

Please Oppose Senate Bill 116
Georgia Association of Water Professionals

Senate Bill 116 would exempt “water-neutral sites”, defined as those properties designed to control runoff from a 25 year, 24-hour storm event in a manner consistent with the Georgia Stormwater Management Manual (GSMM), from paying stormwater user fees charged by local governments or authorities that have established stormwater utilities. Water-neutral sites, as defined in this bill, still discharge stormwater to the local drainage system, which the local government or authority is legally responsible for operating and maintaining.

Implications of SB 116: We ask you to consider the following far-reaching implications of the bill.

1. **Local Control.** The State of Georgia should not interfere in how a local government operates a utility or charges its customers. This would be equivalent to the State saying how a local utility could charge (or not charge) for water or sewer services. If the General Assembly exempts “water-neutral properties” from paying fees for stormwater services, could they next exempt a defined class of customers from paying local water and sewer fees in the future?
2. **Economic Impact on Local Governments.** This bill could have a devastating impact on local governments who are required to operate and maintain stormwater drainage systems for the public good and to protect the health, safety and welfare of their communities. “Water Neutral” properties are not actually water neutral because they still discharge stormwater runoff to the local drainage system thereby causing an impact. A local government still must bear the cost of maintaining the stormwater drainage system even if every property builds a detention pond to the 25 year, 24 hour storm event standard. The City of Griffin reports that the potential loss of revenue to their stormwater utility, should this bill pass, would be approximately 40% of their annual user fee revenue, thus crippling their stormwater utility and its ability to provide essential services. Gwinnett County reports that their loss would be approximately 34% of their annual user fee revenue.
3. **Public Safety.** Stormwater utility revenues allow local governments to reduce flooding and replace failing infrastructure, including collapsing culverts under public roads. There is an unacceptable risk to public safety if local governments no longer have the ability to collect revenues to perform important and essential storm water management services.
4. **Existing Credits.** Eligible properties with detention ponds are already offered user fee credits ranging from 30 – 50% from most stormwater utilities. This credit is offered in recognition of the reduced impact these properties have on the drainage system. However, the credit is not 100% because controlling the 25 year, 24-hour storm does not eliminate a property’s impact on the local drainage system; the customer still receives stormwater services.
5. **Customer Equity.** Local governments are alone in their responsibility to manage stormwater drainage systems and operate stormwater management programs to protect life and property from flooding, and to protect local waterways from stormwater impacts so that the State’s waters remain fishable and swimmable for Georgians to enjoy. There is virtually no funding available from the State or Federal governments to assist local governments in carrying out this important charge. Thus, local governments have been forced to develop local financing mechanisms to provide sufficient revenue sources to carry out this responsibility. Allowing a contributor to the problem to be 100% exempted from participating in paying a fair user fee for this service, while still using the system, would be grossly unfair to the remainder of the paying customers and to the local government as well.