

**Rochester Water Pollution and Flood Reduction Workgroup
Meeting #2 - February 16, 2023
4pm – 6pm**

Meeting Attendees

- Consultant Team: Renee Bourdeau– Geosyntec Consultants; Bella D’Ascoli– Geosyntec Consultants; Dave Fox– Raftelis; Casey Goodwin – Raftelis
- City of Rochester: Peter Nourse – Director of City Services; Shanna Saunders– Director of Planning & Development; Peter Lachapelle – Deputy Mayor; Katie Ambrose – Deputy City Manager, Director of Finance & Administration; Mark Sullivan – Deputy Finance Director – Budget Management & Purchasing; Jenn Marsh – Asst. Director of Economic Development; Daniel Camara – GIS; Michael Scala – Director of Economic Development; Michael Bezanson – City Engineer; Jarrod Norris – Assistant City Engineer
- Other Participants: Josh Dame - LDI Solutions; Barbara Holstein – Member of SRPC

Brief Overview: Building Community Support for Sustainable Stormwater Funding Workshop – Jarrod Norris, Asst. City Engineer

NORRIS: Provides brief overview of Building Community Support for Sustainable Stormwater Funding. Presents results of workshop: 11 communities studied, and stakeholder engagement was critical to successful stormwater funding. Noted important to identify key stakeholders and interview/discover values and interest with public outreach for public support through knowledge of environmental values, local identities, and equity.

- More public knowledge about water treatment and wastewater but limited stormwater knowledge and less regular thought given to equity about funding stormwater and environmental values
- Concerns raised by stakeholders were summed to:
 - will the proposal be effective as a pollution removal tactic?
 - will it make a noticeable difference?
 - will the proposal mandate future fee increase without public consent?
 - will the proposal support the community?
 - Tangibility important: i.e. the wastewater contamination and cleanup efforts of the facility historically to present.

NORRIS: Believes more input from community is better. Enough to go on now, but continued stakeholder engagement is very important. Emphasized importance to help community.

AMBROSE: How many stakeholders were spoken with?

NORRIS: 4. But it is amazing how many answers and values were universal in wanting to help the City

NOURSE: It is interesting that most folks do not know what is being done already by the City when it comes to stormwater and drainage

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BOURDEAU: Most people do not have a direct connection to stormwater like they do have with wastewater and drinking water.

AMBROSE: A key piece of stakeholder engagement is based in values of community and involvement

HOLSTEIN: People think everything in public works is included in taxes. Emphasized the need for stakeholders to understand importance of stormwater and pollution as it does not “directly affect me”. Emphasized the need for stakeholders to get on board with the good aspects before negative aspects arise.

In the News

BOURDEAU: Began discussing the following article [Dover NH Wants a Rain Tax - Here's Why It is Unnecessary and a Bad Idea - Granite Grok](#)

NOURSE: Author makes compelling arguments around Dover’s stormwater utility plan/proposal

BOURDEAU: It is important to know what we are up against. Everyone is not data savvy and being aware of those barriers. Article is heavily focused on Nitrogen, and that is not what Rochester is focusing on. Things to consider and focus on are the benefits to Rochester for having a stand-alone funding source to supplement general budget. What will happen with the budget when there are increases, what are the impacts of the deferrals with budget cuts, and what value does this provide to the residents?

FOX: Costs are increasing, and it historically was easy to bury them in the general fund. There is need for transparency for funds and the recovery of them. Regulatory guidelines and laws are going to change in the future, needs to become more palatable through communication with community. Emphasized that communicating the “why” is the most crucial portion of this proposal

HOLSTEIN: Is there an FAQ, one pager for residents?

BOURDEAU: Not currently, but that is the goal to develop materials if the city wants to move forward with a standalone funding mechanism

NOURSE: Would it make sense to post stormwater minute meetings?

SULLIVAN, AMBROSE, LACHAPELLE, HOLSTEIN all agree with **NOURSE**

Stormwater/Drainage Budget

BOURDEAU: The city should begin breakout out drainage funding from all public works projects. Refer to slides on estimated annual stormwater/drainage budget

LACHAPELLE: Asks if \$238,000 is just labor?

BOURDEAU and NOURSE: For labor and equipment

NOURSE: The additional BMP cost of \$238,000 is a one-time fix of 20 years of overhaul or neglect of city owned stormwater BMPs. Asks Bourdeau about future regulations

LACHAPELLE: Noted that if moving forward if this funding would reduce sewer fees.

BOURDEAU: Drainage is currently not funded by sewer and therefore it would not decrease sewer fees

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DAME: What percentage is the \$1.4 million drainage budget compared to the City's overall budget?

SULLIVAN: The \$1.4 million is from multiple sources (general fund, CIP) and is related to drainage/stormwater. This is a separate funding source; we would move the money from those existing sources to a new drainage budget. The discussion here is raise these funds instead of using the tax base.

BOURDEAU: The \$1.4 million is if the city wanted to fully fund the entire drainage/stormwater budget and not take any dollars from general fund. This is just to help us all understand what the city currently spends on drainage/stormwater. Separate funding discussions may want to start on additions to the budget that aren't currently funded.

SCALA: Says that those numbers are just estimate and could be more or less?

BOURDEAU: Agrees and notes that they are averaged over the last 5 years. They are a good first start at a budget.

FOX: The \$1.4 million should be a long-term goal, but we can start increasing incrementally to fund a smaller portion.

BOURDEAU: The IDDE program is a 10 year program and don't anticipate a lot of additional regulations around this program. This is the costliest program currently in the MS4 permit. The new permit may require additional implementation of structural stormwater BMPs; however, the city already makes these investments as part of CIP projects for BMP retrofitting. If the city continues this, then the cost will likely not increase drastically.

SCALA: asks about BMP acronym (Best Management Practices)

AMBROSE: States importance to understand the burden of sewer rates and comparative increases to stormwater fee to no fee

BOURDEAU: States that statistics can be run on who is paying what fee now and who would pay what fee later.

Land Use and Impervious Cover Assessment

FOX: The predominant structure is through impervious land cover. The fees shown on the slides are purely draft and need to implicate policy and community needs. The median is lower than the average for impervious cover on parcels. Single family and commercial parcels make up 2/3 of impervious areas. This will be the representative focus of next slides. Discusses ERU (Equivalent resident unit) as shown for a single family home and how it would structure ERUs for commercial properties. This approach might not be the most equitable, but from the communication/data management/simplicity standpoint it is much easier and palatable

SCALA: Is the fee the same for all commercial?

BOURDEAU: No, fee would be based on the commercial actual impervious square footage not just every commercial paying the same.

SULLIVAN: How is this billed?

FOX: to be determined

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SULLIVAN: notes \$22 a quarter for water minimum usage fee

NOURSE: What happens when you have a single family home in rural area?

FOX: They pay the same fee as any other single family home. There will never be a perfectly equitable rate structure.

SULLIVAN: Is there a waiver process?

LACHAPELLE, NOURSE and BOURDEAU: Note this is a later topic in presentation, but yes there will be a “credit” program where property owners could retrofit their property to reduce the stormwater fee. Typically there isn’t a 100% reduction.

BOURDEAU: What fee range is palatable?

SULLIVAN: Depends on how you enforce it. The general fund will likely be used to support when people do not pay, so the issue of enforcement is huge. How do we enforce it? Do utilities get shut off etc.

AMBROSE: Are there examples from other communities?

FOX: There are other communities that shut off water when the stormwater fee is not paid. When a homeowner pays a water or sewer bill, they would take a portion of that out and fund the portion of the stormwater fee that was not paid and then there would be an outstanding balance on water or sewer.

DAME: Property owners will ask how much can be forced into taxes?

SULLIVAN: There are inequities with tax-exempt properties, such as churches, that are larger contributors to stormwater runoff.

FOX: The bigger concern is having adequate funding.

NOURSE: Cannot guarantee funding and no budget cuts on an annual basis. Notes that we are all here today to ‘consider’ a stormwater utility fee and study the city’s options.

SULLIVAN: Funds are still needed regardless of where they come from (general fund, sewer, etc).

DAME: The additional funding seems like an insignificant number

MARSH: Are there permit fees? Is it something you could add there?

NOURSE: No stormwater permits are fee structured. This would be a one-time fee.

BOURDEAU: A dedicated funding source for stormwater/drainage are protected for emergencies so that the general fund is not depleted if other emergencies arise. Need to start thinking about why we are here and the reasons for funding.

MARSH: Impact fees were zeroed out when the city attempted to implement them.

AMBROSE: Asks what her perception of the Great Bay Total Nitrogen General Permit is and how it will change when it is reissued.

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BOURDEAU: Nothing is getting less stringent. As time goes on and permits are renewed, the funding required will be more than today and adequate funding for these efforts becomes more pressing

AMBROSE: asks at what point do we have to do more to fund it?

SAUNDERS: That is being dictated by EPA.

BOURDEAU: We need to be cautious about what is coming in future permits. It is hard to accurately predict the timing of it all, as historically in NH permits have taken a very long time to be issued due to legal challenges. The previous MS4 permit took 10 years to go from draft to final.

NOURSE: EPA is looking at unregulated communities within the watershed, by invoking residual designation authority.

HOLSTEIN: Communities are trying to get grant money to get ahead of Nitrogen loading

SAUNDERS: Nitrogen is more costly

HOLSTEIN: We should be doing things now in anticipation.

AMBROSE: Sounds like there is need for stormwater education and communication to prove that if this is not viable now, the educational communication is already discussed.

SULLIVAN: Isn't the city roadway a huge contributor to runoff?

BOURDEAU: The city is doing street sweeping, winter road maintenance and other programs to reduce pollutant loading. Every drop that falls on the road is not just the city's stormwater. But yes, the City owns and maintains the entire roadway

NOURSE: Dover charged their facilities to attempt for equitability in impervious cover.

DAME: Dover's spreads it over to no one paying for water and sewer.

NORRIS: Yes but theirs was based on equity

BOURDEAU: Notes that we will add the city roads to the land use assessment

SAUNDERS: Wants to talk about fee value

SULLIVAN: States that these are draft fees

BOURDEAU: Reminds for if you are a single family use, what is a value that is not palatable?

HOLSTEIN and DAME: The fees are insignificant

SCALA: notes that these numbers are will go up and the rain tax verbiage will be negative

MARSH: Fees can be adjusted

BOURDEAU: Small fees are getting people used to paying fees and it is important to look at who is paying and who is not and what demographics they fall under. How do we do outreach and follow up with people who are not paying. Set up ordinance and figure out enforcement. The hardest person will be

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those without water and sewer. But that's the next step. Right now it is just about does it make sense to even go forward?

SULLIVAN: Figure out how much you need annually to fund program.

NOURSE: The life cycle analysis of vehicles needs to be included in funding

SULLIVAN: We need a more accurate annual budget.

BOURDEAU: The \$1.4 million is the most accurate budget we could establish at this time. Future replacement of vehicles is not looked in this budget currently but could. Does not believe that the value will change drastically if we relook at the budget.

SULLIVAN: Are salaries included for new staff?

BOURDEAU and **NOURSE** state no

BOURDEAU: The numbers are allocated from time spent in drainage/stormwater to begin funding drainage maintenance

MARSH: it is important to see the city's numbers to break down budget.

BEZANSON and **SCALA** note importance of involving fees for DOT

BEZANSON: Notes that the general funds percentages were moved to delineate stormwater need.

SAUNDERS: CIP funding and vehicle upgrades do have to be fought for fundings from city council

SAUNDERS: The education piece is a good place to start and move forward with.

NOURSE: People do not think of stormwater as a utility just like solid waste.

MARSH: It's important to know where general funds get allocated

NOURSE: Thinking about various arguments will be a challenge to combat

SULLIVAN: Reminds room of impact fees and the struggle to establish those and how it was eliminated by a small vocal population. The stormwater will be difficult to implement and package to residents. Also asks "what about the schools?". Additionally notes that there are other funding mechanisms

DAME: Asks why none of the vocal property owners against new fees are present in this workgroup?

SAUNDERS: Notes there is value going to the public

MARSH: Emphasizes education of community

AMBROSE: Noting efforts for stormwater (is it enough)

SAUNDERS: CLF wants to see Nitrogen levels go down

NOURSE: States that there are many factors that affect Great Bay, nitrogen is one of them and Rochester's is going down. But that may not be enough to sway

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BOURDEAU: Based on the discussion our next steps include (1) relooking at the impervious cover and city's fair share of cover and how that may or may not change structure (2) Education and outreach should happen regardless of what happens with the fee structure. (3) Outcome of this workgroup is looking at all the options. Recommending to the city council on a path forward. Not making a decision on the fee amount, how its billed, etc...

Next Steps

HOLSTEIN: Council needs to be educated as well as public because they must answer to the public

SULLIVAN: Do you think council will hold board meetings?

LACHAPELLE: No, but the importance is to bring council options and ask for input on limited options

MARSH: What is the project time frame?

BOURDEAU: December 2023 the city must "consider" a fee. Needs to discuss when the optimal time to talk to city council is

LACHAPELLE: Go to council sooner rather than later, at a high level of information and education. Do not get into the granularity of the fee and study

SAUNDERS: Should present the slides from initial meeting

LACHAPELLE: do what is right for the whole city, getting in front of the council and keeping it at a higher level to field questions

NOURSE: Has to go in with the approach for constituents' concerns

LACHAPELLE: Goal is to make a stand-alone fund like water and sewer

DAME: philosophically do they want to suck it out of the general fund or set up a fund to make sure the utility is funded

MARSH: start with education of group and task of group

NOURSE: City's outside council can give advice on best path forward

AMBROSE: Public discussion and education is far more important before attorneys and to reiterate the "why" of the study. Does Dover study have lessons learned for us?

BOURDEAU: Dover is about to start their public education process

MARSH: Have they had city council discussion?

BOURDEAU: Council supported public outreach

HOLSTEIN: Dover Council meeting minutes available. Notes that stormwater, nitrogen, and Great Bay would be helpful for all the cities and towns to get broader education available

BOURDEAU: asks if it valuable to get in front of council as an introduction

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AMBROSE: suggests a status update and/or workshop presentation

NORRIS: it would be good to look at a do-nothing option

MARSH: What is the feasibility of getting to council before budget

AMBROSE: March presentation may be possible, but very soon.

BOURDEAU: We need to lead with the why we are here and the high overview

LACHAPELLE: the budget of what is CURRENTLY being paid is important to show council

SAUNDERS: notes that that number will go up at fees getting tighter

BOURDEAU: Asks who is appropriate to present and when?

NOURSE: myself and Geosyntec

SULLIVAN: states that there should be a subcategory for utility/drainage division to allocate time and track money spent to be presented later as a concrete number

BOURDEAU: Immediate action items include discussing getting on the agenda for the city council meeting in March, following that meeting we will set up a meeting with the workgroup to debrief on the outcomes and bring forward other items we discussed today.

LACHAPELLE: March 21 is council meeting

Meeting adjourned at 6pm