

HOW TO GET STARTED: PROTECTING YOUR TOWN FROM POLLUTED RUNOFF*

Key Finding

Protecting your town's water resources from polluted runoff will require the involvement of many municipal departments and commissions, as well as other sectors of the community. A coordinated approach, combined with a clearly stated goal of protecting your town's waterways, is an excellent way to start.

The Problem

Nonpoint source pollution, or polluted runoff, is the cumulative result of a multitude of personal and municipal actions (see NEMO Fact Sheet #2). As such, only an organized, collaborative approach to solving the problem will be successful. Local land use decisions will continue to be made on a case-by-case basis. However, an action plan incorporating certain key elements into the municipal decision-making processes will serve to strengthen and consolidate your town's effort to protect its waterways.

A Coordinated Approach to Polluted Runoff: Key Considerations

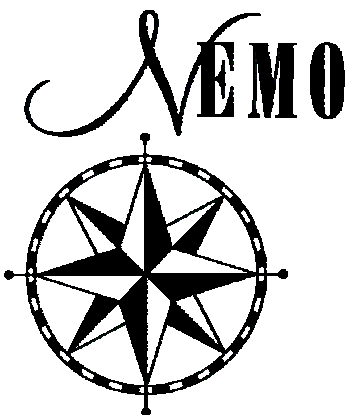
Communication: Many municipal commissions and departments must be involved in managing polluted runoff. For instance, the zoning commission makes land use decisions, the planning commission determines the general direction of future development and the public works department oversees design.

Legal Requirements: Depending on the location and size of your municipality, a number of recent federal and state laws on polluted runoff management may soon be coming your way (if they haven't already!). These include stormwater permitting and, in the coastal zone, new requirements related to coastal zone management. In addition, many states have enacted legislation affecting a range of local activities, from zoning decisions to septic system repair to setback requirements for development near wetlands and watercourses. Local officials need to be aware of these laws, both from the standpoint of compliance and with regard to the

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authority that they confer to municipalities wishing to aggressively manage polluted runoff. The Maine Department of Environmental Protection (MDEP) is usually the best place to call for information about these laws (see last section).

Focus: As part of a town-wide effort to control polluted runoff, there are certain basic things that may be done "across the board" for all existing areas or planned developments, such as requiring stormwater controls and minimizing the amount of impervious surfaces (see NEMO fact sheets #3 and #4). However, this does not preclude an approach that focuses on identifying and protecting your town's most important water resources. Your priorities will likely be set based on a combination of water resource information and the needs of the local populace. For instance, the primary goal might be improving the water quality of a



heavily-used lake, pond or cove, or it could be protecting a relatively pristine reservoir or critical groundwater recharge area. The NEMO technique of doing a zoning build-out analysis is only one way to help assess the threats to your waterways – many other analytical techniques exist, from digging out old reports to taking field samples. Expertise can be found in many places, including consulting firms, local residents, state agencies, universities, or even your own town hall.

Financing: Unfortunately, the rising tide of new nonpoint source regulatory programs has not yet resulted in an accompanying increase in funding sources. Currently available federal and

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state technical and funding sources are listed at the end of this fact sheet. It's clear, however, that local funding will have to account for most of the expenses involved in polluted runoff programs. General funds, capital funds, special tax districts (like stormwater utility fees), and local bond issues are all options. Costs associated with new development can and should be negotiated with the developers. A couple of positive things to remember include 1) preventing pollution is by far the most cost-effective way to protect your resources, and 2) many of the nonstructural best management practices involving reduced impervious surface and use of vegetation can actually save you money compared to conventional development.

What Towns Can Do: Suggestions for an Action Plan

The technical aspects of polluted runoff can be complicated. However, just because your town doesn't have a water quality expert or 20 years of monitoring data doesn't mean that

you can't protect your water resources. There are a number of places to get help (see last section), and remember, communication is the most important aspect of any action plan. You are final judge as to what will work in your town, but here are some suggestions:

1. Form an ad hoc committee of members of various appropriate commissions and departments to get the ball rolling. Remember to get the blessing of the town's chief elected official.
2. Educate yourself and your key commissions on the basics of polluted runoff and its management through programs and materials like those available through the NEMO Project and MDEP (see last section).
3. Seek local, state or private help to assess your town's water resources. Which are the most valuable to your town (economically, historically, socially)? Which are the most impaired, or endangered, by polluted runoff? Are there any water resources deemed especially important by state or federal agencies? Weigh these factors and try to come up with a consensus priority list.
4. Assess what, if anything, your town is currently doing about polluted runoff. Factors to be inventoried include erosion control requirements, subdivision regulations, town maintenance of roads and storm drains, open space plans and any setback or buffer zone requirements.
5. Write and issue a polluted runoff policy statement, laying out the importance of polluted runoff management and the commitment of the town to address this problem.
6. Go ahead and dive in! Write a brief Action Plan that spells out the roles of each of the key commissions/departments represented on the ad hoc committee. Don't forget funding, maintenance and other points you'd just as soon forget!
7. Hold an educational meeting for all the commissions/departments and the public to brief them on your work and Action Plan, and get comments. You can also use the media to raise awareness of the problem in your town, through things like newspaper articles on the Action Plan and the NEMO videotape shown on public access television.
8. Incorporate your Action Plan into the appropriate town plans, procedures and regulations.

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Can We Really Do This?

Absolutely. Remember, the most important step in the process – a clearly stated desire on the part of the town to protect its water resources from polluted runoff – takes no technical or legal

expertise. Establishing that priority, articulating it in town policy and setting up a framework for internal cooperation and communication will provide a solid foundation for all that follows.

RESOURCES TO HELP YOU BEGIN

Listed below are a few key places to find additional information on the technical aspects of managing polluted runoff, and the financial resources available.

Technical Information:

Four Places to Start

1. *The University of Connecticut Cooperative Extension System and Sea Grant Program* have a number of educational materials relating to polluted runoff, including the complete set of NEMO project materials and technical references (see National Contact). New Jersey has an excellent publication, *Planning for Clean Water, The Municipal Guide*, 1999, contact (609-984-0058).
2. The Maine *Department of Environmental Protection, Nonpoint Source Training and Resource Center* has produced a number of guidance documents and videos on various aspects of nonpoint source pollution, and offers courses on stormwater management, erosion and sediment control, and best management practices (207-287-7726). The Maine State Planning Office (207-287-3261) and the Greater Portland Council of Governments (207-774-9891) may have valuable land use and natural resource information for your town. Your local *Soil and Water Conservation District* has information and programs relating to soil and erosion control, wetland protection and other aspects of polluted runoff as well. There are 16 SWCD offices in Maine, try the U.S. Government listing, Agriculture Department.

Finding Outside Funding:

Pretty Much One-Stop Shopping

1. Most available funding is in the form of cost sharing programs associated with the state implementation of the Clean Water Act, which means that the *MDEP Watershed Management* (860-566-7049) is the place to go for information. Programs to find out about are the Clean Water Act Section 604(b) for water quality management planning and Section 319 for nonpoint source management implementation. Any projects funded through these sources would likely involve close cooperation between your town and both federal and state authorities.
2. There is a program called *the Surface Water Quality Protection Program* (SWQPP). It is funded under the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) and is administered by the Federal Highway Administration. The funding applies to arterials and major collectors. The purpose of the program is to 1) identify lakes, streams, rivers, etc. where water quality is being adversely impacted by runoff from highways and 2) select and prioritize candidate pollution elimination projects to fund. Contact Bill Laflamme @ MDEP, (207-287-7726).
3. Nonprofit organizations can also inquire about environment-related grants for computer mapping technology -- computer equipment and specialized software. The Conservation Technology Support Program (CTSP) announced guidelines at web site: <http://www.ctsp.org>.