

PW-002

Policy and Procedure Statement

Athens-Clarke County Department of Transportation & Public Works

Policy Statement: Like water and sanitary sewer infrastructure, costs are associated with public stormwater infrastructure. This includes not only storm pipes and street inlets but roadside ditches and shoulders. Programs that mitigate the impact of development on water quality and flooding in receiving streams also require investments. Not only is this a Clean Water Act requirement, it's a community expectation. Everyone benefits from these public investments.

Many single family residential property owners are occasionally concerned about drainage issues on their property. The solutions that individuals devise to deal with these issues can vary significantly. Some may be content to leave the situation as it is, others may alter landscaping to be more consistent with drainage patterns, and still others may utilize hardscaping, ditching, or piping. Property owners should be careful to avoid altering runoff from their property in a way that adversely impacts downstream property owners.

The meaning of the term “stormwater improvement” has evolved over time. That trend is likely to continue. Infiltration, interception, and incorporation of stormwater into amenities is replacing traditional approaches of conveyance and removal of stormwater as a waste product. Stormwater systems consisting primarily of pipes, which were once considered to be proper drainage, can exacerbate flooding, streambank and channel erosion, and pollution in receiving streams.

In the same way, interpretations of drainage problems can change. A wet spot in the lawn that bothers one person may be an opportunity for a unique type of landscaping for another. When drainage issues that cause damage are corrected by property owners, those owners bear the costs and reap the benefits.

Chapter 5-5 (Stormwater Utility) was enacted in December 2004 to establish a stormwater utility enterprise fund to provide stormwater management services that contribute to the preservation of public health, safety and welfare, along with protection of natural resources. That ordinance also specifies that operation and maintenance of many private drainage systems is the legal responsibility of the property owner.

This policy articulates mechanisms that may be used to help address specific stormwater challenges that are the legal responsibility of property owners but for which Athens-Clarke County may provide assistance. It is recognized that both the public financial burden and the necessity to fulfill public responsibilities imposes limitations on public stormwater expenditures outside of those duties. A guiding principle is that public responsibilities are paramount.

It is also understood that provision of stormwater services outside of public responsibilities that benefit everyone must be undertaken with the utmost emphasis on the cost to stormwater customers and the principle of fairness. There is a recognition that some properties are situated

lower than others and therefore receive more stormwater runoff. This is the nature of land forms and is a consideration in the value of all property.

To help prioritize investments of time and funding, three general categories of services are enumerated. They are public services, quasi-public services, and private services. This policy primarily addresses quasi-public and private services with the realization that these services are subordinate to the greater public interest.

Driveway pipes: Driveway pipes allow property owners to cross roadside ditches within the public right of way to access their property. These pipes are the responsibility of the property owner. At the same time, they are part of the roadside drainage system that can influence roadside drainage hazards. Limited cleaning of these pipes can therefore be considered a quasi-public service.

Factors that affect the priority of driveway pipe cleaning may include current public responsibilities, detrimental impacts of poor hydraulic pipe performance, staffing levels, pipe condition, and ditch maintenance schedules.

Zone of influence: For purposes of this policy, the zone of influence refers to a distance of six times the pipe diameter from the outlet of certain storm pipes in the downstream direction. The storm pipes must either cross under or receive stormwater runoff from within the right of way of an Athens-Clarke County road. Erosion at storm pipe outlets in the zone of influence will be eligible for the Athens-Clarke County rock program. In the case of storm pipes that carry runoff from watersheds larger than 24 acres, ACCGov may allow use of Drainage Improvement Agreements to address these situations. This can be considered a quasi-public service.

Rock program: Although all streams meander naturally over time, land use changes within watersheds can accelerate this process. In other cases, stormwater runoff is concentrated at specific points by pipes or ditches. This often also causes significant erosion. The rock program allows for provision of rock rip rap by ACCGov according to policies established by the Athens-Clarke County Transportation and Public Works Department. Property owners can make use of this material as a tool to reduce these cases of erosion. Any permitting associated with these projects is the responsibility of the property owner. Maintenance of these projects is the property owner's responsibility.

Drainage Improvement Agreements (DIAs): These agreements provide a cost-sharing mechanism between property owners and ACCGov. The property owner pays for materials and ACCGov designs and installs the project. Drainage Improvement Agreements **shall** be limited to two cases.

1. In the first case, there is a significant ongoing erosion issue at a pipe outlet on a single family residential lot from a pipe directly connected to an ACCGov storm system and with a watershed area greater than 24 acres. This might fall outside of the rock program because the size of riprap may be beyond that required for stabilization.
2. In the second case, a pipe that is directly connected to an ACCGov storm system and that has been platted fails in such a way that a single family residence could be directly impacted.

In the case that a project constructed under such an agreement needs maintenance, another Drainage Improvement Agreement may be entered into.

Other ACCGov stormwater work on private property:

1. In some cases, drainage systems for ACCGov roads cannot function properly without work on private property. In these cases, ACCGov may do stormwater related work on private property through appropriate agreements with the property owners.
2. For significant stormwater issues on private property that are not covered by policies outlined above, the property owner is responsible for remediation. **To be eligible for public funding**, it is recommended that an areawide study that prioritizes such cases be conducted.