



**Testimony of
Heather Whitlow, Director of Planning & Design
Casey Trees
September 15, 2008**

**Public Hearing on
Proposed Rule Establishing Stormwater Fee**

Good evening. My name is Heather Whitlow, Director of Planning & Design at Casey Trees, a nonprofit whose mission is to restore, enhance, and protect the tree canopy of the District. Thank you for the opportunity to testify.

We support the proposed stormwater fee increase, which will provide much-needed funding for projects and programs designed to ensure District compliance with federal regulations.

Casey Trees has actively partnered with the District Department of Environment (DDOE) to implement some of the programs that will benefit from this increased funding stream. For a second year, Casey Trees is a partner on the RiverSmart Homes program, which offers incentives to homeowners interested in reducing stormwater pollution from their properties. In our role, we've planted trees as part of larger yard "makeovers," launched a tree rebate program and offered free tree design workshops for homeowners.

RiverSmart Homes and other DDOE grant programs provide a one-time incentive for stormwater retrofits. While this is an important piece of a comprehensive stormwater program, there is no disincentive for properties that continue to generate polluted stormwater runoff.

Because the current fee structure is based on a flat annual fee and on potable water use, those that generate the most stormwater runoff, do not necessarily contribute proportionally to the programs and infrastructure required to mitigate the negative impacts. For example, many of our surface parking lots, which cover a total of 2,100 acres and generate 2 billion gallons of runoff each year, are not assessed a stormwater fee since they don't pay a water bill.

In order to create an equitable system and incentivize property owners to make upgrades, the District must move toward a fee structure that it is based on the stormwater runoff and pollution generated by a site. To this end, it is imperative that the dialogue begun last

year by DDOE, the DC Water and Sewer Authority and Councilmember Graham's Stormwater Task Force continue.

Jurisdictions across the country have moved to charge stormwater fees based on impervious surface. In fact, in a 2007 national Stormwater Utility Survey by Black & Veatch, 75% of respondents used impervious area as the basis for determining user fees. Close to home, the City of Rockville, Maryland recently created a Stormwater Management Utility and has developed the methodology for assessing fees based on impervious surface area.

The same Black & Veatch survey found that almost 46% of all stormwater utilities offer user fee credits for onsite stormwater facilities. Though its Clean River Rewards program, the City of Portland, Oregon provides ratepayers with discounts of up to 35% of their total stormwater fee for improvements made onsite. Single family residential property owners can receive discounts for controlling runoff from roof areas. Commercial, industrial, institutional, and multi-family residential properties must manage runoff from roofs and paved surfaces in order to get full credit. The program also provides credit for trees planted and retained onsite

The Clean River Rewards stormwater utility discount program is a key part of Portland's stormwater management programs for private properties. Since October 2006, the City has processed more than 33,000 registrations for Clean River Rewards. That is nearly 20% of the city's 176,000 stormwater ratepayers. As stormwater utility fees increase over time, Portland anticipates that 112,000 ratepayers will apply and qualify for stormwater discounts.

Moving towards a system like this in the District would:

- (1) incentivize properties that have taken the initiative to minimize runoff,
- (2) encourage generators of runoff to make onsite improvements, and
- (3) ensure the properties that generate more stormwater runoff, pay more for programs designed to mitigate the impacts.

We understand the complexity of the problem and the challenge in establishing effective programs and incentives to control stormwater runoff, the most serious water pollution problem facing the District and our region. We appreciate the leadership of DDOE, the Fenty Administration and Council on this matter and pledge to work with you and DC WASA in the coming months and years. For now, DDOE's proposed rate increase is a step in the right direction. Thank you.

