



# **Building Consensus** **Achieving Support for Local Stormwater Laws**

May 20, 2008

# Stormwater Program for MS4s

- The U.S. EPA Phase II stormwater rule and state laws require local governments with municipal separate storm sewer systems (MS4s) to manage
  - Illicit discharges and dumping
  - Construction & post-development runoff



# What's the problem?

- An enforceable program can be a community's most important step toward better stormwater management and protecting receiving waters
- Decision makers and general public may not be aware of the potential chemical, thermal, and physical pollution that can result from stormwater runoff
- Timely action is required at the local level to cause downstream improvements



# What's the problem?

- Local support is essential to enacting the proposal on the FIRST vote





# Specific Problems

Identifying stakeholders

Understanding existing regulatory conditions

Understanding how local regulations are perceived

# Identify stakeholders

- A well informed group of stakeholders can identify and resolve potentially controversial issues early in the process
  - Know the community
  - Can help make the laws meet community-specific needs
  - Potentially have conflicting viewpoints on the need for local stormwater management



# What are the existing regulatory conditions?

- Do existing ordinances, by-laws, and regulations include stormwater management?
  - Illicit discharges and illegal dumping?
  - Stormwater quantity management?
  - Stormwater quality controls?



# How are local regulations perceived?

- Do citizens and developers feel existing requirements limit development and improvement opportunities?
  - Or
- Do they feel they are too loose and need to do more to protect the environment?



# The Solution

Case study: Billerica, MA

# The right people

## Supporters and detractors

- Two levels of stakeholders were involved
  - Working Group – Town Staff and Woodard & Curran
    - Board of Health Director
    - Town Engineer, Town Manager
    - Conservation Commission Director
    - Planning Board Director
    - Building Official
    - Highway Superintendent
    - Stormwater Program Coordinator
    - DPW Director



# The right people

## Supporters and detractors

- Advisory Group
  - Property owners and developers
  - Watershed organizations
  - Town Meeting Member
  - Consulting Engineers
  - Town Finance and Bylaw Review Committee Representative
  - Conservation Commission Chair
  - Board of Health Member
  - Planning Board Member



# The right process

## Measured steps

- Woodard & Curran defined minimum control measures, set meeting schedule and goals
- Staff researched and reported on their existing regulations and policies – what was covered, where were the gaps, potential conflicts
- Group decisions
  - Acceptable level of control – meet minimum requirements
  - Enforcing Authority – Board of Health
- Draft By-laws



# Solicit more input

## Gain broader buy-in

- Advisory Group reviews Draft By-law
  - Provides feedback
  - Points to clarify
  - Points to emphasize
- Develop public information and education campaign



# Inform Public Education Campaign

- **Why?**
  - Raise public awareness of stormwater impacts of development
- **What will I have to do?**
  - Communicate the effect on individuals and developers
- **How?**
  - The bylaws will provide the Town with a tool to improve water quality

#### FAQS

- 1. When will the By-Laws take effect?**  
By-Laws will be presented for adoption at the 2007 Fall Town Meeting and will take effect once approved by the Attorney General's office.
- 2. How will the By-Laws be implemented?**  
The Board of Health will adopt and periodically amend regulations to administer the by-laws. A Stormwater Management Permit will require preparation of a Stormwater Management Plan, an Erosion and Sedimentation Control Plan, and an Operation and Maintenance Plan.
- 3. How long will it take to get a Stormwater Management Permit?**  
The time frame for receiving a Permit will be approximately the same as obtaining other permits for development projects in Billerica, and the review and approval process will be concurrent to other local permitting.
- 4. Will I need a Stormwater Management Permit for construction of a single family home?**  
Maybe. You will need a Stormwater Management Permit if the total area that will be disturbed, cleared, excavated, etc. will be one acre or more. When in doubt, the Board of Health can tell you if you need a permit.
- 5. Do I have to hire a professional to obtain a Stormwater Management Permit?**  
Yes. A professional engineer must certify that the stormwater management measures are designed to meet the standards of the regulations. It is likely that if your project will disturb more than an acre that you will employ a design professional to design many aspects of your project.
- 6. Is my sump pump discharge illegal?**  
Not necessarily. A sump pump may discharge uncontaminated groundwater. A sump pump may not be connected to the sanitary sewer system.

#### TOWN MEETING

Additional information, including the Proposed Stormwater Management By-Law, and the Proposed By-Law Governing Discharges to the Municipal Storm Sewer System, is available on the Stormwater Management Program's website.

The two By-Laws will be presented for adoption during the 2007 Annual Fall Town Meeting. Look for announcements in the "Billerica Minuteman" and "Lowell Sun." We look forward to seeing you there!



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For more information, follow the Stormwater links from <http://www.billerica.dpw.org>

This brochure was created by Woodard & Curran, August 2007

## Billerica's New Stormwater Management By-laws



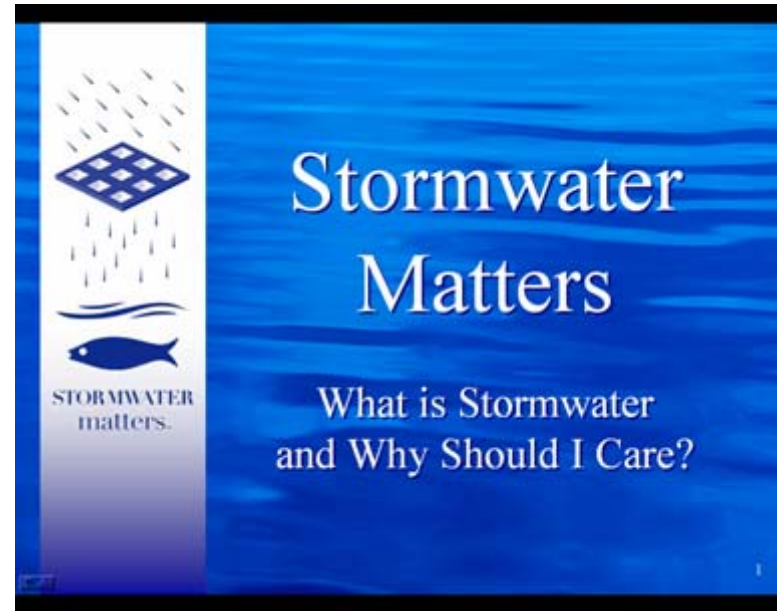
*Proposed Stormwater Management and Discharge By-laws will help preserve Billerica's natural resources and protect the environment*



# Multi-pronged Approach

## Public Education Campaign

- Newspaper
  - Article
  - Public Meeting Notice
- Brochure
  - Available at City offices
  - Mailed to Town Meeting Members
- Public Works Stormwater Webpage
- Public Informational Meeting
  - Stormwater Matters Presentation



# Results

- Public Informational Meeting
  - General public saw need for improving quality of stormwater discharges
- Particularly excited about enforceable means to stop illegal dumping
- Waiver process made more restrictive



# Passed Town Meeting Vote!

- Illicit discharge by-law
- Stormwater management by-law





**Questions?**

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