

Steps for Considering and Implementing a Local Stormwater Program

In March 2019, New Jersey enacted legislation authorizing municipalities, counties, and municipal or county wastewater utilities and utility authorities to establish a stormwater utility on a voluntary basis. For localities considering this invaluable tool, here are key steps to follow:

1

Have Initial Conceptual Discussion (With Municipal/County Manager or Utility Executive Director)

GOAL

Establish a high-level understanding of the “stormwater utility/user fee” concept, how it differs from a tax, and the key benefits and challenges.

DECISION

Should we create a local study team to consider the idea?

2

Create Stormwater Utility Study Team

GOAL

Create a small study team of key local staff (e.g., Public Works Director) and meet with an expert (i.e., consultant) who can explain stormwater utilities in depth.

DECISION

Should we present a proposal to the Mayor/County Executive, or utility director?

3

Engage Mayor/County Executive or Utility Director

GOAL

Arrange a meeting between the Mayor/County Executive or utility director, the study team, community representatives, and a consultant to review any existing stormwater programs as well as future needs, the pros and cons of a stormwater utility, and the path from concept to launch.

DECISION

If the Mayor/County Executive or utility director decides to formally study the proposal, including hiring a consultant and creating an external Stormwater Advisory Committee of “trusted voices” (e.g., local business and civic leaders, community representatives), the next steps are:

- Notify the Municipal Council/County Freeholders, and/or utility board;
- Educate the general public about why a stormwater utility is needed and that it is under study.

4

Conduct Feasibility Study

GOAL

Authorize and fund a feasibility study to examine the issue in-depth, identifying an approach that best fits local circumstances.

DECISION

These types of studies have two phases: financial issues and utility operations. Determine whether to do this work in phases, focusing first on the financial aspects to enable a quick decision on whether it's an appropriate tool, or conduct a full study of all aspects of both financial issues and utility operations. Typically, a consultant would be hired at this time.

5

Engage Stormwater Advisory Committee (SWAC) - Educate and Solicit Input

GOAL

Educate SWAC members on the key aspects of the study and forward any of their recommendations to the Mayor/County Executive (the governing body, as necessary). This is vital public outreach.

DECISION

Determine how to respond to the Committee's recommendations.

6

Mayor/County Executive and Council/Freeholders - “Go/No Go” Decision

GOAL

Internally review the feasibility study findings and alert the Council/Freeholders about a decision.

DECISION

A “go decision” triggers the implementation phase (which may involve procurement of another consultant). A “no go decision” ends any further evaluation.

7

Implementation Phase

The final phase involves all of the tasks required to implement the program:

- Hold open house events for the general public;
- Conduct targeted outreach to stakeholder groups (e.g., businesses and nonprofits);
- Approve and adopt a stormwater utility ordinance;
- Develop credits and appeals programs;
- Create a billing mechanism: develop, integrate, and test;
- Train staff: customer service/billing/technical.

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Go Live Launch

- Customer notification/FAQs (fee structure, dedicated revenue, projects).

Contact for additional information:

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