



The Fayette Alliance

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Elizabeth Knox van Nagell

Mayor Jim Newberry & Lexington-Fayette Urban County Council

LFUCG

101 East Vine Street
Lexington, Kentucky 40507

April 23rd, 2009

Dear Mayor Newberry and Council Members,

I am writing to you as the Executive Director of the Fayette Alliance. The Fayette Alliance is Lexington's only land-use advocacy organization dedicated solely to preserving our renowned rural landscape in Fayette County, and strengthening the city of Lexington through innovative infill redevelopment and adequate infrastructure.

If responsibly pursued, this growth approach will improve our city and protect our productive and beautiful farmland that anchors a \$3billion agricultural industry—creating

a quality of life crucial to Lexington-Fayette County's economic and environmental success today and beyond.

Once the Athens of the West, Lexington-Fayette County is now a place where people and livestock have tragically lost their lives in flooded streams; raw sewage and stormwater run-off pollute over 70% of our creeks—endangering fish, animals, and humans alike; and feces finds itself in household basements, neighborhood parks, and the scenic fields of world famous farms.

This crisis impacts us all—from the first-grader, businessman and homeowner to the equine and general agricultural farmer. Indeed, we are in this together—and together we must now embrace the opportunity to fix a problem to which we all contribute, that has been decades in the making.

Therefore, in furtherance of the health, welfare, and prosperity of our community, The Fayette Alliance strongly supports the proposed Water Quality Management Fee.

The fee is a fundamental, good faith, and equitable first step in addressing the water quality and flooding problems in Fayette County—as required by the EPA Consent Decree and the soon-to-be-signed state NPDES/MS4 permit, both of which LFUCG leadership substantively agree.

A Council Taskforce calculated the proposed fee openly and transparently over the course of four months—receiving public comment and expert opinion, hosting stakeholder meetings, and responding to voiced concerns.

After completing this process, the Taskforce defined the monthly fee at \$4.32 per Equivalent Residential Unit (ERU)—with one ERU equaling 2,500 square feet of impervious area. Fees will be collected from all Fayette County property owners—generating \$13 million annually in a dedicated Water Quality Fund.

This fund will directly finance necessary programs (such as mapping, modeling, and litter control) and personnel costs to remediate our polluted and flooded water quality system.

The fee will be administered as follows:

- a. **Single-family homes and duplexes** are one ERU and will pay a monthly fee of **\$4.32**.
- b. **Farm parcels with development** [house(s) +/-or road(s)] will pay a monthly fee of **\$4.32**
- c. **Non-residential property** will pay a monthly fee of **\$4.32 multiplied by their number of ERUs**.
- d. Apartments and condominiums with **three units or more in a single building** are considered **non-residential**.

- e. Undeveloped property owners will **not pay the fee**.
- f. An **incentive program** will invest approximately **\$1.2 million / year** into the community in the form of grants to fund water quality and flood mitigation projects such as community rain gardens, and educational programs—at very little administrative cost or overhead to LFUCG.
 - a. **Residential properties** will qualify for **\$200,000 / year in incentives**.
 - b. **Non-residential properties** will qualify for **\$1 million / year in incentives**.
- g. An audit of the fee and program will occur every five years to ensure that it is measurably purifying the water quality system of Fayette County and complying with the standards of the EPA Consent Decree and state NPDES/MS4 permit.
- h. If adopted by Council, the fee will be **implemented in FY 2010**.

With this proposed fee, our community can move beyond the mere construction of infrastructure, and into sustainable water quality maintenance and environmental stewardship—an enterprise that can't come too soon, as LFUCG does not currently comply with Federal Water Quality Standards.

Therefore, the Alliance respectfully requests that Council adopt the Water Quality Management Fee.

While no one wants to shoulder the additional expense in this difficult economic time, supporting the fee is good business—as it will restore Lexington's quality of life, and environmental integrity; which are key ingredients to future market investment and recruitment. Simply put, it is the right thing to do for today, tomorrow, and this great city's future.

Sincerely,

Elizabeth Knox van Nagell
Executive Director