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
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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