

# HRG

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Determining if a Stormwater  
Utility Is Right For Your  
Community



### 3 Building Voter Support for Fees



A picture speaks a thousand words. In a study of 1,000 Pennsylvania residents, opposition to stormwater fees dropped from 35% to 19% once participants were shown photos of the improvements the fee would fund.

Many local officials realize the need to improve stormwater management to protect water quality, but fear constituents would oppose a new fee for stormwater services. Experience shows a transparent approach that involves community stakeholders can build consensus.

Though stormwater utility fees are still largely uncharted territory in Pennsylvania (less than a dozen communities have established one here), the use of dedicated stormwater utilities and stormwater fees is a nationwide movement that has seen steady growth over the past four decades. Western Kentucky University reports that there are more than 1,500 stormwater utilities throughout the United States and Canada, serving communities as small as 88 people to more than 3 million. Their success in building consensus among constituents for stormwater fees can show local municipalities a path to approval in their own community.

#### Why Would People Oppose a Stormwater Management Fee?

The Pennsylvania State Association of Township Supervisors (PSATS) and other organizations such as the National Fish and Wildlife Foundation and the Foundation for Pennsylvania Watersheds supported research by an organization



known as Water Words That Work, which attempted to answer this very question. They asked 1,000 Pennsylvania residents various questions about stormwater fees to determine whether or not they would approve of such a fee in their community, what they might oppose about paying a stormwater fee, and what conditions could potentially change their mind if they did oppose the fee.

Participants were asked at the beginning of the survey how they felt about stormwater fees and again after they had been shown images that depicted exactly what the fee would specifically accomplish. At the beginning of the survey, opinions were evenly split: 38% approved of a stormwater fee, 35% opposed it, and 27% were neutral.

When asked again later – after they had seen photographs and specific information about the improvements a fee could fund, opposition dropped from 35% to just 19%. What happened?

Initially, **the biggest reason people gave for opposing the fee was that they didn't trust the government to use the money properly.** They were afraid the funds would be used for something else, or unnecessary work would be done just because there was money to be spent.

**The next most popular reason for opposing the fee,** according to Water Words That Work, **was an inability to pay the bill.** Several people felt they couldn't afford another monthly fee; their budget was already stretched to the limit.

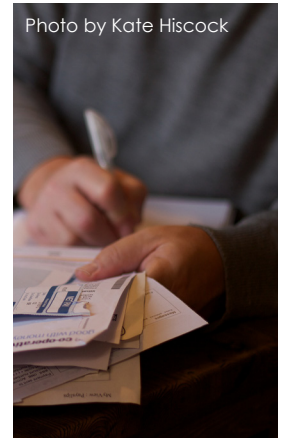
**Some people who opposed the fee felt it was unfair, that churches and non-profit organizations shouldn't have to pay. Others felt the community had bigger priorities than stormwater.**

Like much of our infrastructure, the benefits of our stormwater management system go largely unseen and unnoticed. The only time we really think about stormwater is when we get heavy rains and flooding occurs, but instances like these may be very rare. And, even if they do occur, they may be forgotten before failures can be addressed. This was the case in Fort Worth, Texas, for many years.

According to a presentation given by their engineering manager, Don McChesney, in 2009, rain in Fort Worth tends to come in periodic bursts of storm activity separated by periods of drought. When a major storm would cause flooding in the area, local leaders would commission a study to prevent future flooding, but, by the time the study was completed, most people had moved on and the drive to make changes had dried up along with the rain. So it was until 2004 when two major storms hit the area, flooding more than 300 homes and businesses and causing five people to lose their lives.

This motivated local leaders and the community to make a major change, and Fort Worth was able to pass a stormwater utility in order to provide a stable source of funding to address their infrastructure needs. In fact, the damage caused by flooding events is not an uncommon source of support in communities that have successfully passed stormwater utilities.

Photo by Kate Hiscock



People may think they can't afford the stormwater bill, but they may imagine it being much higher than it actually will be. This is why education is important.



Often, it takes a crisis for people to act. Damage caused by flooding is a common trigger for the successful passage of stormwater fees.



## How can you build support for a stormwater fee?

Fort Worth is not the only city that has seen flood events motivate local communities to enact stormwater fees. A study by the Environmental Protection Agency found that problems such as flooding and the potential loss of local lakes and streams due to pollution were two of the main factors that coincided with the successful implementation of stormwater fees in 11 communities it examined. Other factors included:

- The financial consequences of doing nothing (for example, if penalties were about to be imposed due to environmental violations).
- The presence of state legislation authorizing stormwater utilities (similar to the legislation Pennsylvania now has).
- The presence of other communities in the region successfully operating stormwater utilities (which Pennsylvania largely lacks).
- The presence of a local champion whose opinion matters to the community and who can effectively make the case for a stormwater fee.

However, whether these conditions existed or not, the most important factor determining if a community would be successful in building consensus for a stormwater fee was whether it successfully engaged community stakeholders and the general public in an outreach program. How is a successful outreach program designed?

### Designing a Stakeholder Outreach Program

According to the EPA's case studies, each community had its own unique approach to engaging local stakeholders based on their local circumstances and budget resources. (The more robust the outreach program is, the more it costs.) One community, Lewiston, Maine, met one-on-one with key commercial businesses in the area before formally presenting their stormwater fee for adoption, but, more often than not, communities formed stakeholder advisory committees who helped to shape the program over a series of periodic meetings.

This is the approach Derry Township Municipal Authority is currently taking here in Pennsylvania. The committee is comprised of residents, commercial and industrial business owners, institutions, and leaders of local non-profit institutions, who routinely meet to provide feedback on the stormwater program. Their discussions involve recommending spending priorities, evaluating potential fee structures, developing an appropriate credit policy, and determining the best ways to engage and educate the public. From these discussions, the authority has learned that a tailor-fit rate solution, which takes into account the



Forming a stakeholder advisory committee is a great way to ensure your plans for a stormwater fee address the concerns of the community.

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various levels of stormwater service the authority provides, is key to overall community acceptance. They've also learned that public outreach will go far in terms of educating the community about the need for proper stormwater management.

While most of the communities in the EPA study who had stakeholder advisory committees successfully passed a resolution forming a stormwater utility, two did not. Based on the experience in each of those communities, EPA offered several recommendations for ensuring the effectiveness of a stakeholder advisory committee:

**1. Make sure you have identified and involved all the potential stakeholders – even those who oppose the formation of a utility.**

If you don't attempt to address the concerns of your opposition in these committee meetings, they can come back to haunt you later when it comes time to pass the resolution. This is what happened in Dover, New Hampshire, and Huntsville, Alabama. Both communities had small advisory committees, but they did not engage all community groups. Though there was unanimous consent among the committee members to form a stormwater utility, the opposition of certain community groups who had not been represented on the committee ultimately drowned out their voices, and the municipal leadership declined to pass the resolution.

**2. Create an open forum where people feel comfortable expressing all points of view.**

Again, you want to deal with any potential obstacles proactively, rather than be blindsided by them in the final stretch. Stakeholder advisory committee meetings are more conducive to problem-solving and negotiating in a deliberative way than public meetings are. By including your opposition early in the process and giving everyone a chance to speak freely, you ensure that major obstacles to support will have been addressed before a public vote.

**3. Discuss the stormwater program and what it can accomplish first. Don't bring up funding till you've established a need for improvements and motivated people to support them.**

People need to know what they're getting before they can be motivated to hand over their money.

## Informing the Community through Public Outreach

As the examples in Dover and Huntsville show, it is not enough to gain the consensus of your stakeholder advisory committee members; you also need consensus among the broad voting public.

This means a strong public outreach program that educates people about the need for stormwater improvements in their community, the benefits they will receive from a proactive approach, and the manner in which they will be billed.



Give the public -- including any potential opposition -- plenty of opportunities to offer their opinions and ideas.

A successful public outreach program uses many different channels to reach as diverse an audience as possible: newspapers, TV, radio, direct mail or billing inserts, the municipal website or email newsletter, public meetings, etc.

To be successful, a public outreach program must use a variety of channels to reach the broadest possible audience and must make a compelling case in favor of the stormwater fee. To reach a wide audience, a municipality will want to spread the word in local newspapers, on TV and radio, via direct mail or billing inserts, on the municipal website, and in-person at community meetings (not just municipal meetings but the meetings of neighborhood civic groups).

Stakeholder advisory committee members can be especially helpful at these community meetings, serving as ambassadors and local champions of the program. No matter how carefully the stormwater utility was planned and designed, inevitably some people will still oppose a stormwater fee. Unfortunately, it is those people who are the most likely to attend public meetings, so it's important to have supportive members of your stakeholder advisory committees attend these meetings to explain how the program came to be and provide a favorable voice. After their attempt at a stormwater utility failed, leadership in Dover, New Hampshire, said they wished they'd had members of the advisory committee in attendance at their city council meetings to counter the very vocal opposition they had.

The experience of the EPA's 11 case study communities and the responses to the Water Words That Work survey can provide a good deal of insight into what makes a compelling message in support of stormwater fees:

- 1. Clearly define the benefits of the program.**

Tell people exactly what improvements you intend to make with the money you raise, and quantify the benefits of those improvements whenever possible. For example: "This project will reduce the likelihood of flooding along Main Street by 75%."

- 2. Show, don't just tell.**

Visuals are particularly persuasive. Water Words That Work found that showing people photographs of how the fee would be used had the single most dramatic effect of any information provided in gaining approval of the fee.

- 3. Choose your words carefully.**

Name the fee to clearly convey the service you are providing. "Stormwater management" is too vague and largely meaningless to the average person, but "clean water protection" has obvious value. In the Water Words That Work survey, "pollution control and flood reduction fee" tested better than any other term containing the words stormwater, authority or utility.

- 4. Emphasize fairness.**

People generally believe that those who use a service most should pay more for it, so show them how your fee ensures that is the case. Explain



**Words matter.**  
In a study of 1,000 Pennsylvania residents, "pollution control and flood reduction fee" tested better than any other name for the fee containing words like stormwater, authority, or utility.



People are more likely to support the fee if you tie it to local issues: like protecting a treasured recreational resource. For example, a community lake or fishing hole.

why it's important that non-profits pay the fee because they, too, contribute to stormwater discharges (often more than residents because of their large impervious parking areas). Tell them about credits that people can receive if they lower their stormwater impact by installing green infrastructure on their property. In general, people perceive fees based on actual impervious area to be the most fair and equitable (as opposed to a flat rate), but some of the communities EPA studied did successfully enact flat rates with effective public education about the reasons why that option was chosen.

Voters want to know exactly how their money will be used.

Be transparent about how the fee was determined and what improvements it will make possible. This eases voters' minds.

**5. Demonstrate cost-effectiveness and be transparent about finances.**

If a stormwater utility is truly the best approach for your community, the numbers will convey that, and detailed economic studies are always an integral part of the planning process. Use those numbers to prove that the stormwater fee will better accomplish program goals than general fund revenue or any other option available. As previously discussed, voters can often be mistrustful of a government's ability to use funds wisely. Being transparent about program finances (how the fee was determined, how it will be used) eases minds and reduces the chance of a legal challenge.

**6. Define this as a local solution to a local problem.**

Avoid talk about state and federal mandates or general environmental goals. If flooding is a recurring problem in your community, show how this program will reduce that problem. If pollution is a concern, talk specifically about keeping local waterways clean: the stream families teach their children to fish in, the lake where they go swimming.

Determining whether a stormwater utility is the most effective way to fund infrastructure needs in your community is a complex process that requires dual expertise in civil engineering and financial consulting. Unfortunately, some communities are afraid to even investigate the option because they believe their constituents will never approve of a stormwater fee. In communities where utilizing general tax revenue is not the best approach, the research by EPA and others cited in this article shows that an effective public outreach program, which includes key stakeholder groups in the earliest planning stages, can be successful in persuading people to accept stormwater management fees.

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