

# Updating Fees Charged Under the Metropolitan River Protection Act (MRPA)



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# Background

- Metropolitan River Protection Act (MRPA)
- State legislation passed in 1973
- Created 2000-foot Chattahoochee River Corridor
- Directed ARC to adopt Plan to protect land and water resources of the Corridor

# Chattahoochee Corridor Plan

- Limits
  - land disturbance and impervious surfaces
  - development in floodplains
- Provides a 50-foot undisturbed buffer and a 150-foot impervious setback along the Chattahoochee River
- All development in the Corridor is subject to MRPA and Corridor Plan requirements

# Background on MRPA Fees

- MRPA review fees were last updated in 1985
- In recognition of the regional benefits of MRPA, the goal in 1985 in setting fees was to defray between 50% and 75% of ARC costs
- Based on recent experience, 1985 fee structure covers approximately 10-15% of ARC's costs

# Proposed MRPA Fee Update

- Phase in fee increases over two years (starting in July 2021)
- Add a smaller fee for vulnerability category reevaluation, which will be credited against review fees if full review determined necessary and submitted within 3 years
- Provide for annual automatic fee increases
  - Based on Bureau of Labor Statistics' Employment Cost Index
  - Starting in 2023
- While addressing fees, additional minor updates are included to reflect changes to ARC's governance and committee structures

# MRPA Reviews and Vulnerability Category Reevaluations

- MRPA fees are currently charged only when someone submits a development application to ARC for full review
- Increasingly, ARC staff also conduct “vulnerability category reevaluations” based on new site condition information
- Current ARC MRPA rules and regulations do not authorize fees for vulnerability category reevaluations

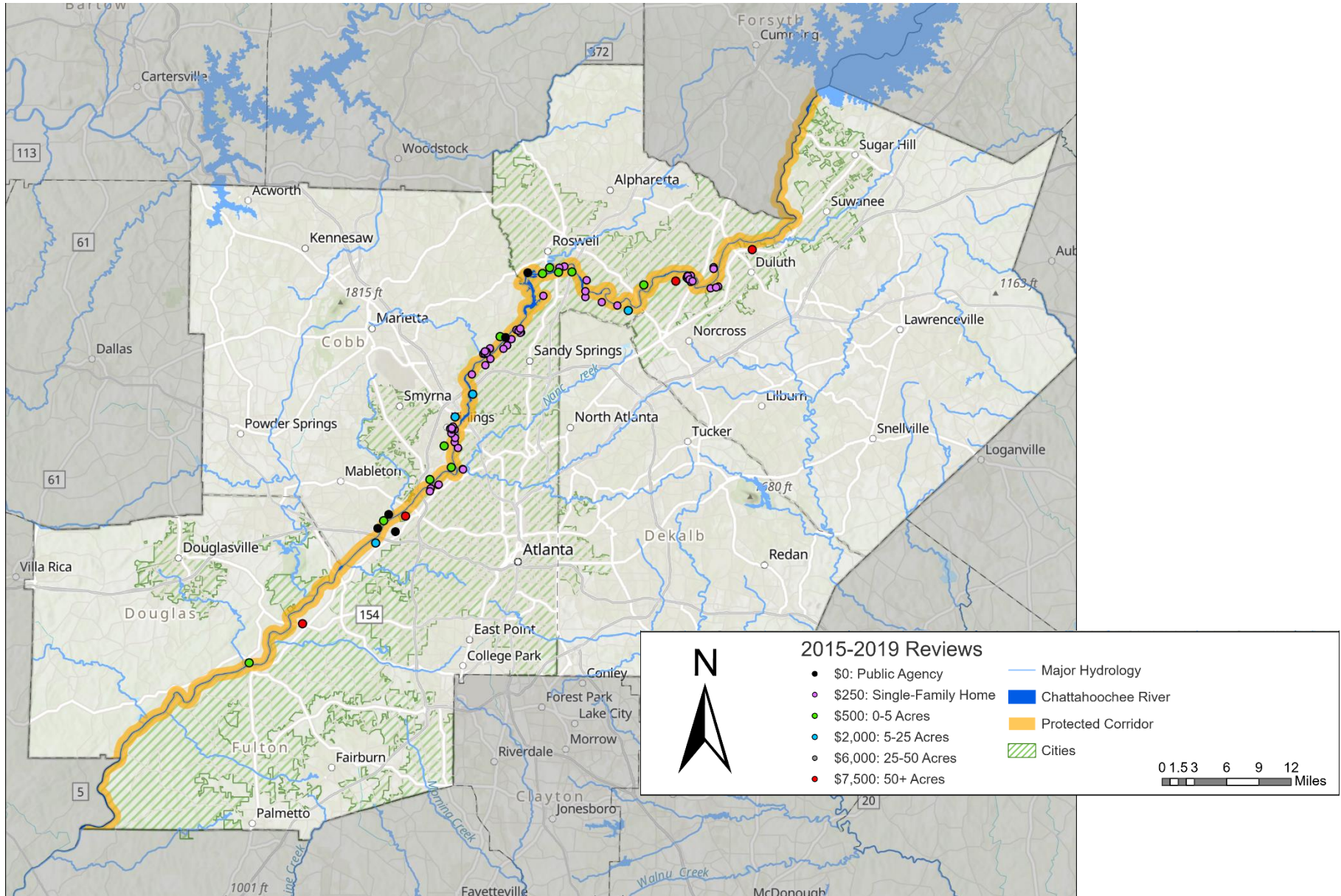
# Vulnerability Category Reevaluations

- Involves reviewing new information on the following site conditions:
  - Soil erodibility (based on NRCS soil types)
  - Geology
  - Vegetation
  - Slope
  - Hydrology
  - Aspect (direction of slope)
- These site conditions determine vulnerability categories, which in turn affect the amount of clearing and impervious area allowed to be developed



# Recent MRPA Review History

regional impact + local relevance





# Fee Update Proposal

<b><u>Review Application Fee</u></b>	<b><u>Current</u></b>	<b><u>Proposed</u></b> <b>(~50% Cost Recovery)</b>
Single-family home	\$250	\$680
0 to 5 acre review area	\$500	\$1,350
5 to 25 acre review area	\$2,000	\$5,400
25 to 50 acre review area	\$6,000	\$16,200
50 or more acre review area	\$7,500	\$20,250
Public Agency	\$0	\$0
<b><u>Vulnerability Category</u></b>		
<b><u>Reevaluation Application Fee</u></b>	<b><u>Current</u></b>	<b><u>Proposed</u></b> <b>(~50% Cost Recovery)</b>
Single-family home	\$0	\$340
0 to 5 acre review area	\$0	\$680
5 to 25 acre review area	\$0	\$2,700
25 to 50 acre review area	\$0	\$8,100
50 or more acre review area	\$0	\$10,130
Public Agency	\$0	\$0

# Local Government Consultation

<b>Atlanta</b>	<b>Berkeley Lake</b>
<b>Chattahoochee Hills</b>	<b>Cobb County</b>
<b>Douglas County</b>	<b>Douglasville</b>
<i>Duluth (did not respond)</i>	<b>Fulton County</b>
<b>Gwinnett County</b>	<b>Johns Creek</b>
<b>Peachtree Corners</b>	<b>Roswell</b>
<b>Sandy Springs</b>	<b>Smyrna</b>
<b>South Fulton</b>	<b>Sugar Hill</b>
<b>Suwanee</b>	

No jurisdictions had concerns (through 3/1/21)

## Next Steps if Approved

- Notification of appropriate state entities
  - House Natural Resources and Environment Committee
  - Senate Natural Resources and the Environment Committee
- Increase will be phased in over two years

# Public Comment

- No comments received
- Legal advertisements were placed in early February in the following newspapers:
  - Fulton Daily Record
  - Douglas County Sentinel
  - Gwinnett Daily Post
  - Marietta Daily Journal

**Questions?**

**Action Item**