

## *Pro-Rata Share Drainage Construction*

### **316-01-Pro Rata Share Drainage Construction**

<b>Fund: 316, Pro Rata Share Drainage Construction</b>	
<b>Total Expenditures</b>	<b>\$3,483,000</b>
<b>Revenue:</b>	
General Fund Support	\$0
Bond Revenue	\$0
Other Revenue	\$3,483,000
<b>Total Revenue</b>	<b>\$3,483,000</b>

#### **► Summary of Program**

This fund supports storm drainage capital projects from the County's Master Drainage Plan through contributions in accordance with the Pro Rata Share Program approved by the Board of Supervisors on December 16, 1991. The Pro Rata Share Program provides a funding source to correct drainage deficiencies by collecting a proportionate share of the total estimated cost of drainage improvements from the developers of the land. Pro Rata funds are used to finance projects within specific watershed areas. Pro Rata funds on deposit are appropriated to this fund as storm drainage projects are identified and prioritized during scheduled budgetary reviews.

Typical projects constructed with pro rata share funds address stormwater drainage issues such as house, road and yard flooding conditions, severe streambank erosion and channel erosion, and impaired or reduced stormwater quality. The project objectives are to protect property and provide water quality improvements to streams and waterbodies by reducing erosion and sedimentation and capturing nutrients and other pollutants. Water quality improvements are required as part of the County's National Pollutant Discharge Elimination System (NPDES) permit including compliance with the County's obligations under the Chesapeake Bay initiatives.

The project improvements are underground storm sewer, stream stabilization utilizing conventional and bio-engineering techniques and materials, regional retention and detention ponds, as well as retrofitting existing stormwater management facilities and roadway culverts for water quality improvements.

The scope determination, design, and management for those projects completed with county staff are performed by the Stormwater Capital Project Design CAPS. The land acquisition, surveying, and construction management are performed by Stormwater Capital Project Support CAPS. When development occurs where regional stormwater management facilities are shown on the Regional Pond Program, it is requested that the developers design and construct the facility. The developers are then reimbursed with available Pro Rata Share Funds.

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### ► Funding Availability and Future Considerations

Due to the sporadic nature of development activity throughout the County, revenue generated by the Pro Rata Share Program is generally insufficient in most watersheds to fully implement the County's Master Drainage Plan, which includes the Regional Pond Program. Consequently, only 25% of the planned regional ponds have been constructed since the establishment of the Regional Pond Program in 1989. Overall project implementation costs consistently rise from year to year due to construction cost inflation.

The implementation of the Regional Pond Program is the top priority for use of these funds. This rationale is based upon development procedures which incorporate the regional pond plan with the water quality requirements for that upstream development. There are cases where regional ponds are planned and many developments are constructed based upon the conditions that future regional ponds will provide the required stormwater quality provisions. It is very important that regional ponds be constructed within those watersheds to provide the water quality as identified in the County's Master Drainage Plan and Regional Pond Program. These facilities will be needed to meet the County's National Pollutant Discharge Elimination system permit and Chesapeake Bay Initiatives.

In those watersheds where regional ponds are not shown on the Regional Pond plan or are not viable due to existing development constraints, projects other than regional ponds are established. These projects are based upon the criteria approved by the Board of Supervisors for storm drainage improvements.

### ► Funding Methodology

The Pro Rata Share Program collects funds from developers based upon a proportionate share of the total estimated cost of drainage improvements within the watershed. The funds are dedicated for use in only the watershed in which the funds are collected. The pro rata share charges are calculated based upon those projects identified within that watershed for implementation. These charges are updated semi-annually to include inflationary increases and projects added or deleted within the past year.

### ► Status of Program

The adopted budget for FY 2002 is \$3,483,000. The current budget is \$18.9 million due to the carryover of unexpended balances from FY 2001 into FY 2002. The FY 2002 expenditures are anticipated to be \$2,500,000 and encumbrances are anticipated to be \$2,300,000.

Currently there are 46 projects in some phase of implementation including preliminary scoping, engineering design, or construction by county staff or by developers. County staff is working on 36 projects and developers are completing 10 projects. These projects include 24 regional stormwater management facilities and 22 storm drainage improvements.

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### ► **Mandate Information**

This CAPS is Federally or State mandated. The percentage of this CAPS' resources utilized to satisfy the mandate is 76 - 100%. The specific Federal or State code and a brief description of the code follows:

#### **Federal**

- PL-566
- 1972 Federal Pollution Control Act
- 40 CFR Parts 122-124, 504 (Amendments to the 1987 Clean Water Act requiring National Pollutant Discharge Elimination System (NPDES) Permits for stormwater discharges)
- Clean Water Act Section 404 (Wetlands Law & Regulations); 44 CFR Parts 59-77 (Floodplain Management and Protection Regulations)
- Section 402 Clean Water Act, NPDES Permit
- PL-103-325 Section 531 Flood Insurance

#### **State**

- Code of Virginia 10.1-603 et seq (VA Stormwater Management Law), 15.1-510 and 62.1-11 Department of Conservation and Recreation Regulation VR 215-02-00
- Code of Virginia 10.1-560 et seq (VA Erosion and Sediment Control Law); VA Soil and Water Conservation Board Regulation VR 625-02-00
- Code of Virginia 10.1-2100 (Chesapeake Bay Preservation Act)
- Code of Virginia 10.1-604 et seq.
- Code of Virginia 62.1-13.5, VR 680-15-02 (VA Water Control Board 401 Water Protection Permit Regulations)
- Code of Virginia 62.1-44; Code 9 VAC 25-30-10 VDPES Permit
- Code of Virginia 15.2-2243 Pro Rata Share