

## Finance and Legislation Subcommittee Meeting – February 9, 2005

### In attendance:

Jeff Bross – Chair	Duffield Associates
Representative Roger Roy	Bond Bill Committee
Larry Irelan	New Castle Conservation District
Gary Stabley	Lewes Board of Public Works
David Singleton	New Castle County
Kash Srinivasan	City of Wilmington
Lee Ann Walling	Governor's Office
Jamie Rutherford	DNREC
Robert Enright	DNREC
David Athey	URS

### Primary discussion points:

- Two categories of cost – capital and maintenance.
- Historically less focus has been on maintenance.
- With trend towards low impact development, maintenance needs will increase.
- A stormwater utility would be more palatable to public at-large if fees were tax deductible – may not be issue if fee/rate is small.
- Counties already have a taxing mechanism in place – may be administratively easiest to place utility at that level.
- While stormwater quantity has been past emphasis, pressure is coming for stormwater quality design and enforcement.
- Tax ditches are already a pseudo-utility – how can they be incorporated into a new structure?  
DNREC already has standards for financial accounting, auditing, etc.
- Financial needs for statewide drainage projects were presented by Larry Irelan. Needs were broken down for tax ditch organizations, conservation districts, counties, and municipalities. These needs may be incomplete but current estimates are in excess of \$100 million.
- Overview of stormwater utilities was presented by David Athey. Equivalent Runoff Unit (ERU) as unit of measure introduced. Large impervious properties such as industrial parks or malls could have significant fees. Legal challenges should be anticipated.
- Is the State Sediment and Stormwater Regulations adequate as enabling legislation for the formation of a utility?
- Rights of access would be important for a utility. Would a utility have power of eminent domain?

### Action items:

- More data on maintenance costs from DelDOT and on BMP's – David Athey/DNREC
- Capabilities of State GIS – Lee Ann Walling
- Adequacy of State Sediment and Stormwater Regulations as enabling legislation for a utility – Lee Ann Walling
- Number of tax ditches and associated construction and maintenance costs – DNREC
- Fine tuning of Larry Irelan's needs data presented – Larry Irelan/David Athey

### Future meetings:

- Subcommittee Meeting – February 23, 11:00 a.m., Smyrna Rest Area Conference Room