

New Jersey Stormwater Utility Virtual In-State Retreat

September 16-17, 2020

This virtual in-state retreat, supported by the National Governors Association's Center for Best Practices, will assist the New Jersey Department of Environmental Protection (DEP) in their final development of guidance and resources for local jurisdictions considering developing a stormwater utility, and help prepare local governments to implement a utility.

While the ongoing public health crisis COVID-19 has severely affected state and local budgets, potentially reducing the near term of adoption of municipal stormwater utilities, local jurisdictions can begin to lay the groundwork now. This retreat will include action planning for municipalities to consider strategies they can begin to implement such as public outreach and education on the needs and benefits of a stormwater utility, building a coalition of public, private and regional partners, and examination of financing options. Funds generated by these utilities will be used to install, operate, and maintain infrastructure and other activities to improve water quality for the Delaware River and waters statewide.

Join this meeting from your computer at the above Zoom link to view the visual materials. We encourage use of your video camera throughout the meeting to facilitate active participation in breakout discussions. You can also join by phone using the regionally specific call-in numbers in the calendar invite. Please contact Timothy Schoonhoven (tschoonhoven@nga.org, 202-624-3534) with any technical issues or questions you may have.

Background

The Delaware River provides drinking water for 1.9 million people in New Jersey and supports millions of dollars of economic activity through industry, agriculture, and outdoor recreation. Like many water bodies nationwide, stormwater pollution and groundwater depletion threaten the Delaware River. Developing a stormwater utility will provide a stable funding source that local jurisdictions can leverage with private dollars and will help accelerate infrastructure improvements and installation of practices to minimize and treat polluted runoff and replenish groundwater reserves. These actions will enable New Jersey to continue to rely on the Delaware River for clean and abundant drinking water, wildlife habitat and water supply for recreational, industrial, and agricultural needs.

Legislation signed into law by Governor Murphy on March 18, 2019, titled "Clean Stormwater and Flood Reduction Act" (Stormwater Utility Act) authorizes local jurisdictions to establish stormwater utilities that assess user fees based on the contribution of stormwater runoff from a property. The funds will help finance improvements to the stormwater infrastructure in the jurisdiction of the utility. The law requires the DEP to develop a guidance manual to provide technical assistance for establishing a utility that includes guidance on rate-setting, asset management plans and public education and outreach.

Wednesday, September 16, 2020

12:00 – 12:30 pm **Virtual Registration and Zoom Troubleshoot**

12:30 – 1:00 pm **Welcome & Introductions**

*Bevin Buchheister, Senior Policy Analyst, National Governors Association
Jane Cohen, Policy Advisor, Office of New Jersey Governor Phil Murphy*

Participant Introductions

Jurisdiction teams will take one minute to introduce themselves and share one stormwater utility challenge and one issue they hope to learn more about at this meeting.

1:00 – 1:15 pm

Background on Stormwater Utility Legislation and Purpose of Retreat

NJ DEP will discuss the background of the Clean Stormwater and Flood Reduction Act and actions they must take to comply. Participants will review the purpose and goals of the retreat.

Speaker:

- *John Gray, Regulatory Officer, Department of Environmental Protection*

1:15 – 2:30 pm

Messaging and Public Relations: Addressing Local Concerns

The speakers will discuss challenges local governments face when enacting a utility, especially considering the COVID-19 impact on local budgets. This session will highlight successful messages and methods other jurisdictions adopted to educate the public and businesses on the benefits of a stormwater utility and to combat misinformation. The session will also preview the upcoming Water Environment Federation toolkit for educating local officials and the public.

Speakers: (30 minutes):

- *Jennifer Watson, Stormwater Coordinator, City of Gallatin, TN*
- *Ed Suslovic, Former Mayor, City Councilor and State Legislator, Portland, ME*

Group Q&A (15 minutes)

Meeting participants will have time to ask questions to the speakers.

Group Breakouts (30 minutes)

Meeting participants will break into groups to discuss challenges specific to their locations and identify needs that DEP can address. A speaker will join each breakout group to answer questions and share expertise.

Facilitator: Bevin Buchheister, NGA

2:30 – 2:40 pm

Report out from Breakout Sessions

2:40 - 3:10 pm

Break

3:10 – 4:00 pm

Local Stormwater Utility Implementation Process: Lessons Learned

The speaker will provide an overview of stormwater financing strategies and will describe typical steps for developing stormwater utilities. The speaker will also share successes and lessons learned from local efforts to implement a stormwater utility.

Speaker: (30 minutes)

- *Fernando Pasquel, Chair, Stormwater Institute Advisory Committee, Water Environment Federation*

Group Q&A (20 minutes)

Meeting participants will discuss their jurisdiction's challenges and specific steps the state can take to assist them.

Facilitator: Bevin Buchheister, NGA

Thursday, September 17, 2020

12:45 – 1:00

Virtual Registration and Zoom Troubleshoot

1:00 – 2:15 pm

Laying the Groundwork for Rate Setting

This discussion will focus on planning, stakeholder engagement, internal business processes, staff training & public outreach. The groups will examine what sources of information, including GIS and maintenance agreements, local jurisdictions need to develop before setting a fee. They will discuss the kinds of advance work local governments can do before introducing a storm water fee and how the state can help.

Speakers: (30 minutes):

- *Dave Mason, Associate Water Resources Engineer, CDM Smith and Past President, Tennessee Stormwater Association*
- *Jennifer Watson, Stormwater Coordinator, City of Gallatin, TN*

Group Breakouts (30 minutes)

Meeting participants will break into groups to discuss specific planning, engagement, and information gathering activities they can take. A speaker will join each breakout group to answer questions and share expertise.

Group Report-Out (15 minutes)

Meeting participants will reconvene and share their key first action steps with the larger group.

Facilitator: Timothy Schoonhoven, Policy Analyst, National Governors Association

2:15 – 2:45 pm

Break

2:45 – 3:30 pm

Developing a Regional Approach for Cost Effectiveness

To assist New Jersey's 560 jurisdictions, many of them small towns, participants will examine how to develop a regional approach to establishing a utility to implement a regional plan that could take advantage of economies of scale and be more cost effective. Participants will hear from speakers on how to reach out, build relationships, and coordinate a regional plan to address stormwater pollution.

Speakers: (30 minutes)

- *Pam Shellenberger, Chief, Long Range Planning, York County Planning Commission*
- *Fernando Pasquel, Chair, Stormwater Institute Advisory Committee, Water Environment Federation*

Group Q&A (15 minutes)

Facilitator: Bevin Buchheister, NGA

3:30 – 4:00 pm

Break

4:00 – 5:00 pm

Develop Action Plan & Closing Remarks

Participants will form breakout groups to share ideas and draft an outline for an action plan they can start implementing in their own local jurisdiction. To lay the groundwork for a future fee, local governments can begin gathering resources, exploring the best fee and structure policies, conducting education and outreach to the public, and building coalitions with other community or regional public and private partners. Following the breakouts, participants will report out the key themes to the larger group.

Group Breakouts (45 minutes)

Participants form breakout groups to draft an action plan for their jurisdiction.

Meeting Wrap-Up (15 minutes)

Breakout groups report out and meeting concludes.

Co-Facilitators: Bevin Buchheister and John Gray