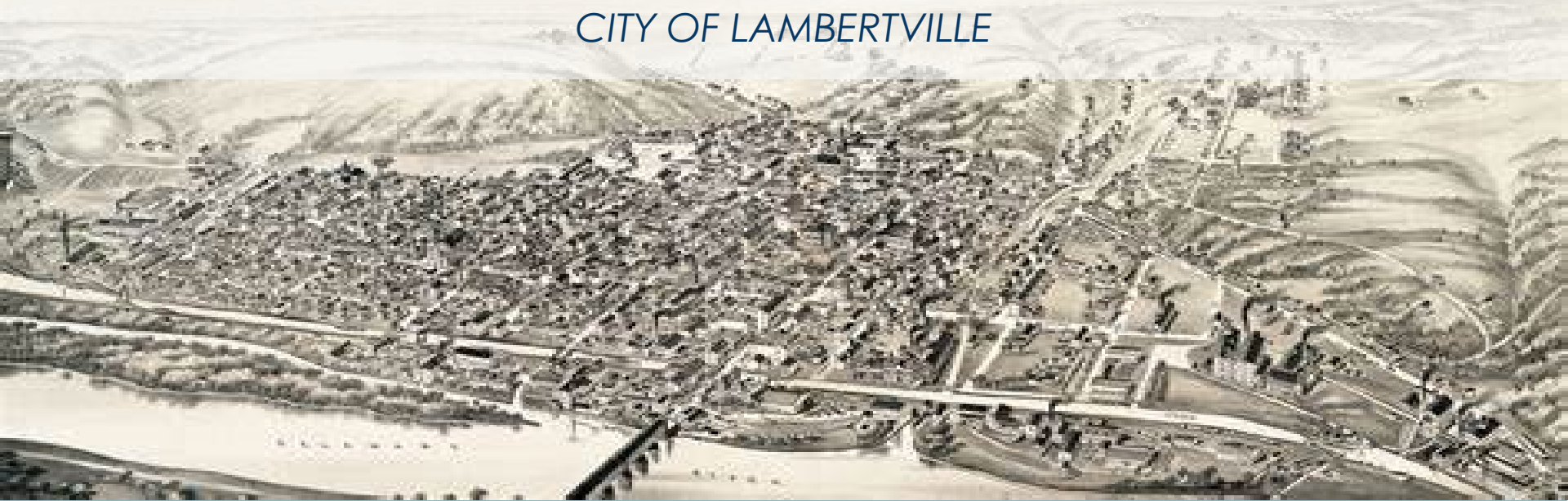


STORMWATER UTILITY FEASIBILITY STUDY

CITY OF LAMBERTVILLE



FOCUS GROUP- MEETING #1
JANUARY 23, 2024



AGENDA

- | | |
|--|----------------|
| I. Welcome and Introductions | <i>15 mins</i> |
| II. Presentation | <i>40 mins</i> |
| <ul style="list-style-type: none">▪ Stormwater utility overview & history▪ Feasibility study process▪ Stormwater management in Lambertville and NJ | |
| III. Discussion on Stormwater Needs, Priorities, and Opportunities | <i>60 mins</i> |
| IV. Next steps | <i>5 mins</i> |

FOCUS GROUP GROUND RULES

- ✓ Be respectful to others.
- ✓ Only one person will speak at a time.
- ✓ Keep an open mind.
- ✓ Share all relevant information
- ✓ Focus on interests, not positions.
- ✓ Everyone is responsible for enforcing ground rules.

YOUR ROLE



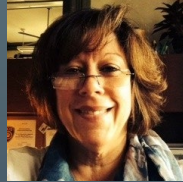
- Learn about a stormwater utility.
- Review Lambertville's current stormwater program & costs.
- Gain understanding of state stormwater mandates.
- Provide feedback on behalf of your community/org on stormwater management needs and priorities.
- Represent your organization or community while being open to hearing other perspectives.

INTRODUCTIONS

STORMWATER UTILITY FEASIBILITY STUDY PROJECT TEAM



Andrew Nowick
Mayor



Cindy Ege
City Clerk



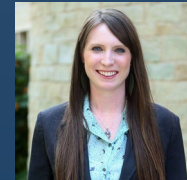
Clay Emerson, PE, CFM, PhD



Elizabeth Treadway



Jamie Feinstein, RLA



Dana Patterson Gear



WHAT IS A STORMWATER UTILITY?

WHAT IS A STORMWATER UTILITY?

User Fee for a Specific Service

- Fees are collected proportional to “use” to address the costs associated with a service.
- User “fee-paying” public receives benefits of service.
- Users have the opportunity to reduce their “use” and receive a commensurate reduction in their fee.

Dedicated and Transparent Fee for Service



WHAT IS A STORMWATER UTILITY?

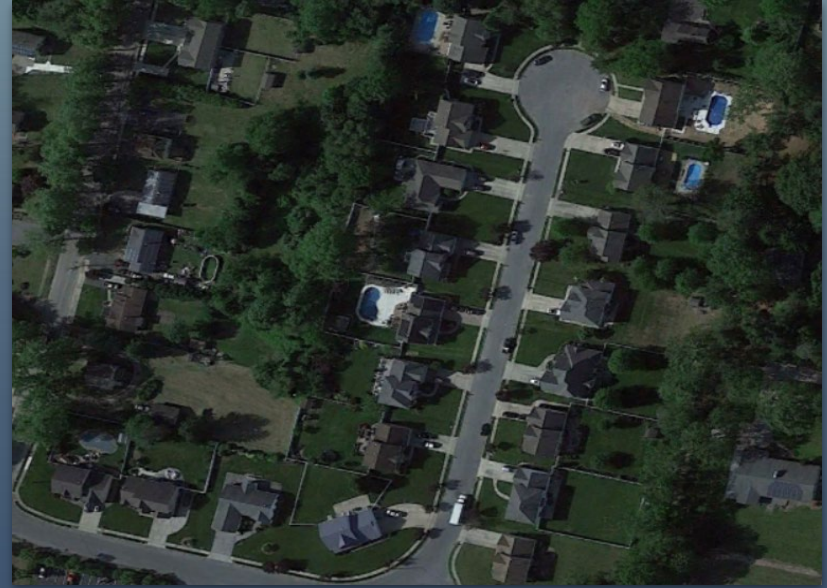


How might residents benefit from a Stormwater Utility?

- Provides dedicated and stable revenue for stormwater management purposes.
- Proactive financial planning for routine maintenance and large capital improvement projects.
- Mechanism to improve water quality, address flooding and improve public safety.

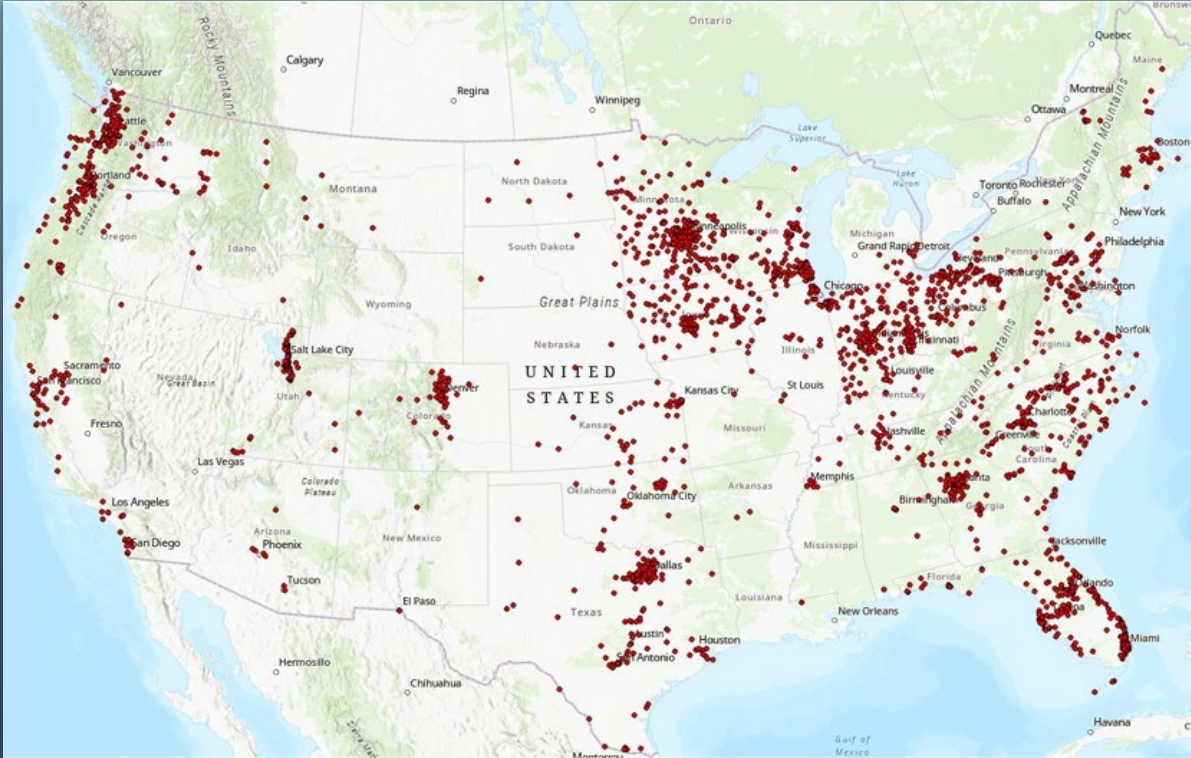
WHAT IS A STORMWATER UTILITY?

Fair/equitable fee assessment across a wide variety of users.



BACKGROUND ON UTILITY FINANCING

IS THIS A NEW THING? No and Yes...



- Stormwater utilities are only new to NJ
- Only a few states do not have stormwater utilities
- **2,100+ nationwide** going back to the early 1970s

Source: Western Kentucky University Stormwater Utility Survey 2023

WHAT IS A STORMWATER UTILITY IN NJ?

NJ Clean Stormwater and Flood Reduction Act:

- Authorizes, but does not require, the establishment of stormwater utilities
- Provides authority for a dedicated funding source to be used only for stormwater management.
- Grants rights to all types of local government structures to set up a utility including multijurisdictional agencies



WHAT IS AUTHORIZED?

NJ Specifics C40A:26B – states:

- ...it is in the public interest **to authorize the establishment of local stormwater utilities**, and to allow those utilities to assess fees that are based on a fair and equitable approximation of the proportionate contribution of stormwater from any real property....
- ... shall provide for an **exemption** from fees and other charges for land actively devoted to **agricultural or horticultural use** that is valued, assessed, and taxed pursuant to the “Farmland Assessment Act of 1964,” P.L.1964, c.48 (C.54:4-23.1 et seq.).
- ... shall provide for a **partial fee reduction in the form of a credit** for any property that maintains and operates a stormwater management system that complies with the State and local stormwater management standards that were in place at the time the system was approved and that effectively reduces, retains, or treats stormwater onsite.

WHAT CAN FUNDS BE USED FOR?

- **Capital expenditures**: planning, design, engineering, acquisition, construction, and improvement of a stormwater management system
- Stormwater management **system operation and maintenance expenditures**; asset management program
- Stormwater Management Plan & control **ordinances**
- **Long-term control plan** to mitigate CSO or other water quality concerns
- **Monitoring, inspection, & enforcement activities** for stormwater utility (*...as well as the utility program development!!!*)
- **Public education and outreach** related to stormwater management
- Leverage of having dedicated “matching funds” for **grant/low interest loans applications**



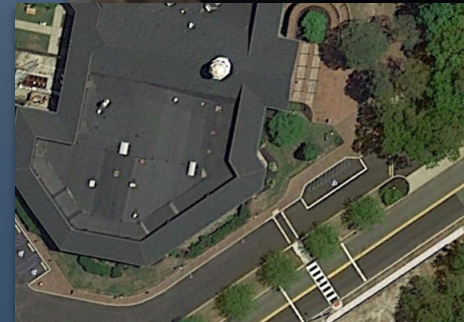
HOW DOES A STORMWATER UTILITY WORK?

HOW DOES A STORMWATER UTILITY WORK?

Impervious Cover is the primary measure of cost distribution

- Readily measurable with desktop GIS analysis
- Equitable and easy
- Required revenue (LOS) and total demand for service (impervious cover) are used to set the rate.

$$\text{Rate (\$/SF)} = \frac{\text{Required Revenue (\$)}}{\text{Imp. Coverage (SF)}}$$



Helix Water District

CREDIT SYSTEM

- SWUs may have a credit system.
- This is a requirement in NJ.
- Incentive for property owners to maintain existing stormwater management structures.
- Incentive to build/retrofit green infrastructure.
- Provides flood control and water quality improvement.
- Incentive to remove legacy impervious cover.



BEFORE



AFTER

WHAT IS THE FIRST STEP?

STORMWATER UTILITY FEASIBILITY STUDY

WHAT, WHY, WHO, HOW

- A fact-finding mission- *what do we have and what do we need?*
- Primary purpose is to inform the decision-making process at each phase with facts and analysis
- Key stakeholders are providing feedback in each phase
- Identifies existing capital funding mechanisms and desired Level of Service
- Provides a general framework for how a fee structure will look

STORMWATER UTILITY FEASIBILITY STUDY

What to Expect from a Feasibility Study

- Solid understanding of the pros and cons in context of the unique characteristics of Lambertville
- Feedback of key stakeholder input **(Yes, you!)**
- Basic fee structure options and estimated fees
- Outline of “next steps”



Feasibility Study Establishes Legal Foundation

FIVE KEY AREAS OF DUE DILIGENCE:

1. Governance and inter-municipal consensus
2. Program concept and the compelling case
3. Public and political education and support
4. Financial policies and documents
5. Database development and accuracy and customer service

LAMBERTVILLE STORMWATER UTILITY FEASIBILITY STUDY

OVERVIEW



Focus Group Meeting
#1

Focus Group Meeting
#2

Focus Group Meeting
#3

Lambertville RFP for
Stormwater Utility
Feasibility Study

Questionnaire &
Interviews Conducted

Programmatic &
Organizational
Memorandum

Equity of Current
Stormwater Costs
Evaluation

Draft Summary Report
for Implementation
Decision

Project Awarded to
Princeton Hydro/WSP
Team

Review of Current
Program Begins

Overview of Current
Services Summary

User Fee Rate Options
and Summary

Draft Ordinance

OCT
2023

DEC
2023

FEB
2024

APR
2024

JUN
2024

SEPT
2023

NOV
2023

JAN
2024

MAR
2024

MAY
2024

Project kick-off
meeting

Impervious Area
Mapping + Land
Cover Analysis Begins

Future Program Needs
Analysis Begins

Future Program Needs
Analysis Begins

Ordinance
Introduction

FOCUS GROUP GOALS



→ Focus Group Meeting #1

- ✓ Identify current services
- ✓ Identify future needs
- ✓ Discuss challenges and opportunities
- ✓ Reflect on and offer thoughts on other key issues

→ Focus Group Meeting #2

- ✓ Present findings on current services, future needs, and impervious surface mapping
- ✓ Policy development discussions

→ Focus Group Meeting #3

- ✓ Review Equity of Current Stormwater Costs (*i.e., who currently pays for stormwater and who would pay with a utility, what should the services look like*)
- ✓ Review User Fee Rate Options
- ✓ Review Policy Development and Legislation Memorandum Findings

QUESTIONS?

LET'S DIVE IN!

REVIEW: STORMWATER MANAGEMENT IN NJ

- ✓ Flooding is increasing due to development and increased rainfall
- ✓ Short, intense storms overwhelm existing drainage systems
- ✓ Untreated stormwater causes pollution and water quality issues
- ✓ Aging infrastructure exacerbates the problem
- ✓ Updated NJ Stormwater Management Rule is in effect as of March 2021 and again in July 2023 (N.J.A.C. 7:8)
- ✓ New MS4 Tier A permit requirements in effect as of January 1, 2023

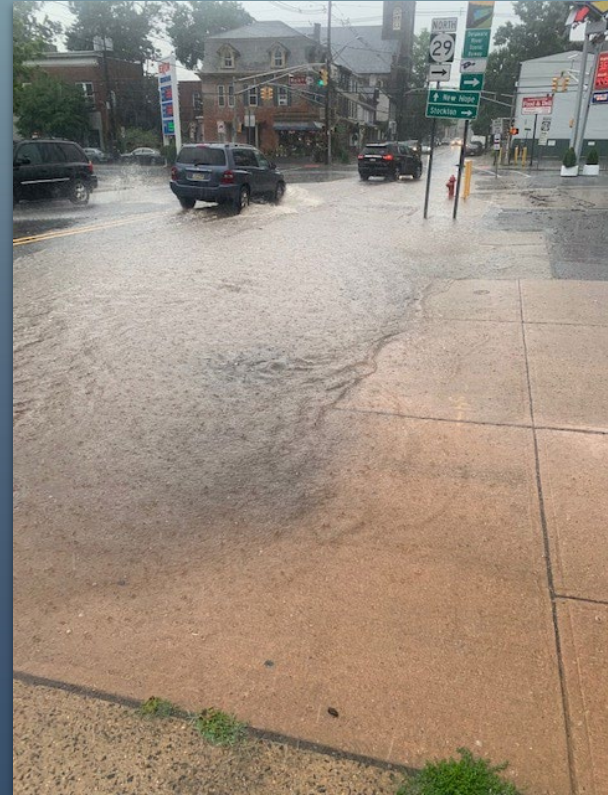


Photo courtesy of Andrew Nowick

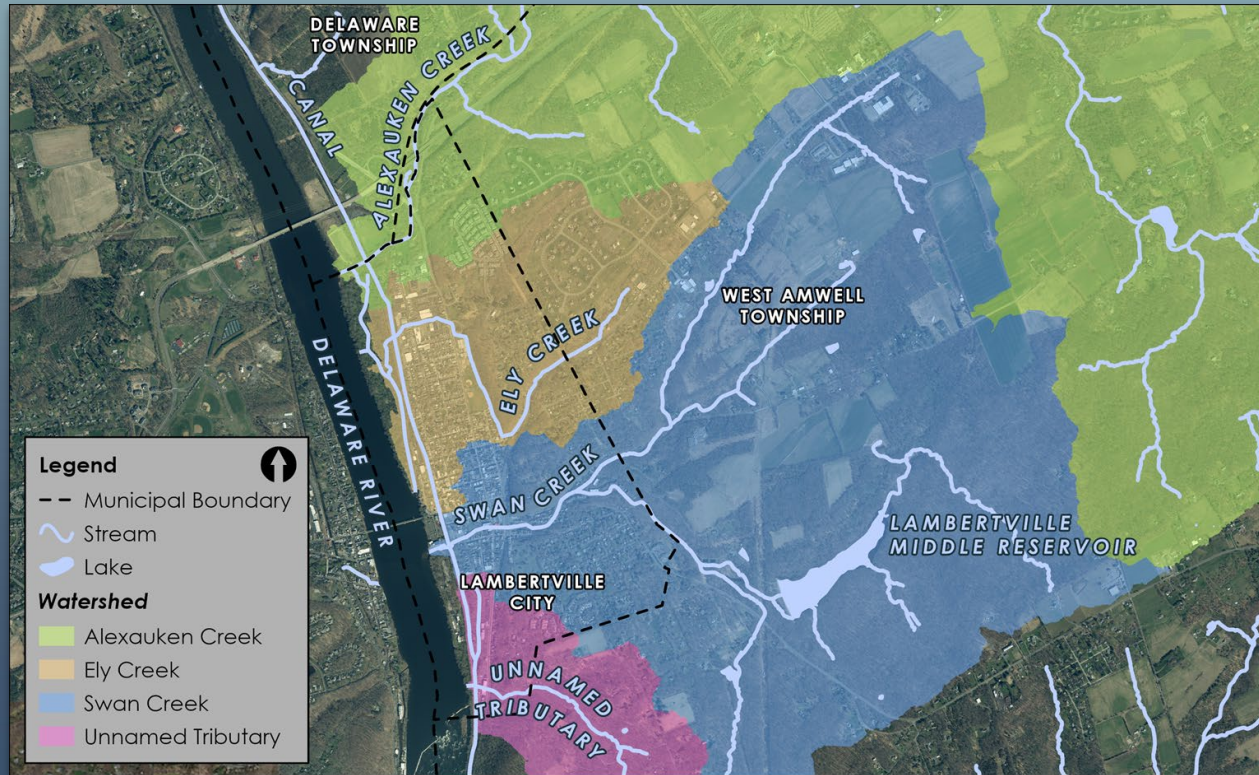
MS4 TIER A PERMIT REQUIREMENTS

As of the new permit effective, January 1, 2023 many permit elements have been modified or added making it clear that additional resources are needed to maintain compliance and that burden needs to be funded.

- ✓ Adopt and enforce ordinances for proper management of **Salt Storage Ordinance** and **Tree Ordinance**
- ✓ All **storm drain installations must include a catch basin** or other BMP designed for solids collection
- ✓ Develop, update and implement **an MS4 conveyance system inspection, cleaning and maintenance** program.
- ✓ **Inspect all stormwater infrastructure** at least 4x a year and after each rainstorm exceeding 1".
- ✓ Develop, update and maintain an **MS4 infrastructure map**; review annually.
- ✓ Prepare **watershed inventory, assessment reports, and plans.**
- ✓ Conduct semi-annual **public information sessions.**

STORMWATER MANAGEMENT IN LAMBERTVILLE

LAMBERTVILLE IN THE WATERSHED



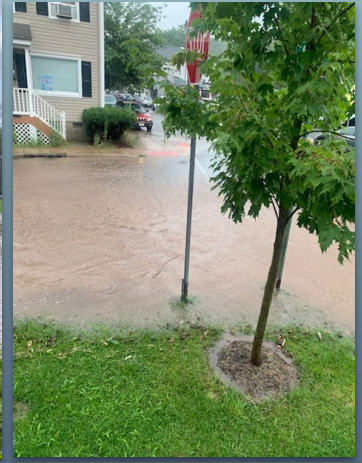
1. Streams and lakes obtained from USGS National Hydrography Dataset
2. Watersheds delineated using [USGS StreamStats](#)
3. Municipal boundaries and 2020 orthoimagery obtained from the [NJGIN Open Data portal](#)

WHY ARE WE HERE?

CHALLENGES IN LAMBERTVILLE:

→ Flooding

- Buildings, roads, & amenities



→ Impaired waterways

- Swan Creek
- Ely Creek
- Alexauken Creek



Photos courtesy of Andrew Nowick

WHY ARE WE HERE?

CURRENT SERVICES IN LAMBERTVILLE:

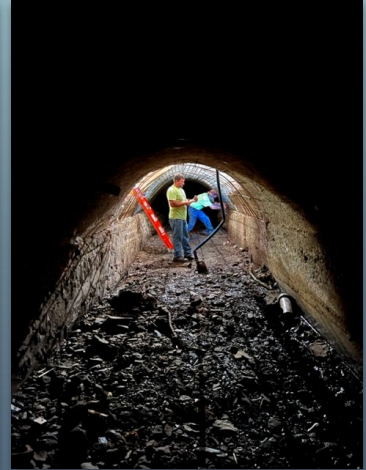
- Storm inlet and ditch cleaning, maintenance, and replacement
- Street sweeping
- Trash, leaf, brush, and log collections



WHY ARE WE HERE?

CURRENT SERVICES IN LAMBERTVILLE:

- Repairing and replacing storm sewer lines and structures
- Infrastructure design and construction
- Responding to flood emergencies
- Public information and communication systems





DISCUSSION

**WHAT STORMWATER RELATED PROBLEMS,
NEEDS, AND ISSUES ARE YOU
EXPERIENCING?**



WHAT PRIORITIES SHOULD THE CITY ADDRESS?

- NJ MS4 Permit – mandates
- Use of green infrastructure in drainage management
- Maintain existing infrastructure
- Enforce requirements of private properties to maintain their infrastructure
- Educate the public on how to manage stormwater on their property
- Mitigate flooding that occurs in “normal” rainfall events



??????????



**WHAT QUESTIONS HAVE NOT
ALREADY BEEN ASKED?**

**WHAT INFORMATION DO YOU NEED
TO PROVIDE FEEDBACK?**



NEXT STEPS:

- ✓ Completion of impervious area mapping
- ✓ Finalization of current costs
- ✓ Review of funding options
- ✓ Analysis of who pays now and who pays under a utility
- ✓ **Focus Group Meeting #2: Tuesday, March 5th at 7 PM**
- ✓ **Focus Group Meeting #3: Tuesday, May 7th at 7 PM**

