

Long Island Sound Watershed Intermunicipal Council LISWIC

Stormwater Utility District **Q and A**

Stormwater FAQ

Q: What is Phase II?

A: The goal of Phase II regulations is to protect, preserve, and improve the Nation's water resources, like the Long Island Sound, from polluted stormwater runoff.

Phase II regulations promulgated by the EPA apply to systems owned and operated by municipalities, state departments of transportation, universities, local school districts, local sewer districts, hospitals, military bases, and prisons.

Phase II will also regulate the operators of small construction activities that disturb equal to or greater than one (1) and less than five (5) acres of land.

Q: What is required under Phase II?

A: As part of the application process to the State DEC, each municipality **MUST** file a Notice of Intent (NOI) by March 10, 2003 which must include a stormwater management plan, a series of Best Management Practices (BMP's) and measurable goals. After the NOI is filed, the municipality must implement its stormwater plan by March 10, 2008.

Q: Why should we form a stormwater district?

A: Stormwater runoff and its resultant pollution is a major factor that causes poor water quality. Because our storm sewer systems and waterways are interconnected, a regional approach to the handling of stormwater is the most effective method of ensuring that stormwater runoff is controlled in a manner that helps all communities in the district.

A: A single purpose district, not burdened by the demands of local government can attack a regional problem on a regional basis. Because pollution does not respect municipal boundaries, one entity working with one goal will be better suited to address the problem as opposed to 14 municipalities with 14 different plans.

Operations & Maintenance

Q: To what extent will the District regulate land use?

A: The authority of the District to regulate land use by requiring stormwater management permits is to be decided by the municipalities. The district can be created to regulate all property within the boundaries of the district or just those parcels identified as being covered by Phase II (residential between one and five acres and commercial property).

Q: If a district is created, who is responsible for maintenance of existing facilities (i.e., catch basins, storm drains)?

A: The district will be responsible. The District Board will decide the most efficient manner in which to carry out this responsibility (contracting with municipalities for example).

Q: How will the district be administered?

A: The district will be governed by the municipalities through their participation on a District Board. Each municipality will have membership on the board based on a formulation. Additionally, the District will have an administrator and professional staff who will run the day-to-day operations of the district.

Q: How will the district be financed?

A: Through fees and charges. Residential parcels (singles, duplexes, and triplexes) will be assessed a flat fee. Commercial parcels will pay a fee based on the amount of impervious service; credits will be issued to encourage the use of pervious surfaces.

A: The district will also be authorized to issue debt. Since stormwater management is not high on the list of municipal priorities and capital improvement may prove to be too costly to be implemented at the local level, the District will create and implement a comprehensive capital plan that addresses needs on a region wide basis.

A: By shifting the costs associated with stormwater management away from the municipality it frees revenue for the municipality to address issues of local importance.

Q: Why not let Westchester County establish a stormwater management agency?

A: For many years, various committees, and subcommittees have suggested that nonpoint source pollution be addressed on a regional basis. The county, through its subcommittees and committees has asked the various municipalities to attempt to address stormwater management on a regional basis. If the municipalities do not do something themselves it is quite possible that county will set up an agency without any local input or control.

Q: In the event that a municipality finds itself overstaffed, will there be municipal layoffs?

A: Local staffing decisions are a local matter. Formation of the district will allow municipalities to reduce current expenditures, both operating and capital, in their general fund budgets. For the municipality, the opportunity arises to either reallocate existing resources for other municipal purposes, or to cut spending. If the expected reduction results in layoffs, the district will be hiring. It is safe to say that it will give preference to such employees if their work record merits it.

Q: What type of services can a stormwater utility provide?

A: Water quality monitoring, maintenance of stormwater drainage systems, detecting illegal connections to storm sewers, public education, erosion and sediment control, developing stormwater master plans and flood protection.¹

¹ Egoscue, Tracy and Siegel, Laura, *Stormwater Utilities: Improving Water Quality Through Innovative Management*, November 1999.