



FLOOD DEFENSE NEW JERSEY

A growing threat

Unfortunately, frequent flooding is polluting New Jersey waters, causing millions of dollars of damage, snarling traffic, threatening drinking water and even endangering lives. Our counties, cities and towns need the support and resources to establish stormwater programs to defend against this growing threat.

Flood Defense New Jersey is a coalition of state and local nonprofit organizations working to protect our communities from damaging floods and harmful stormwater pollution.

Empowering our communities

- Nearly 1,700 communities in 40 states across the U.S. have adopted stormwater or flood defense programs to help manage flooding and reduce pollution.
- A dedicated stormwater program is the best model for local governments to support public works projects that benefit their residents and businesses.
- Changing weather patterns mean we can expect more flooding in the future — unless we act now to manage it.

A fiscally responsible solution

A flood defense fee ensures everyone — including businesses and developers — are paying their fair share to protect our communities.

- Flood defense fees will go into a dedicated fund that by law can only be spent on stormwater projects and programs. Auditors will monitor these funds to ensure they are not raided or transferred to other needs.
- Without a new method to address flooding concerns, municipalities will be faced with a terrible choice — raise property taxes to fund the necessary flood defense projects, or continue to put their communities at risk by doing nothing.

How it works

Stormwater or flood defense programs are sometimes referred to as a “stormwater utility.” These programs are generally regarded as the most effective — and most equitable — model to address the growing threats from local flooding and stormwater pollution. Local governments create a dedicated fund that is treated like water, sewer, electric or other utilities. A stormwater utility assesses a user fee based on how much hard surface, such as concrete, rooftops or pavement, is on a property. The revenue supports stormwater projects and is kept separate from general funds, so it cannot be raided or spent on other needs.

Cleaner, greener and safer communities:

When stormwater flows across hard surfaces, it can pick up pollution like oil and grease, toxic chemicals, bacteria and pesticides. In some cities, large rains cause the sewer systems to overflow directly into our sources of drinking water. When this polluted runoff enters our waterways, it makes them unsafe and unhealthy for people and wildlife. Stormwater also causes major flooding issues. Floodwaters damage homes and business, roads and bridges, and create traffic nightmares for commuters. Flood Defense programs will capture polluted runoff and help manage flooding damage, making our communities cleaner, greener and safer.

For more information on Flood Defense New Jersey, visit FloodDefenseNJ.org.



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.

8

Go Live Launch

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

Contact for additional information:

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