Background on Stormwater Utility Legislation and Purpose of Retreat

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Purpose and Goals

Inform DEP’s work in developing guidance

Facilitated discussions on utility strategies

Participants gaining knowledge on their next steps
Clean Stormwater and Flood Reduction Act (NJSA 40A:26B et seq.)

- Who can establish a stormwater utility (Sec. 4, 5, 6)
- What a stormwater utility can collect fees for (Sec. 8)
- Shared services agreement (Sec. 7)
- DEP’s guidance manual (Sec. 16)
- Creation of Clean Stormwater and Flood Reduction Fund (Sec. 17)
- Provisions relative to budget of certain regional sewerage authorities (amends NJSA 40:14A-4.2)
- Certain contracting requirements (amends NJSA 40A:11-4.1 and 15)
Backdrop In New Jersey

- Challenges posed by climate change to water quality and flooding
- Proper O&M is essential
- Obligations under DEP’s MS4 program
- Obligations under DEP’s CSO permits
- Water Bank only finances capital improvements
Timeline of Activity

March 2019
• Law enacted

May 2019
• DEP convenes external core team and shares initial ideas on guidance

October 2019
• Clean Water Council Hearing

January 2020
• DEP Stakeholder meeting

September 2020
• NGA Retreat

August 2020
• NJ Future website launch

December 2020
• DEP Stakeholder meeting

March 2021
• DEP guidance due
Technical assistance for counties, municipalities, and authorities seeking to establish a stormwater utility

Factors for counties, municipalities, and authorities to consider when establishing and revising stormwater utility fees and other charges and appropriate credits

Information on how to develop an asset management program for a stormwater management system

Information on how counties, municipalities, and authorities can conduct public outreach related to stormwater management
Elements of a Feasibility Study

- Detailed infrastructure inventory
- Identify Needs
  - Capital projects
  - Operations and Maintenance
  - Critical and problematic areas to protect or improve
- Impervious surface inventory
- Level of Service options
- Fee options
- Outreach
Questions to Consider

- How do I engage residents, other officials, and key stakeholders to create buy-in?
- Does it make sense to approach this from a regional perspective rather than going alone?
- How do I go about creating a rate structure?
- What should I be doing now as I prepare to potentially create a stormwater utility?