



## Legislation Text

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**File #:** 11-1512, **Version:** 1

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Resolution to Petition the Washtenaw County Water Resources Commissioner to Establish Huron River Green Infrastructure Drainage District for the City of Ann Arbor 2013 Tree Planting Project (Total Cost: \$316,000.00; City's Apportionment: \$316,000.00)

Attached for your approval is a resolution to petition the Washtenaw County Water Resources Commissioner (WCWRC) to create a new City-wide Drainage District for the 2013 Street Tree Planting Project. These improvements will reduce the amount of stormwater entering the City's stormwater piping network and reduce contaminant loading to the downstream creeks and the Huron River. The proposed improvements will improve water quality and reducing localized flooding in the project areas.

Nearly 36% of the land draining to the Huron River and its tributaries is impervious, and as a result, stormwater frequently enters the river too quickly, causing localized and regional flooding during certain rain events. These rain events also carry pollutants from impervious areas to the creeks and ultimately the Huron River, reducing water quality. The City falls within area of the Huron River that is subject to the Total Maximum Daily Load (TMDL) for phosphorus and E. coli from stormwater. In addition, there are several creeks that have a creek-specific TMDL for Biota, which is attributed to unstable flow regimes, reduced bank stability, bank erosion, sedimentation and reduced stream quality due to excessive runoff/washout throughout the highly urbanized watershed. The metric used for addressing the TMDL is the amount of Total Suspended Solids (TSS) found within the creek habitat profile. This project will reduce the amount of soil that is carried into the creeks and river through erosion, and thus will reduce the TSS.

Since the project's focus is on water quality improvement, it is eligible for low-interest State Revolving Fund (SRF) loan funding. This project has been included by the State of Michigan on the Project Priority List (PPL) for SRF loan funding. This project, along with four others submitted by the WCWRC within the City, has been classified as a "green project," which may result in up to 50% loan forgiveness.

The proposed Huron River Green Infrastructure Drainage District will be established as a Chapter 20 County Drain. Therefore, the work to implement control measures will fall under the jurisdiction of the Washtenaw County Water Resources Commissioner. As an established drain, the costs of the project are assessed to the governmental entities within the drainage district area. The total cost of this project is estimated at \$316,000.00. The cost has been approved for a low interest (2.5%) State Revolving Fund (SRF) loan. The City's apportionment of this drainage district is 100% of the district. Therefore, the City's share will be \$316,000.00.

As the Water Resources Commissioner will be assessing the City over a maximum of 20 years for this project, the City will not have to expend the full cost of this project at the time of construction. Rather, the reimbursement of the Water Resources Commissioner will be paid over the financing period, with installments not to exceed \$20,100.00 per year. The first payment is included in the

proposed Storm Water Fund Operations and Maintenance budget for FY13 and subsequent payments will be included in the annual stormwater budget submittals. The resolution authorizes the annual payment to the County for this project from the Storm Water Fund (Fund 0069) pending annual budget approvals by Council.

Prepared by: Jennifer Lawson, Water Quality Manager  
Reviewed by: Craig Hupy, P.E., Interim Public Services Administrator  
Approved by: Steven D. Powers, City Administrator

Whereas, There is a Total Maximum Daily Load (TMDL) for phosphorus and E. coli reduction within the Huron River;

Whereas, the proposed Huron River Green Infrastructure Drainage District is within the area covered by the phosphorus and E. coli TMDLs;

Whereas, There is a Total Maximum Daily Load (TMDL) for biota within several creeks within Ann Arbor;

Whereas, The City Council intends to file with the Washtenaw County Water Resources Commissioner a petition to clean out, relocate, widen, deepen, straighten, extend, tile, interconnect, or otherwise improve the Huron River Green Infrastructure Drainage District pursuant to Section 482 of Chapter 20 of the Drain Code of 1956 (MCL 280.482);

Whereas, It is the desire of the City Council to have the Mayor and Clerk sign and file the necessary petition with the Washtenaw County Water Resources Commissioner; and

Whereas, A suggested form of such petition is now presented to the City Council;

RESOLVED, The City Council hereby determines to petition the Washtenaw County Water Resources Commissioner to establish the Huron River Green Infrastructure Drainage District;

RESOLVED, The City Council hereby determines to proceed with the proposed City of Ann Arbor 2013 Tree Planting drain project for the Huron River Green Infrastructure Drainage District;

RESOLVED, The Mayor and Clerk be hereby authorized and directed to execute such petition for and on behalf of the City and to file the same with the Water Resources Commissioner of the County of Washtenaw;

RESOLVED, The City Council hereby consents to the location of the proposed clean out, relocation, widening, deepening, straightening, extending, tiling, interconnecting or otherwise improving the Huron River Green Infrastructure Drainage District within the limits of the City and the assessment of a portion of the cost of such improvements, so located, against the City; and

RESOLVED, That the assessment (approximately \$316,000.00, plus interest) will be paid in twenty annual installments not to exceed \$20,100.00/annum from the Operations and Maintenance Budget of the Stormwater Fund (Fund 0069), beginning in FY13.

