



# Dunes Community Development District

## Stormwater Utility

### Frequently Asked Questions



**Q. Why doesn't the District have to take care of the erosion problems on the stormwater lake banks or maintain the lake banks?**

A. The District does not own the land above the normal water levels around the lakes in Hammock Dunes. The legal descriptions in the deeds of the various stormwater retention areas (lakes) describe the boundaries at elevation 4.0' NGVD. The land above that water level is the property and the responsibility of the owner of the abutting land. (i.e. Homeowner, HOA, Club, etc.) Although Article 12 of the Master Declaration for Hammock Dunes provides nonexclusive easements or access to areas around the lakes, it does not convey any ownership rights to the District. In Ocean Hammock and Hammock Beach, the lakes and interconnecting piping was deeded to the District, but to the top of the lakes. In addition, their Master Declaration provided that the abutting property owners (i.e. Homeowner, HOA, Club, etc.) had to maintain the area between the water line and the top of the bank. As a result of either ownership issues or through agreement, the maintenance of all lake banks in the District is responsibility of the abutting owners.

**Q. What is stormwater runoff?**

A. Stormwater runoff is the water that flows off roofs, driveways, parking lots, streets and other hard surfaces during rain storms. Stormwater runoff is also the rain that flows off grass surfaces and wooded areas that is not absorbed into the soil. The runoff that is not absorbed into the ground pours into ditches, culverts, catch basins and storm sewers. It does not receive any treatment before entering the streams and lakes.

**Q. What is stormwater pollution?**

A. Water from rain or melting snow either seeps into the ground or "runs off" to lower areas, making its way into streams, lakes, and other water bodies. On its way, runoff water can pick up and carry many substances that pollute water. Examples of common pollutants include fertilizers, pesticides, pet wastes, sediments, oils, salts, trace metals, grass clippings, leaves and litter. Stormwater polluted runoff can be generated anywhere people use or alter the land, such as farms, yards, roofs, driveways, construction sites, and roadways.

**Q. Why is stormwater runoff a problem?**

A. As precipitation falls on undeveloped areas, it is primarily absorbed into the ground or slowly runs off into streams, rivers or other water bodies. However, development resulting in rooftops and paved areas prevent water from being absorbed and create a faster rate of runoff. This development often causes localized flooding or water quality issues.

**Q. Why do we need to manage our stormwater runoff?**

A. Stormwater runoff needs to be managed just as any other natural resource. First, it is needed to minimize damages that may occur when stormwater runoff exceeds the capacity of the pipes and open channels used to carry stormwater to our rivers and streams. Second, it is also needed to maintain the quality of our natural watercourses for recreational activities such as swimming, fishing, etc.

**Q. What Is the District currently doing about these problems?**

A. Historically, the District has performed necessary maintenance of the stormwater collection system, which includes cleaning, repair and replacement of the District's stormwater infrastructure and ponds. When funding has been available in the past, the District has implemented a small number of drainage



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improvement projects, but no funding has been available to consider proactive maintenance to preserve and protect the life of the fixed stormwater assets.

**Q. What is the District's responsibility for stormwater?**

**A.** The District is responsible for managing all aspects of stormwater within its boundaries, including 179 acres of created lakes, over 19 miles of pipes, and over 2,500 structures (catch basins, inlets, outfalls and water control features). The primary functions of the system is removal of excess storm water from residential/recreation areas, retention of surface water runoffs, recharge of groundwater and control of saltwater intrusion. The District must also maintain water quality to comply with the St Johns River Water Management District requirements. The District does not maintain facilities that are located on private property or that are located within Yacht Harbor or Island Estates.

**Q. How does the District currently pay for its stormwater services?**

**A.** Stormwater services are primarily funded from revenue derived from property assessments collected by Flagler County, which are held in the District's General Fund. When these funds aren't sufficient, program funding is supplemented with the Bridge Fund and the Water and Sewer Funds. As such, stormwater must compete for these funds with other District services. Most stormwater related work is performed by the Utilities Division. Although the District has done a good job managing the existing program on a limited budget, system-wide needs and projects are expected to increase over time as the infrastructure ages.

**Q. Why has the District chosen to implement a separate fee for stormwater management?**

**A.** By establishing a dedicated funding source through stormwater fees, the District can ensure that the revenue required to manage and maintain this important system is available on an annual basis. A stormwater utility program will enable the District to take a more proactive approach to stormwater management. The District will be able to provide an increased level of system maintenance, similar to how the water and sewer system is already managed. System assets will be inspected, evaluated, and placed on a long-term maintenance and repair list to be systematically addressed. This effort will reduce the risk of failure as the system ages and reduces the long-term cost to the rate payers.

**Q. How did the District develop its stormwater utility program?**

**A.** In the summer of 2019, the District hired an independent consulting firm to perform a review of the District's current stormwater program and to identify long-term funding needs to address District-wide maintenance, flooding and regulatory requirements. A rate model was developed to evaluate potential rate structures and levels to fund the District's program. During the summer of 2021, the Board held a final vote to approve the rate schedule for the stormwater utility program.

**Q. What is the basis for the fee that is charged?**

**A.** The stormwater utility fee is based on the square footage of impervious surface area on your lot. The vast majority of utilities across the country have found this to be the most equitable way to charge and collect revenues for this program. A stormwater utility fee is similar to a water or sewer fee. In essence, customers pay a fee related to the amount of runoff generated from their site, which is directly related to the amount of impervious surface on the site.

**Q. What is impervious surface area?**



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**A.** Impervious surface area is any surface that does not readily absorb water and impedes the natural infiltration of water into the soil. In terms of the District's Rules, it means the number of square feet of horizontal surface covered by buildings, and other impervious surfaces. Common examples include roofs, driveways, parking areas, sidewalks, patios, decks, tennis courts, concrete or asphalt.

**Q. Why do I have to pay a stormwater fee?**

**A.** The District is responsible for providing and maintaining infrastructure for drainage and flood control as well as compliance with regulations on water quality. These services are done to protect personal and public property as well as provide for a healthy environment. Funding is not provided by Federal or State government for these services.

**Q. When will the stormwater fee take effect?**

**A.** The stormwater charge will appear on the Dunes Community Development District Utilities bill starting in January of 2022.

**Q. Why is there a stormwater fee instead of a tax?**

**A.** A property's value does not affect runoff, so property taxes are not the most equitable way to pay for stormwater services. For example, a high-rise building and a one-story building with a large parking area may have similar value and pay similar property taxes. However, the building with the large parking area produces more runoff because of the amount of parking and rooftops. The fee system ensures the building with the large parking area pays a higher stormwater fee than the high rise.

**Q. Are tax-exempt properties also exempt from the stormwater fee?**

**A.** No, because it is a fee – not a tax. Taxes are based on the value of the property. The stormwater fee is assessed based on the amount of impervious surface on the property (i.e. hard surfaces such as roofs, driveways and parking lots), which is directly related to the amount of runoff the property produces. The runoff generated by these impervious surfaces contributes to pollution and flooding problems and, therefore, all property owners should pay their share of the costs.

**Q. What is an Equivalent Residential Unit (ERU)?**

**A.** A ERU is the statistical median impervious area of residential developed property per dwelling unit within the District. The numerical value of one (1) ERU is three thousand three hundred twenty (3,320) impervious square feet. This represents the base unit by which all other properties are compared. The ERU was determined by performing detailed measurements of impervious surfaces contained on a representative sample of residential properties across the District. The resulting data was analyzed and the median impervious surface value for the data set determined the ERU value.

**Q. How will residential properties be billed?**

**A.** The vast majority of residential dwelling units (including single family homes and condos) within the District will be charged a rate of \$15.00 each month, which includes the combination of a \$5 per month fee to fund planning, management, administration and regulatory compliance of the system and a \$10 per month fee that funds infrastructure operations, maintenance, repair and replacement. There are two exceptions. Properties within Yacht Harbor will not be charged a stormwater fee as the District does not own any infrastructure within Yacht Harbor and performs no service for these customers. Property owners within Island Estates will be required to only pay the \$5 per month



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planning and administration fee, as the District only monitors a few easements in this neighborhood but does not perform any maintenance for these customers. However, the customers still benefit from the holistic administration and management of the system District-wide. The District's fee will appear on the Monthly Utility bill that you already receive.

**Q. How are non-residential property fees determined and billed?**

A. All non-residential properties will be billed at a rate based on their measured impervious area. To determine the monthly fee, divide the total impervious area of your property by 3,320 square feet (or one Equivalent Residential Unit) to obtain the number of ERUs and multiply by the base residential rate of \$15.00 per month per ERU. Impervious areas were determined by analyzing aerial photographs to identify the amount of impervious surface on each property. The fee will be included with the Monthly Utility bill.

**Q. Is there anything I can do to reduce my fee?**

A. Yes, the non-residential properties that have installed best management practices on site that reduce the runoff burden to the District's stormwater system are eligible for fee credits. The details of the fee credit program are described in the District's Stormwater Fee Credit Policy manual, which is posted on the District's website.

**Q. What will the money collected by the Stormwater Utility be used to pay for?**

A. The revenues generated by this fee will be used to fund all stormwater-related services, which include enforcement of the District's stormwater ordinances, stormwater infrastructure maintenance and repairs, and construction of necessary infrastructure replacement projects.

**Q. Do other cities/communities have a stormwater fee?**

A. According to the 2020 Florida Stormwater Association survey, approximately 170 cities, counties and districts in Florida currently have a similar stormwater fee program.

**Q. What are some examples of drainage problems?**

A. Drainage problems may include roadway or structural flooding, clogged or failing underground pipes and culverts, stream bank erosion and stormwater pollution affecting a stream.

**Q. Why do I have to pay when I do not have any drainage problems?**

A. Everyone in the District benefits from the Stormwater Management Program. When stormwater runs off your property, the District must have a program and funding to manage the increase in runoff and pollutants. Direct benefits may include providing safe passage on roadways during storms, protecting your property from upstream runoff, protecting property downstream from your runoff, complying with Federal and State mandates, educating our children about pollution, and improving water quality.

**Q. I have a drainage problem in my yard. Who do I call to get help with this problem?**

A. You can call the District's Utility Division at (386) 445-9045. We will investigate your concern and advise you of what action can be taken.

**Q. Where can I get more information regarding the stormwater utility fee?**

A. Any questions regarding the Dunes CDD Stormwater Utility should be directed to the District's Main Line at (386) 445-9045.

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