



AN INITIATIVE OF THE NEW JERSEY LCV EDUCATION FUND



## A MESSAGE FROM THE NEW JERSEY LCV EDUCATION FUND

Ed Potosnak, *Executive Director*  
[ed.potosnak@njlcv.org](mailto:ed.potosnak@njlcv.org)

Rain isn't political. It doesn't matter if you're a Democrat or a Republican, or live in South, Central or North Jersey – everyone's life has been affected by unprecedented amounts of rain.

Businesses and rental property owners have taken huge losses this summer while Lake Hopatcong, the largest lake in the state and one of the most popular vacation spots in the region, has been all but closed for most recreational activity (except boating) due to a toxic algal bloom caused in large part by polluted stormwater runoff; in late July, a few portions of the lake were reopened for recreational use. Poor stormwater management also contributed to an algal bloom that closed Greenwood Lake in Passaic

County. Residents in cities like Camden, Trenton and Newark – places that already struggle against a tide of problems – know that when it rains, their combined sewer systems aren't able to manage the overflows. This means that water polluted with sewage floods homes, schools and businesses, and closes dozens of major streets. According to Jersey Waterworks, nearly 23 billion gallons of sewage-tainted water flows into the Hudson, Hackensack, Passaic, Raritan and Elizabeth Rivers during heavy rainstorms. Our beach communities also face flooding and infrastructure damage from both inland and coastal surges as superstorms and hurricanes get stronger and occur more frequently.



Installing green infrastructure just became a **more viable option** for communities across the state.

Stormwater is an issue that New Jersey must address regardless of where you live. Green infrastructure is a highly effective tool that reduces runoff and naturally filters pollutants out of stormwater before they contaminate our rivers and streams. Green

infrastructure also provides beautiful community spaces that brighten neighborhoods, improve health outcomes and can even increase property values. Studies show that every dollar spent on GSI generates anywhere from \$7 to \$27 in future cost savings.

Installing green infrastructure just became a more viable option for communities across the state thanks to the bipartisan Clean Stormwater and Flood Reduction Act. The law empowers local communities across New Jersey, on a voluntary basis, to create a stormwater utility either as part of an existing water or sewage authority or as a standalone to clean up polluted runoff and prevent flooding. The law operates on a 'polluters-pay' principle, which has been the guiding premise of environmental policy for nearly 50 years, where a nominal fee is assessed based on how much hard surface, such as concrete or pavement, exists on a property. Property owners can lower their fee by installing green infrastructure on their property.

This isn't uncharted territory we're facing. Around the country, more than 1,800 communities are benefiting from stormwater utilities. Now, New Jersey can become a front-runner in stormwater management if local leaders get the ball rolling and examine how stormwater utilities can protect and improve their neighborhoods.

## STORMWATER UTILITY 101: HOW A STORMWATER UTILITY WORKS

### WHAT IS A STORMWATER UTILITY?

A stormwater utility, sometimes called a stormwater program, is a dedicated fund to address the growing threats from local flooding and stormwater pollution. The utility is treated like water, sewer, electric or other utilities. With the passing of the bipartisan Clean Stormwater and Flood Reduction Act, New Jersey communities – on a purely voluntary basis – can create and implement a stormwater utility.

## WHY WOULD A COMMUNITY CHOOSE TO IMPLEMENT A STORMWATER UTILITY?

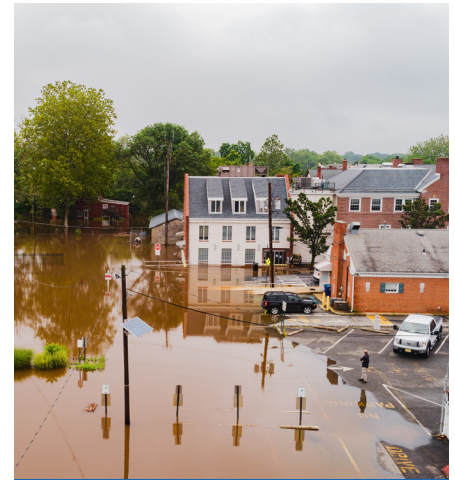
Last year was the wettest year on record in New Jersey. Frequent flooding is polluting our waters, causing millions of dollars of damage, restricting access to lakes, snarling traffic, threatening drinking water and even endangering lives. Stormwater programs are generally regarded as the most effective – and most equitable – solution to address the growing threats from local flooding and stormwater pollution. Investing in green stormwater infrastructure saves money in the long-run.

## WHO CREATES A STORMWATER UTILITY?

New Jersey's new law authorizes municipalities, counties, municipal or county wastewater utilities and utility authorities to establish a stormwater utility on a voluntary basis.

## WHERE ARE STORMWATER UTILITIES ALREADY IN PLACE?

Stormwater utilities are in place in more than 1,800 communities across the country, serving as an essential tool to combat flooding and polluted stormwater runoff.



Last year was the wettest year on record in New Jersey.

## HIGHLANDS IN FOCUS: THE CLEAR BENEFITS OF STORMWATER UTILITIES

Lake Hopatcong is ground zero for the harmful algal bloom that's plagued New Jersey's lakes. Everyone is in agreement on the cause: unusually high levels of precipitation causing stormwater runoff to wash both septic effluent and other sources of phosphorus into the lake, and voilà – harmful algal blooms.

The economic consequences of closing Lake Hopatcong to swimming, water skiing and other activities that put people in contact with lake water have been dire. Businesses that depend on recreation and tourism are experiencing a significant negative impact, including in the vacation rental market. Any lingering closures could tank near-lake and lakefront property values.

The environmental and economic impact of the algal bloom in Lake Hopatcong is the end result of failing infrastructure and outdated policy. Unmanaged or poorly managed stormwater is one of the largest polluters of lakes and rivers across New Jersey.

Fortunately, meaningful responses to stormwater pollution are available



at the local level. The Clean Stormwater and Flood Defense Act allows municipalities, counties and authorities to establish stormwater utilities. In passing this legislation earlier this year, New Jersey joined more than 40 states that authorize stormwater utilities. Now our local communities, on a strictly voluntary basis, can implement a utility. Each municipality will be able to set their fee structure, which typically amounts to a few dollars per month or less. Polluters that contribute the most to the stormwater problem pay the most to solve the problem.

The benefits of implementing a stormwater utility are clear. Smart implementation will reduce polluted runoff – making New Jersey cleaner, greener and safer for all. The cost of inaction is clear too – it's been found all too frequently in the blue-green algae around our state.

# Step by Step: How to Create a Stormwater Utility

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.

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## 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.

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## 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).

For more information,  
please contact  
Henry Gajda at  
[henry.gajda@njlcv.org](mailto:henry.gajda@njlcv.org)



**FLOOD  
DEFENSE  
NEW JERSEY**

PO Box 1237, Trenton, NJ 08607

First Name Last Name

12345 Street Name

County, State Zip

## ABOUT FLOOD DEFENSE NEW JERSEY

Stormwater runoff is a \$16 billion problem for our state. Our counties, cities and towns need the support and resources to establish stormwater programs to address this major - and growing - threat.

Flood Defense New Jersey is a coalition of state and local nonprofit organizations that works across the state to help local communities set up flood defense programs to control flooding and reduce pollution. By building proven on-the-ground projects that protect against flooding, capture polluted runoff and repair failing infrastructure, we can help New Jersey communities become cleaner, greener and safer.



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**LEARN MORE ABOUT FLOOD DEFENSE  
NEW JERSEY BY VISITING:**

[FLOODDEFENSENJ.ORG](http://FLOODDEFENSENJ.ORG)



Follow the hashtag **#FloodDefenseNJ** on social media to engage in the conversation.



Interested in what a flood defense program could mean for your community? Contact Henry Gajda at [henry.gajda@njlcv.org](mailto:henry.gajda@njlcv.org).

Flood Defense New Jersey's steering committee is comprised of leaders from:

**Association of New Jersey Environmental Commissions, New Jersey League of Conservation Voters Education Fund, New Jersey Future, New Jersey Highlands Coalition, and Pinelands Preservation Alliance**