do you want to know about this topic?

More information about this is available [online](#).

4 Topics

1 Attachments

20 Answers

Closed 2014-12-20

[View Discussion](#)

Topic: What do you need to know?

15 Virginia communities and more than 2,000 communitiies nationwide have a stormwater utility fee in effect. They found that a stormwater utility is most equitable because all property owners are charged a fee and the fee is based on contributions to stormwater and polluted runoff. In an effort to better educate the Harrisonburg community, we want to know what you need to know. What questions do you have for the city regarding its proposal to establish a stormwater utility fee?

14 Responses

[14 Responses](#)



Nathan Shaw 4 months ago

Can you provide more information on the proposed fee and how it will be structured? Also, will there be discounts given to those residents who try to reduce their runoff? If so, how will those be structured?

0 Supports



Robert Williams 4 months ago

comment...How will the fee be assessed? Size of property? More for a commercial property with more paved area? A gas station that has vehicles stopping and dripping vehicle fluids and spilling gas which runs off? More for fast food facilities which generate more trash that runs off into waterways? Less for a property that has a storm water retention pond? One that fills and then lets the water soak, instead of a full pond that just slows the

water runoff. Less for hilly slopes that 'terrace' the land or have mounds that slow the water runoff.

0 Supports



[Elaine T Blakey](#) 4 months ago

Would appreciate more info on the process of assessing a fee to residents within the city for runoff. Does this apply to all residents or just those in low lying areas where water would gather and/or possibly run off in an area not intended to accept runoff? The more info supplied by the city governing bodies and gathered by me, the more informed I will be as property owner within the city. This surely will make my input more valuable to whomever.

0 Supports



[Shannon Huffman](#) 4 months ago

I am absolutely, 100% opposed to you as a city wanting to charge me, a taxpayer and homeowner, an additional fee for storm water runoff. This is unacceptable. I WILL NOT pay it. The city has already raised personal property taxes and real estate taxes this year. Another fee is unacceptable. Yes, I understand the differences in these taxes and where they funds go, but my paycheck has not increased in years and yet taxes and fees continue to rise. Where do you think I will get this additional funding? I already work two jobs. How dare you want to assess a fee to me, a landowner, for storm water runoff. Storm water is just that...water from storms. I will be penalized for when it rains? Where is the logic in that? I cannot control the weather! I live in a townhouse with more grass yard than pavement. I have little to no runoff. Why would I pay a fee? Route 33 west is adjacent to my front yard, and I share a driveway with numerous other townhouses. Very little pavement is on MY property. And yet you want to charge me a fee? I do not pollute, I do not litter, I utilize a rain barrel and yet I must be penalized for rain? UNACCEPTABLE! More citizens should be outraged at this ridiculousness. I realize there are costs passed down from Richmond and the EPA. However, as a city, we should fight insane government agencies instead of penalizing me for owning a home. Again, I WILL NOT pay such a fee. WILL NOT. I urge you to reject such an action.

1 Support

**Peaceful Yard** about 1 month ago

Dear Shannon, the Harrisonburg Public Works reply to your concern is misleading. They write: "In an effort to protect our local waterways from polluted runoff, the Stormwater Advisory Committee and the City are proposing the stormwater utility fee." This is not true. The truth is that the stormwater utility fee is how the city is collecting the fee that the city is being charged by the state, and the SWAC is balancing concerns like yours with the desire of businesses to minimize the share they have to pay. The utility fee is a way to pay a fee being charged by the state, not an effort to protect our local waterways. This is made starkly clear at time marker 20:15 in the following webinar by a representative of the USGS, the sole earth science agency for the US Department of the Interior, charged with providing impartial information on the health of the nation's ecosystems and environment, among other things:<http://t.co/22XWLkR5LA> you will hear that the BMP's and retention basins on which the city will be spending your money will become full of PAH contamination which will lead perhaps to an even bigger bill to you when the state or federal government inevitably fines us to clean that up.

Minnesota was smart, saw that coming, and banned the PAH source as soon as the science was available. Washington DC and others have done the same.

Here is how this could have gone if the city was serious about protecting stream health: nearly a decade ago the Department of Community Development aggressively blocked a citizen effort to implement bio-retention (of which bioswales and rain gardens are examples) on property within the city. This and restriction on cosmetic lawn chemicals could have made a substantial impact on measured pollutants. At the same time there was resistance from Public Works to anything that was not automobile centered. A different approach to roads, public transportation, pedestrians and cycling, and consequently parking lots could have had a substantial effect on impervious surfaces. Those attitudes are written into ordinances, zoning requirements, and the landscape of the city for which we are now paying.

Eventually, the harms were so great that well-off voters in the Bay who have the luxury to both appreciate and act on such things were able to force action at the state legislature level. Nonetheless, the regulations that were passed

were a compromise. Instead of directly protecting waterways by reducing measured pollutants, we are required to take measures that yield profits to contractors for building engineered solutions that on average, according to models, should satisfy the voter demand to reduce pollution.

If the city is serious about stream health, they will stop forcing people to tend their lawns in polluting ways. If they are interested in 'fiduciary responsibility' they will take steps to prevent their retention basins from filling up with PAH pollution that will require even more transfer of money from tax payers to contractors to clean up in the future, as coal tar sealant becomes recognized as the next asbestos and lead based paint. These steps make a real difference in human and watershed health, cost tax payers nothing, and save substantial future cost. I know that at least since 2012 staff and council have been politely, persistently, authoritatively, and eventually aggressively and confrontationally been made aware of this. What is the real agenda here?

0 Supports



Shannon Huffman 4 months ago

Oh, and will the city pay the fees as well for all the city land it owns and for all streets in the city? THAT is where runoff occurs!

0 Supports



[Harrisonburg Public Works](#) admin 4 months ago

Thank you all for your comments and questions.

Water from rain and melting snow that runs across our land can pick up many natural and manufactured substances that can pollute our local waterways, and make it unsafe to swim in or adversely affect plants and wildlife. Examples of common pollutants include fertilizer, detergent, pesticide, pet waste, sediment, oil, salt, trace metals, grass clippings, leaves, and litter.

In an effort to protect our local waterways from polluted runoff, the Stormwater Advisory Committee and the City are proposing the stormwater utility fee. The fee would charge property owners each year a dollar amount (\$xx) for every 500 square feet of impervious surface (e.g. rooftops, driveways, sidewalks) that is within a property. Many communities in Virginia (e.g. Lynchburg, Roanoke, Charlottesville, Richmond, etc.) have structured their programs similarly.

The proposed dollar amount will be presented to City Council on November 11, 2014, and staff will be available at the Public Input Meetings on November 12 and December 2 to answer questions. A formal public comment period to review the proposed ordinance, policies and procedures, and to submit written comments to the City will be open between November 12 and mid-December.

The City will be offering "utility fee credits" (a.k.a. discounts, reduced fees) to property owners who install stormwater management practices (such as rain barrels, pervious pavers, detention ponds, bioretention, rain gardens, etc.) on their property. City staff is currently developing a guidance manual, and it will be available for the public to review and provide comments beginning November 12.

An overview of the proposed stormwater utility fee was presented to City Council on September 23. You can find a link to the video and the powerpoint slides here, <http://www.harrisonburgva.gov/stormwater-utility>.

Please continue to let us know what questions you have about the proposed stormwater utility fee.

0 Supports



Mark Klosinski about 1 month ago

As far as I can tell, my property does not contribute to the stormwater system. The closest corner to a storm water inlet is 480 feet. Only one of my roof drains day lights. The other three might be tied into the septic system. How will my TAX be evaluated to reflect my actual contribution to the Chesapeake Bay?

0 Supports



Harrisonburg Public Works admin about 1 month ago

Mark, Thank you for your comment. The proposed Stormwater Utility Fee is assessed on all property within the city that have impervious surfaces. An impervious surface being any hard surface that water cannot soak into; this can include driveways, walkways, building rooftops, and patios. A hard surfaced patio prohibits rainwater from soaking into the ground beneath it, and may run into the adjacent grassy areas. However, the collective amount of everyone's hard surfaces, including runoff from the streets that we all use, causes our grassy areas and ground to become saturated, resulting in areas downhill where water cannot soak into the ground, resulting in runoff. Too much runoff can cause flooding and erosion downstream. Runoff across hard surfaces can also pick up pollutants and carry them into waterways.

The City and Stormwater Advisory Committee are proposing that properties be assessed a fee of \$10.50 for every 500 square feet of impervious surface. The fees collected will be used for the following activities:

- Development of a city-wide Stormwater Improvement and Polluted Runoff Reduction Plan to identify, select, and prioritize capital projects to manage stormwater, reduce pollution, and protect our drinking water sources.
- Design and construction of stormwater capital projects, including retrofits and community greening projects to reduce pollution and improve water quality. This includes projects on city owned properties and partnerships (such as grants or cost-share) with private property owners.
- Coordination of pollution reduction efforts including staff training, pollution prevention and good housekeeping

practices for municipal operations, pollution detection and elimination program, and public education and outreach. • Maintenance and operation of city-owned stormwater drainage and stormwater management facilities. To learn more about the proposed Stormwater Utility Fee and what you can do to reduce your fee, we encourage you to visit <http://www.harrisonburgva.gov/stormwater-utility>.

As for the roof drains at your home. If your roof drains tie into your septic system, you could be overburdening your septic system and drain field area. Excess water also slows down or stops the wastewater treatment process. Septic systems are designed to treat only the wastewater generated from within the building. Additionally, if you haven't done so already, we encourage you to inquire with the City's Department of Public Utilities on how to connect your home to the city's sanitary sewer system.

The City is also proposing offer a stormwater utility fee credit (fee reduction) for roof top drain disconnects. You can learn more about that and other practices eligible for credits in the draft Stormwater Utility Fee Credit Manual for Residents available on the Stormwater Utility webpage.

Thank you for your interest.

0 Supports



Mark Klosinski

about 1 month ago

So would the city hook me up to the sanitary sewer system for no cost? My septic system works just fine and as far as I can tell the system works fine with the roof drains tied in.

0 Supports



Rob Alexander about 1 month ago

I think that the proposed plan is innovative and more equitable than a top-down regulatory approach where we all pay a flat fee, regardless of how much we may or may not contribute to the stormwater runoff problem. I also like the incentive program that decentralizes improvements. I would much rather see the City come into compliance with clean water regulations by property

owners making choices about their land use vs. direct government intervention telling property owners what to do. Stormwater infrastructure in Harrisonburg is old and breaking down and needs to be fixed. This seems to be an effective, equitable, conservative way of doing it.

0 Supports



Donna Davis about 1 month ago

I agree that we should not be assessed any more fees. I have no other source of income from which to draw, and taxes are already too high. Higher taxes and the assessment of more is indicative of the deeper problem, which is overspending! It is arrogant for the city to take more from its citizenry who can barely afford to live here. NO MORE TAXES, STOP THE SPENDING or you will force residents to move to the county.

0 Supports



Donna Davis about 1 month ago

The arrogance comes when you keep taking from us to build your little monuments to yourselves in things like the new municipal building, the proposed conference center and this storm water tax fiasco.

0 Supports



Peaceful Yard

about 1 month ago

Donna, I sympathize with your feeling and would like to let you know that in the summer of 2012, the city took a step that went counter to what the state now mandates it to do with respect to storm water runoff while costing average homeowners as much as \$300.00 per year (the storm water fee for the same is only about \$60.00 per year): the city made 16-6-58, the ordinance on tall grass and weeds, stricter and enforceable over a longer period. Measured data indicates that this could have

added as much as \$300 per year in increased mowing costs to average home owners while forcing them to maintain their lawns at a shorter than optimal height, as indicated by their preferred max height at curb the week prior to the new ordinance being enacted compared to that at the same time in the growing season one and two years later. The shorter height directly contributes to more runoff, indirectly contributes to more pollution load because of greater fertilizer and pesticide needed to maintain an overly short lawn, and indirectly discourages the very credit options that the city says we can take advantage of, such as bio-retention--an example of which is rain gardens. I hope you might continue to direct your justified anger toward changing city policies so that residents who by and large struggle to get by can have the most flexibility in solving local problems while protecting the natural environment which is one of the key things that compensates our quality of life for living in this low income region.

0 Supports

Topic: Developing a Stormwater Improvement Plan

In 2015, the city will begin working on a Stormwater Improvement Plan that will identify drainage areas within the city, identify and prioritize stormwater projects, and provide planning for required Chesapeake Bay Total Maximum Daily Load (TMDL) pollutant reductions. What areas of the city should staff consider for the Stormwater Improvement Plan? What stormwater practices do you recommend?

4 Responses

4 Responses



Peaceful Yard 3 months ago

What storm water practices do you recommend?

Use City authority under 7-6-7 to ban coal tar parking lot sealant, the biggest human pollution source of PAH, the first know chemical carcinogen and a major and expensive threat to aquatic environments. For more see <http://peacefulyard.com/flier.html>

The main use of this product is to paint parking lots black so stripes will stand out. Alternatives exist at about the same cost but 1000 times less toxic.

Some businesses know this. A local high end shopping center applied an unknown sealant only under its striping. At least two low end shopping centers painted their entire lots with coal tar. To see and report possible contaminated locations see <http://peacefulyard.com/map3.html>

For a stormwater professional perspective on this issue see: <http://www.stormh2o.com/SW/Articles/26041.aspx> For code Harrisonburg can use toward such a ban see:

Sec. 7-6-7. Requirements to Prevent, Control, and Reduce Stormwater Pollutants by the Use of Best Management Practices.: "The City may require the use of Best Management Practices (BMPs) for any activity, operation or facility which may cause or contribute to pollution or contamination of the MS4."

from <https://harrisonburg-va.legistar.com/View.ashx?M=A&ID=317410&GUID=B4567BD6-7EAF-4D8C-8C83->

AE763DD020C0

0 Supports

**Sherrie Good** about 1 month ago

Rain Gardens! The more the merrier. They would look beautiful landscaped in all over town, and are the best natural way to control runoff. Stop the antiquated practice of asphalt paving parking lots, and use porous material instead. There has to be a way. Then put rain gardens all around the parking lots. Build more parking decks to take up less space. And for crying out loud start working to uncover Black's Run! Open it up and incorporate it like behind Beyond.

2 Supports

**Peaceful Yard**

about 1 month ago

We need to shift attitudes to make this work: The Department of Community Development's refusal to relent on 16-6-58, Tall Grass and Weeds, started with opposition to bio-retention activity (rain gardens) within the city. 16-6-58 has been widely documented to have a chilling effect on deviating from conventional green space throughout the city, from church meadows to front yard gardens. One community leader specifically pointed out the rain garden at Liberty Park as something that is not appropriate within the city before learning that this was intentional and good. The city needs to take the lead by repealing this ordinance so people can feel like it is ok to try something different.

We similarly have a harmful attitude toward parking lot

space. Not only are we not following the practices you suggest, we actually make our parking lots extra toxic by dumping a toxic byproduct of the steel industry on them- coal tar parking lot sealant. For details, listen to the webinar by experts from the USGS, the sole earth science agency for the US Department of the Interior. They are charged with providing impartial information on the health of the nation's ecosystems and environment, among other things:<http://t.co/22XWLkR5LA>

As posted above, the city can easily ban this product. Doing so would make it more difficult mislead business about the lifetime cost of a traditional parking lot and might encourage consideration of alternatives like those you mention. It would at least make existing parking lots far less toxic.

0 Supports



Peaceful Yard about 1 month ago

Sorry for the double, but it is not possible to edit these comments, so here is what I intended to post:

We need to shift attitudes to make this work: The Department of Community Development's refusal to relent on 16-6-58, Tall Grass and Weeds, started with opposition to bio-retention activity (rain gardens) within the city. 16-6-58 has been widely documented to have a chilling effect on deviating from conventional green space throughout the city, from church meadows

to front yard gardens. One community leader specifically pointed out the rain garden at Liberty Park as something that was 'unacceptable' within the city before being informed that it was intentional and a good thing. The city needs to take the lead, send the right signal, by repealing 16-6-58 so people can feel like it is ok to try something different.

We similarly have a harmful attitude toward parking lot space. Not only are we not following the practices you suggest, we actually make our parking lots extra toxic by dumping a toxic byproduct of the steel industry on them- coal tar parking lot sealant. For details, listen to the linked webinar by experts from the USGS, the sole earth science agency for the US Department of the Interior. The USGS is charged with providing impartial information on the health of the nation's ecosystems and environment, among other things:<http://t.co/22XWLkR5LA>

As posted above, the city can easily ban this product, as Washington DC has done and as more and more states and localities are doing as word of the science spreads. Doing so would make it more difficult to mislead businesses about the lifetime cost of a traditional parking lot and might encourage consideration of alternatives like those you mention. It would at least make existing parking lots far less toxic and could save the city vast sums in future clean-up costs when this inevitably becomes banned nation wide.

0 Supports