

Context for Possible Infill Exemption Definition
Accounting for Growth (AfG), Growth Offset Requirements
July 22, 2013

- I. AfG will affect smart growth through requirements and exemptions for offsets
 - Wastewater: sewer or septic/ on-site
 - Stormwater
- II. The key will be the overall difference (wastewater plus stormwater) between requirements/ exemptions for smart growth projects versus large lot/ low density projects
- III. Why should there be differential incentives?
 - Differences in post-development pollution loads

 **Per Capita Loadings, 2010**

Dominant Type of Development	Pounds N ^(1,2) per Job & Resident	Jobs & Residents ⁽²⁾ per 100 lbs N ⁽¹⁾
High Density on ENR	<2.5 to 3.0	38 to 44
Lower Density Mix Non-ENR & Septics	8.5 to 9.1	12 to 13
Large Lots on Septics	22 to 25	4 to 5

⁽¹⁾ N from existing development only ⁽²⁾ 95% Confidence Interval for Mean

Per ACRE loads from development types vary much less, can be higher from denser development

- IV. Draft AfG WG requirements/exemptions for post-development wastewater loads
 - If in WWTP service area with room under cap: no offset
 - WWTP with no room under cap: offset post-development load
 - If on septic/ on-site: offset post-development load
 - Wastewater difference: likely to produce some incentive for smart growth

V. Draft Stormwater Requirements & Exemptions

- If redevelopment anywhere: exempt, no offset requirements; no differential incentives
- Greenfield smart growth: offset required = (per Acre post-development load) – (predevelopment load)
- Greenfield on septic: offset required = (per Acre post-development load) – (predevelopment load)
- Possible offset exemption if pre-developed use is Agricultural, and (per Acre post-development load) – (predevelopment load) is less than zero on a per acre basis
- Stormwater differential is a mixed bag: likely to favor
 - redevelopment and
 - Greenfield on septic if on Ag land
 - Greenfield on sewer if on Ag land

VI. Overall/ Cumulative difference between draft requirements/ exemptions for smart versus large lot growth: a mixed bag

- Wastewater aspect favors WWTPs on ENR
- Stormwater aspect favors redevelopment & development on Ag land

VII. Infill is the development category without a clear draft WG recommendation

VIII. Draft definition is designed to

- Limit exemptions to projects with the lowest per capita post-development pollution loads and
- Avoid cumulative exemptions that would undermine overall nutrient cap (the TMDL load)

Additional Context: Summary of Draft Redevelopment Exemption

1. If the predevelopment site is 40% or more impervious cover and post-development stormwater management satisfies requirements, no offset of stormwater post development loads is required
2. If the predevelopment site is between 20% and 40% impervious cover and post-development stormwater management satisfies requirements, offsets for some portion of stormwater post development load will be excused according to a sliding scale, the details of which are yet to be determined
3. If the predevelopment site is less than 20% impervious cover, the development will not qualify for any offset exemption, and will be responsible to offset according to the rules established for undeveloped land or infill (assuming that infill provisions such as above are ultimately established)