

PROPOSED STORMWATER REGULATIONS

Pursuant to

Ipswich Stormwater Management Bylaw

Presented by:

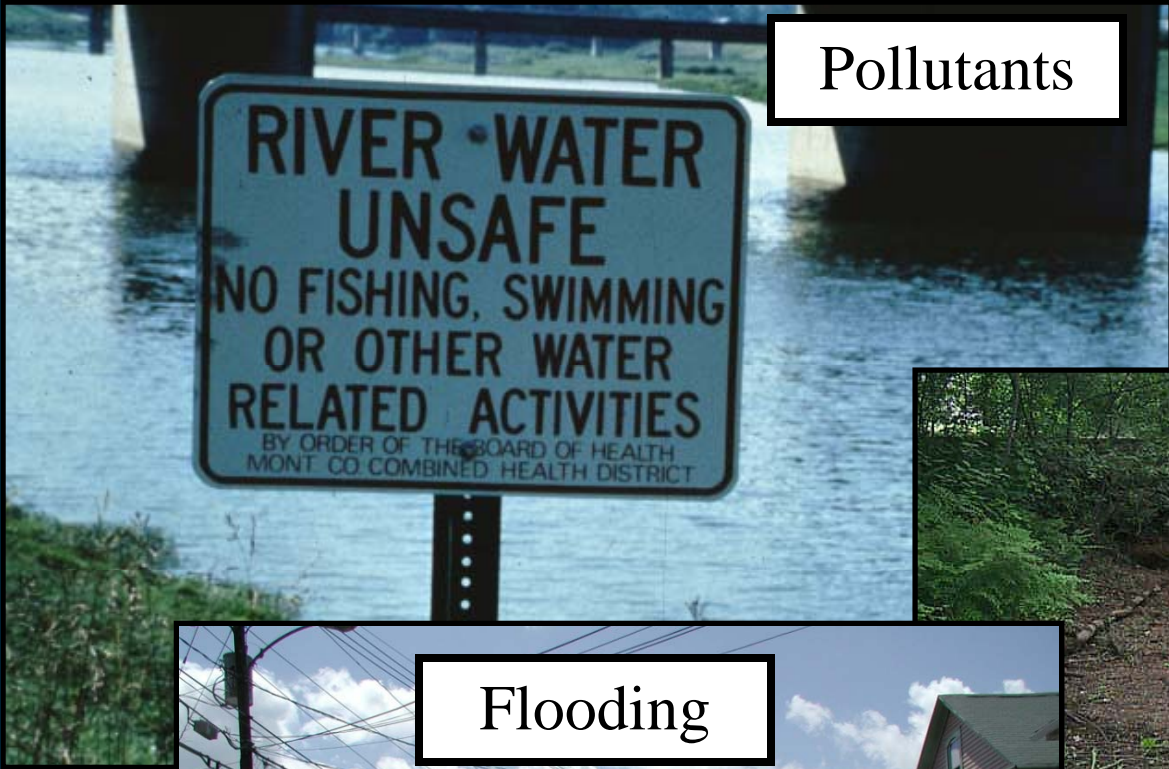
**Ipswich Stormwater
Advisory Committee**

**Public Hearing
Board of Selectmen
February 1, 2010**

Photo credit: Borsari Gallery

Background – Federal Clean Water Act

- ◆ 1972: Federal Water Pollution Control Act
- ◆ Regulates all discharges to Waters of the U.S.
- ◆ Sets water quality standards for all waters
- ◆ 1980s – Efforts focused on improving municipal sewage treatment and industrial discharges
- ◆ 1990s to today – Efforts focusing on pollution from stormwater runoff



Pollutants



Low Flows



Flooding

Impacts of Stormwater in Ipswich

Ipswich has 144 stormwater outfalls that discharge to 28 water bodies in the Ipswich and Parker River watersheds.

- ◆ Ipswich River impaired by pathogens, nutrients, flow alteration (MA DEP biannual Clean Water Act S. 303(d) Listing, 2006)
- ◆ Ipswich River “highly stressed, endangered” (American Rivers 2003)
- ◆ Draft pathogen TMDLs* (loading limit) for Ipswich/Parker Rivers
- ◆ Ipswich River low flows partially due to stormwater not being able to infiltrate
- ◆ River flooding exacerbated by continued development, need stormwater management improvements
- ◆ DPW continues to find illicit connections and broken stormwater pipes in old infrastructure

* Total Maximum Daily Load

NPDES Phase II Program (US EPA, 2003)

◆ NPDES Phase II Stormwater Permit Program:

- ◆ Federal mandate under Clean Water Act
- ◆ Ipswich is required to develop a stormwater management program to address 6 minimum measures:
 - ◆ Public education/outreach
 - ◆ Public participation
 - ◆ Illicit discharge detection/elimination
 - ◆ Construction site runoff control
 - ◆ Post-construction runoff control
 - ◆ Pollution prevention/good housekeeping

◆ Goal is to improve water quality

Ipswich NPDES Stormwater Permit

- ◆ Issued and Accepted in 2003
 - ◆ Initial compliance deadline: May 1, 2008
 - ◆ Permit coverage extended until EPA releases next permit, draft issued January 25, 2010
 - ◆ Key components of Ipswich permit compliance:
 - Stormwater Advisory Committee formed 2006
 - Stormwater Bylaw adoption 2008
 - Local watershed investigations
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Purpose of the Stormwater Management Bylaw

- ◆ Prohibit contaminated non-stormwater discharges to the stormwater system
 - ◆ Regulate direct connections to the stormwater system
 - ◆ Control stormwater impacts of projects for which stormwater management is not otherwise reviewed
 - ◆ Meet certain requirements of the Ipswich Phase II Stormwater NPDES Permit
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Principles Considered in Creating the Bylaw

- ◆ Include entire Town within jurisdiction, not just “urbanized areas”
- ◆ Avoid duplication of existing permitting process
 - Exclude most projects reviewed by Conservation Commission or Planning Board
- ◆ Minimize additional burden on applicants and staff
 - Exclude small projects
 - Create categories for major and minor projects
- ◆ Create a self-supporting program

This Bylaw Creates 2 New Permits

1. Connection and Discharge Permit
2. Stormwater Management Permit

Role of Town Agencies in Implementation of the Bylaw

Board of Selectmen:

- Permitting Authority - Partially delegated to Public Works
- Adopt Regulations
- Set Fees
- Approve/Disapprove Waivers and “Buy-outs”
- Provide Overall Stormwater Program Oversight
- Oversee Program Budgeting and Staffing

Public Works Department:

- Permitting Authority (partial delegation from Selectmen)

Conservation Commission/Planning Board:

- Adopt corresponding standards within existing permit structures

Two Proposed Sets of Regulations

◆ Connection and Discharge Permit Regulations

- Administered and enforced by Public Works
- Permit fees:
 - \$100 for single and two-family residence
 - \$200 for all others

◆ Stormwater Management Permit Regulations

- Administered and enforced by Public Works Department
- Permit fees:
 - \$300 for minor projects
 - \$300 for major projects
 - Consultant review fees for complex major projects

Connection and Discharge Permit

- ◆ Addresses Minimum Control Measure #3
 - ◆ No person may create or maintain a direct connection or discharge to the municipal storm drain system without a Connection and Discharge Permit.
 - ◆ The bylaw contains a list of minor non-stormwater discharges not subject to regulation.
 - ◆ Direct connections of sump pumps require permit.
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Connection and Discharge Permit

◆ Application Requirements:

- Narrative and Sketch Plan of connection
- Inspection and Maintenance Agreement
- Pollution Prevention Plan may be required for non-residential properties
- Application fee

◆ Permit expiration:

- Non-residential properties – Expires upon transfer of property. New owner must apply.
 - Residential properties – No expiration, permit runs with the land. Permit must be updated if conditions change.
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Connection and Discharge Permit

◆ Effective Date:

➤ New Projects:

- Prior to connection/discharge

➤ Existing Connections/Discharges:

- Upon transfer of property rights, or
- By zoning district, according to schedule in Section 8 of regulations,
- Whichever is sooner.

Stormwater Management Permit

- ◆ Addresses Minimum Control Measures #4 and #5

 - ◆ Regulates land disturbance activities of:
 - 10,000 square feet (~1/4 acre) or more, or
 - more than 50% of a lot,
 - whichever is less.

 - ◆ Minor Projects:
 - Less than 10,000 square feet (~1/4 acre) , but more than 50% of a lot, or
 - Single and two-family residential projects.
 - Minor projects have less stringent requirements.
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Exemptions – Stormwater Management Permit

- ◆ Activities for which stormwater is regulated by Conservation Commission or Planning Board
- ◆ Normal maintenance activities
- ◆ Emergency repairs or activities
- ◆ Agricultural activities

Requirements- Stormwater Management Permit

◆ Stormwater Management Plan

➤ Major Projects: Must meet MA Stormwater Management Standards, plus:

- Detain flows for 1-year, 24-hour storm event, and
- LID* techniques required to maximum extent practicable
- Plans stamped by Massachusetts P.E.

➤ Minor Projects: Must meet limited set of standards, less stringent, incorporates LID*, no P.E. stamp.

◆ Erosion and Sediment Control Plan

◆ Operation and Maintenance Plan

*Low Impact Development

Requirements- Stormwater Management Permit

◆ Inspections

- Notification of construction commencement
- Periodic construction inspections at discretion of Public Works Department
- On-going inspection and maintenance by owner required, reports submitted

◆ On-Going Maintenance Requirements

- Operation and Maintenance Agreement must be signed and submitted
- Owner responsible, not Town of Ipswich

Permit Schedule- Stormwater Management Permit

- ◆ Permit must be acted upon within 30 days of complete submittal to the Public Works Department
- ◆ Permit expires three years from issuance
 - 1-year extension may be requested
 - On-going conditions continue beyond 3 years
- ◆ Certificate of Completion: Record (As-Built) Drawing may be required for major projects

Ipswich Stormwater Information Online

“Ipswich Stormwater Management Information”
(www.horsleywitten.com/ipswichstormwater)

Links from:

Ipswich Board of Selectmen webpage

Ipswich Public Works Department webpage

(www.town.ipswich.ma.us)