

June 15, 2006

Dear Members of the Board of Commissioners:

The best argument against the proposed Storm Drainage & Stormwater Management Ordinance, which you will consider on June 27, comes from a picture.

If you have not already done so, I urge you to go to:

www.epa.gov/npdes/pubs/ua_athens_roads.pdf

to see the that picture, a map of the Urbanized Area of Oconee County.

This U.S. Environmental Protection Agency map shows how inappropriate the proposed ordinance is and how ineffective it will be in protecting the streams of Oconee County.

Section 6 of the proposed ordinance applies to the Urbanized Area. It sets appropriate standards for construction in that area. The area is tiny, and it is already developed.

Section 7, which applies to all of the remainder of the county, sets virtually no standard on stormwater management at all. The operative line is the final one in section 7.2: "Developments may be exempt from this provision if the design professional can demonstrate that the runoff can be adequately transmitted through existing downstream drain structures and will not result in increased flood heights or additional threats to public safety, and will not adversely affect downstream properties, and compliance with section 7.3 is demonstrated."

Section 6.12 applies the state standards for construction of facilities for stormwater discharge.

Section 7.12 makes no mention of requirements for structural stormwater controls or of any standards for their construction.

The importance of setting a standard for stormwater structures and management was illustrated clearly at the June 6 meeting of the Board. At that meeting, you considered two rezone requests, both of which had significant issues because of the threats of the developments to nearby streams. In the case of the request for a modification of the conditions placed on ALP Development Inc. for its project on the Apalachee, you drafted language on the spot to create a compromise with the developer.

For the rezone request of Dan Casto on Dial's Mill Road, much of the discussion turned on protection of Barber Creek from stormwater runoff.

The proposed ordinance makes it likely you'll be negotiating with developers more, rather than less, in the future. It would be far better for developers to know what will be expected of them and to believe that the standards will be applied uniformly across the county.

As you well know, the draft of the stormwater ordinances released to the public in September of 2005 was quite different for the one before you now. The earlier applied the state standards to the whole of Oconee County.

I attended the October 24, 2005, public hearing on the earlier ordinances. No one spoke against them. Yet, according to Amy Morrison as quoted in the May 4, 2006, issue of The Oconee Enterprise, changes were made in the ordinance at the request of the Board of Commissioners.

The Board can easily revert to something close to the original proposed legislation by changing the language of Section 6 so that it applies to all of Oconee County and striking Section 7 from the proposed ordinance entirely.

The proposed legislation may meet the letter of the requirement from the state for protection of the county's streams. It does not meet the intent.

I urge you to think of all residents of the county, not just those in the development community. Please apply the state standards for stormwater control to all of Oconee County.

I thank you in advance.

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