



# PORTLAND MAINE

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**Public Services Department**

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To: David Marshall, Energy and Environmental Sustainability Committee, Chair  
City Councilor, District 2  
Jill Duson, City Councilor, At Large  
Dory Richards Waxman, City Councilor, At Large

From: Michael J. Bobinsky, Director of Public Services

Subject: Briefing on Storm Water Utility Investigation

## **Background**

The Department of Public Services has begun research into storm water utilities as a means to better account for the cost for the operations and maintenance of the City's storm water infrastructure system. This research is driven by the need to address the present and future costs of maintaining and operating the City's storm water systems, reduce nonpoint source pollution (i.e. polluted storm water runoff) and improve water quality in Portland's urban watersheds, as a result of state and federal regulations tied to the Clean Water Act.

A City/DEP sponsored "Does it make Sense" (DIMS) study was conducted in 2008 as a means to gather key indicators that may help answer questions about the value and potential of establishing a new utility. A key finding of the DIMS Study was the need to further assess the condition of the City's existing storm water infrastructure to determine the degree to which repairs and upgrades are necessary and how funding from the utility would be used to address these deficiencies.

Limits and restrictions on operating budgets prevented the Department from advancing this effort until recently, when funds were secured from the Sewer Fund to pay for the cost of a work plan proposed by the Departments' supplemental engineering service team, Woodard and Curran. The proposal calls for Woodard & Curran staff to work with City staff to conduct a condition assessment of the storm water infrastructure in representative areas of the city, based on such factors as the age, type, and known condition of the infrastructure. The condition rating work will only be a snapshot of selected areas and structures such as manholes, pipe, catch basins and outfalls. Data will be used to project unit costs for routine maintenance, repair and upgrades to the City's storm water system. In addition, a very preliminary estimate of what revenues might be generated from a new storm water utility will be included in the work plan.

In addition, Departmental staff met with officials of the City of Manchester, New Hampshire and the City of Lewiston, Maine, to learn more about how those communities are dealing with the challenge of funding their stormwater management programs. Lewiston has a fully operational utility that went into affect over 3 years ago and at this time, appears to be the only municipality in the State of Maine with a storm water utility program. The City of Manchester has developed a program and has a model storm water utility ordinance that is ready for adoption once the Mayor and City Council agree to endorse the program. However, other pressing projects and budget pressures may lead Manchester to continue to place a hold on this program. Outside consultants were used in both communities to develop the program, establish the ordinance, develop a billing model and identified priority projects that would be funded by the new program.

### **Why a Stormwater Utility?**

- Increased & unfunded state and federal regulatory mandates related to water quality: The City is classified as an MS4 Community (Municipal Separate Storm Sewer System) and is obligated under its permit with the Maine DEP to meet specific goals for reducing storm water pollution and restoring water quality in its urban watersheds.
- Need to repair and upgrade aging and failing stormwater infrastructure
- Need to address isolated flooding problems: Climate changes and weather patterns bringing heavier rains that further challenge Portland's storm water infrastructure and urban watersheds
- Stormwater utilities are nationally accepted and are supported by the regulatory community
- Stormwater utilities are fair and equitable: "The more pavement the more you pay"; A credit system can be developed for development practices and drainage systems that reduce storm water runoff and pollution.
- Need to step up routine maintenance to keep system clear and functioning.

### **How do we start a stormwater utility?**

- Conducted a DIMS (Does it make Sense Study) 2008
- Conduct condition assessment of stormwater system; provide preliminary condition rating of infrastructure to help define maintenance and replacement costs
- Prepare a program review including estimated costs of repairing and maintaining the storm water management system and meeting MS4 General Permit requirements; Develop estimate of revenue potential
- Develop a multi-year business plan reflecting anticipated revenues and expenses; fee structure.
- Establish a stakeholder process to raise awareness of the need and gain buy in before sending a recommendation to City Council
- The storm water utility would be established by ordinance changes

### **Outcomes of initial Program Analysis**

- Preliminary assessment of storm water infrastructure condition and needs; Data to be added to the Cityworks database for future reference and tracking

- Database incorporating critical characteristics of the stormwater structures evaluated during the field assessment; Data to be added to the City's Geographic Information System (GIS) for mapping purposes
- Development of estimated maintenance, repair and upgrade costs
- Development of estimated revenue potential using GIS maps of City impervious cover and parcel data
- Update to "Does it Make Sense" (DIMS) report reflecting estimated cost, revenue potential, and program recommendations.
- City Council endorsement of the establishment of a Task Force/Stakeholder Group to further develop and investigate the program and funding a next steps program development plan.

### **Schedule**

- Completion of Initial Stormwater Utility Program Cost Analysis in 3 months or by end of January, 2011
- Check in with Council regarding staff recommendations and next steps endorsement; February-March 2011.