



City of Harrisonburg Stormwater Advisory Committee

Meeting Minutes

May 2, 2018 5:00 – 6:45 p.m.

Members in attendance: Daniel Michael, Dale Chestnut, Eldon Kurtz, Rob Alexander, Greg Sachs

Staff/Others in attendance: Staff: Kelley Junco, Tom Hartman, Rebecca Stimson, Dan Rublee

Others: Megen Dalton, District Manager at the Soil and Water Conservation District (SVWCD); Bill Latham, Director at the SVSWCD; Mary Kimsey, public comment

Review and Adopt Minutes

Dale Chestnut called for a motion to adopt the May 2018 SWAC meeting minutes. The motion was made, seconded, and passed.

Public Comment

Mary Kimsey presented her concerns about pipe ownership and potential development at S Dogwood Drive and S Willow St in Harrisonburg. A lot was purchased by a developer with the intent to develop a single-family residence. There is a drainage way through the lot and a drainage pipe on Dr. Kimsey's property which discharges nearby and feeds the drainage way. Dr. Kimsey claimed that the drainage way was designated as a wetland and asked what the city does to protect wetlands. Dan Rublee stated that wetlands are protected through federal and state regulations, not any local regulations. The developer is interested in connecting to the pipe on Dr. Kimsey's property. Dr. Kimsey was informed that this is a privately-owned, not publicly-owned, pipe. Rob Alexander said that Dr. Kimsey had spoken to him about this situation and he recommended she speak to SWAC for clarification. She passed out a handout with background information and clarifying questions and concerns, which is attached to these meeting minutes. SWAC read the handout and the discussion was tabled until later during the SWAC meeting.

HCAP (Expansion of VCAP)

Megen Dalton, District Manager at the Shenandoah Valley Soil and Water Conservation District (SVSWCD), presented a potential program to the SWAC called the Harrisonburg Conservation Assistance Program (HCAP). Megen explained that she and her staff have been implementing the Virginia Conservation Assistance Program (VCAP) for the past two years. VCAP is a way that property owners can receive cost-share assistance from state funds for installation of practices that manage stormwater on their properties – such as rain gardens, impervious surface removal, permeable pavers, etc. HCAP would be an extension of the VCAP program, where the City would provide dedicated funding to SVSWCD to administer and construct a program for Harrisonburg residents to install these practices. To date, the SVSWCD has implemented 20 practices in Harrisonburg and Rockingham County. The SVSWCD would administer the HCAP program, and the City would provide funding for implemented projects and administrative expenses related to the HCAP program. Megen stated that there is a list of practices that are eligible for cost-share assistance through the VCAP program and the City would be able to change this list based on stormwater and drainage improvement goals. Dan asked if engineering plans would be required. Megen stated that engineering plans are required for some practices, such as permeable pavement and bioretention practices. Dan asked who would review the plans. Megen clarified that Dale

Chestnut currently reviews the plans for the VCAP program; however, city staff would need to review plans for the HCAP program. Dan asked if projects could be submitted for pollution reduction credits through the Chesapeake Bay TMDL. Megen explained that they could. Megen was asked about maintenance and upkeep of the projects. She stated that the homeowner signs a maintenance agreement and is responsible for upkeep of the practice throughout its. Staff would complete a yearly spot check of practices, similar to how the homeowner BMPs are inspected. The presentation given by Megen to the SWAC is attached to these meeting minutes.

Willow Street Pipe Ownership

Dan presented information about the Willow St. pipe to clarify Dr. Kimsey's questions. He stated that the Public Works Department has maintained the stance that this pipe is privately owned. There is no deeded information that shows the owner of the pipe, and there is no drainage or maintenance easement along that area. Public Works did perform maintenance on the pipe near the street at one point to ensure it was appropriately draining the street. Dan explained that the pipe was probably put under the street when the street was built by the developer. The developer then deeded the street to the City, and empty lots were built on as they were purchased. When Dr. Kimsey's lot was developed, the pipe was most likely extended from its original length to carry water past the house. It was extended to the very edge of the lot. Dan stated he did not know exactly where the pipe ended. Dr. Kimsey clarified that she had a survey done and the end of the pipe is within her lot. Tom Hartman explained that the maintenance done by Public Works was done to protect the street but that the pipe is still privately owned. Dan stated that Dr. Kimsey can allow the developer to connect to the pipe, or not. The City is only able to ensure the engineering is done appropriately to ensure the connection will not have a negative impact on the drainage of the area. Kelley Junco said that this is an issue that comes up frequently at Public Works, where a resident owns property and does not realize the stormwater pipe running through the property is privately owned.

Grant Opportunities

Stormwater Local Assistance Fund

Kelley informed SWAC that staff is submitting five projects for the Stormwater Local Assistance Fund (SLAF) grant, which is due in October. SLAF is a 50% grant opportunity which would significantly decrease the cost of projects. Mountain View Drive stream restoration, East Market Street regenerative stormwater conveyance, Northend Greenway stream restoration, Thomas Harrison Middle School BMP, and Virginia Mennonite Retirement Community BMP are all being submitted for grant consideration.

Great Urban Parks Campaign

Kelley updated SWAC on another grant opportunity through the Great Urban Parks Campaign. This grant would provide 100% funding for 2 bioretentions, a BMP retrofit, tree plantings, and pollinator habitat at Lucy Simms and Ralph Sampson Park. The grant application was submitted and staff should hear back before the winter.

Destination Downtown Grant

Staff submitted a grant application for two small pollinator meadows along North Liberty Street. These pollinator meadows would be submitted for Chesapeake Bay TMDL credits.

Stormwater Improvement Plan Update; Projects-in-Progress

Mountain View Drive Stream Restoration

Engineering plans are still being developed for the Mountain View Drive project. 30% plans will be ready by the time SLAF applications are due.

Thomas Harrison Middle School BMP

Kelley explained that bids for this project came back too high and the project was not awarded. The engineering plans will be used for SLAF application which could make the project more within the cost/lb threshold the City is attempting to maintain.

Northend Greenway

Tom explained that comprehensive agreement and contract is being finalized for this project.

Temporary/Permanent Credit Opportunities

HRRSA Contract (In progress)

Kelley stated that the contract to purchase temporary credits from the Harrisonburg Rockingham Regional Sewer Authority beginning in 2023 has been signed.

Permanent Credit Opportunities

There is an invitation to bid out for permanent credit purchases. Nutrient banks would provide a set price for bundled nutrients (sediment, phosphorous, and nitrogen would all be purchased in a bundle, not separately) which would be valid for one year. The city could then purchase the credits at that price when needed.

Drainage Improvement Plan

Kelley explained that after the storms in late May and June, staff began investigating a potential program to improve drainage issues on private property. She explained that staff had developed a policy for the program, which would include neighborhood drainage improvement projects to alleviate drainage issues that affect multiple property owners, as well as the HCAP program to alleviate smaller drainage issues on individual properties. She stated this was why Megen was presenting the potential HCAP program. Tom stated that staff envision this program to be similar to the Neighborhood Traffic Calming Program (NTCP) – where residents who have a traffic concern can apply to work with staff to find solutions to traffic concerns. The NTCP program requires neighborhood buy-in from a certain percentage of the neighborhood. The drainage improvement program would require buy-in as well, in the form of easement donations for the project. Kelley stated that project applications would be collected and then ranked, similar to how the Stormwater Improvement Plan projects were ranked. She asked if SWAC would be interested in helping with the ranking process. Rob asked what staff concerns with this new program would be. Kelley explained that resources, maintenance, and funding are the main concerns. The goal would be to collect applications during an initial period of time, which would allow staff to determine the level of funding, staff time requirement, and maintenance needs of the program. While staff is not currently planning an increase in the stormwater utility fee, an increase may be required in the future. Kelley asked what SWAC's thoughts were on the new program. There was consensus that a drainage

improvement program would offer citizens a tangible use of stormwater utility fee funds that would directly benefit them. No new concerns other than those stated by staff were brought up. Rob stated that he had a positive experience with the VCAP project on his property. His only concern was that funding was overspent in the first year he applied, so he was made to wait another year. Rob also expressed that it would be good to pair this program alongside the existing stormwater utility fee residential program. Members suggested that a percentage of the stormwater utility fee be dedicated for drainage improvement projects. Kelley explained that the program had already been presented to the City Manager, who expressed interest in SWAC's opinion. Dale made a motion to support the Drainage Improvement Program with direction and feedback from the City Manager and City Council. The motion was made, seconded, and passed.

Other Topics

Sanitary Sewer Ordinance

Kelley updated the SWAC that the first reading of the ordinance was 7/24/2018, where the ordinance was passed. Staff will be meeting with Public Utilities to finalize implementation.

Revised Credit Methodology/Credit Manual to Council

Credit methodology regarding street sweeping is still pending.

Next Steps

Ted Byrd is the current ex-officio. Staff is looking forward to the next council member who will sit in on the SWAC.