

Neponset Stormwater Partnership



2014 Community Innovation Challenge Grant
Massachusetts Executive Office of Administration and Finance

FINAL REPORT

April 29, 2015

Project Partners:

Boston Water and Sewer Commission
Metropolitan Area Planning Council
Neponset River Watershed Association
Town of Canton
Town of Dedham
Town of Foxborough
Town of Medfield
Town of Milton
Town of Norwood
Town of Randolph
Town of Sharon
Town of Stoughton
Town of Walpole
Town of Westwood

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SMART GROWTH AND REGIONAL COLLABORATION

April 29, 2015

Secretary Kristen Lepore,
Executive Office for Administration and Finance
State House, Room 373
Boston MA, 02133

Dear Secretary Lepore,

I am pleased to attach our final report on the 2014 Community Innovation Challenge Grant for the Neponset Stormwater Partnership.

Polluted stormwater runoff is the largest remaining source of water pollution affecting not only the Neponset River but all of the Commonwealth's waterways. Stormwater pollution contributes to beach closures, loss of recreational opportunities and tourism dollars, major impacts to fish and wildlife habitat, and significant threats to the quality of our drinking water.

With the prospect of a new, much stricter municipal stormwater permit forthcoming from the US Environmental Protection Agency, stormwater compliance also represents a growing responsibility and significant operational challenge for many of our local municipalities.

The overarching goal of the Neponset Stormwater Partnership has been find more efficient and cost effective strategies for reducing stormwater pollution by having communities work together to address this challenge on a regional basis. One of the things that makes the Neponset Stormwater Partnership unique is not only that it brings together 12 communities to share resources and expertise on a watershed basis, but it also incorporates the unique skills and attributes of both a regional planning agency and a non-profit watershed association.

The focus of our project was on completing planning and implementation activities aimed at getting our communities ready for the expected requirements of the new municipal stormwater permit which will likely take effect next year.

As you will read, the first year of the Neponset Stormwater Partnership was a success, and I am pleased to report that will we continue this important work through a year-two scope of work funded with a combination of MAPC technical assistance funding and matching funds from the participating communities.

Sincerely,

Martin Pillsbury
Director of Environmental Planning

Executive Summary

A group of twelve communities in the Neponset River Watershed area collaborated with the Metropolitan Area Planning Council and Neponset River Watershed Association to implement a regional stormwater program. The focus of the project was on preparing for and completing work that is expected to be required under the draft municipal stormwater permit that will likely be issued by the US Environmental Protection Agency at the end of 2015. Project tasks included formation of a steering committee and development of an MOU for future collaboration, development of education materials and model outreach and public participation program documents, preparation of model program documents for illicit connection detection and elimination and development and application of GIS-based tools to delineate and prioritize outfall catchment areas, development and application of code evaluation checklists for both stormwater and non-stormwater bylaws, development of GIS tools and analysis for prioritizing potential stormwater retrofit projects, development of a concept and RFP for a database to help track and enforce stormwater operation and maintenance permit requirements on private property, and an evaluation of stormwater financing options for two communities.

After completion of the one-year project funded by the Community Innovation Challenge grant, nine communities decided to continue the regional collaboration for a second year. Since the CIC grant program had been discontinued, the year two program will be jointly funded by the MAPC's Planning for MetroFuture Technical Assistance program and a local cost share from the participating communities.

Section I: Partner Communities

The Neponset Stormwater Partnership, which began with the title Neponset Valley Stormwater Collaborative in April 2014, is a joint effort of the following communities that lie in part or entirely within the watershed of the Neponset River:

1. Boston (BWSC)
2. Canton
3. Dedham
4. Foxborough
5. Medfield
6. Milton
7. Norwood
8. Randolph
9. Sharon
10. Stoughton
11. Walpole
12. Westwood

All of these except Boston are regulated by EPA under the Clean Water Act's "Small Municipal Separate Storm Sewer" (MS4) permit program. Boston Water and Sewer Commission also participated as a project partner. As a larger city, Boston operates under a separate stormwater

permit from EPA, but faces some of the same challenges in managing urban stormwater, and parts of the City are located within the Neponset River Watershed downstream from the other Partnership communities.

The project was jointly developed and managed by the Metropolitan Area Planning Council (MAPC) and the Neponset River Watershed Association (NepRWA). MAPC served as the grant administrator on behalf of the Neponset Stormwater Partnership. MAPC is the designated Regional Planning Agency for 101 municipalities in Eastern Massachusetts, including all the communities in the Neponset Stormwater Partnership. MAPC has an overall mission to promote smart growth and regional collaboration. NepRWA is a grassroots, member-supported conservation group working to clean up and protect the Neponset River, its tributaries and surrounding watershed lands.

With the assistance of MAPC and NepRWA, the participating communities formed a Steering Committee with representatives from each town. The Steering Committee met six times from May 2014 until February 2015, reviewing all the information and products developed for the project, providing feedback and guidance, and participating in training sessions.

Other project partners included Aubrey Strause, P.E. of Fuss and O'Neil, who worked with the Central Mass Regional Stormwater Coalition and provided this project with two training sessions and model sections for a Stormwater Management Plan; and Horsley Witten Group, who provided technical consulting on aspects of the Illicit Discharge Detection and Elimination task.

Section 2: Goals

The overall goal of the project is to build upon existing local partnerships to establish a more formalized, long term collaboration among the Neponset watershed communities for meeting their stormwater management needs. Managing stormwater is increasingly challenging for communities across the region and the state, particularly in light of pending new regulations from EPA under the MS4 permit program. The fact that water does not respect municipal boundaries makes the challenge that much more difficult. Consequently stormwater is an issue that is particularly ripe for regional collaboration organized around watershed boundaries.

A key goal for developing the Neponset Stormwater Partnership is an increase in regional collaboration in order to avoid duplication of effort among communities facing similar permit requirements, therefore capturing cost savings, as well as creating a forum for developing and sharing innovative approaches to stormwater management that would be less likely to develop if multiple communities acted alone and separately.

In particular, the Neponset Stormwater Partnership seeks to increase the effectiveness of municipal efforts to reduce the discharge of pollutants to local waterways, thus helping to protect drinking water quality, restore and enhance recreational opportunities, and enhance the ecological health of local aquatic ecosystems.

Just as importantly, the Partnership seeks to reduce the cost of municipal stormwater permit compliance, by taking advantage of regional economies of scale, sharing information and expertise, and procuring key goods and services on a regional basis.

Finally, considering the efforts of other regional stormwater collaboratives that have formed across the state with the support of the CIC grant program, the Neponset Stormwater Partnership seeks to take advantage of information developed by the Central Mass Regional Stormwater Coalition (CMRSC), through training and exchange of model programs.

Section 3: Implementation Plan

1. Neponset Stormwater Partnership Steering Committee

The project began with the establishment of the Steering Committee, which was convened for the first time in May of 2014. Each town was asked to designate representatives, and all responded with a range of four to nine per community. Members represent diverse local roles, including Public Works, Town Engineers, Conservation, Planning, GIS Managers, and Town Administrators. Once formed, the Steering Committee became the regional forum for guiding the project, reviewing all products, and hosting training sessions. In addition several short-term working groups were formed to help develop and review specific tasks. These included the Education and Outreach working group, which met twice in the summer of 2014, and a focus group of potential users of a regional Operations and Maintenance database, which met twice in the fall of 2014.

The full Steering Committee met six times throughout the project, usually coordinated with the release of new draft products for their review, or for hosting training sessions. Specific tasks and work products undertaken included the following:

2. Education and Public Participation Materials and Model SWMP Language

The project team developed a new set of education and outreach materials for both print and website distribution. These are designed to target commercial, industrial, institutional, and developer audiences. The project team also prepared model Storm Water Management Program (SWMP) language, procedures, schedules, work plans and evaluation methods to address both the “Public Education” and “Public Participation” requirements of the draft MS4 permit. A dedicated consumer-facing website was established to make these materials widely available at www.neponsetstormwater.org. In addition to education and outreach materials, all of the finished products of this project are available on the website for use by Neponset Stormwater Partnership towns as well as other communities across the Commonwealth.

3. Analysis of Illicit Discharge Detection and Elimination Requirements and Model SWMP

The draft MS4 permit requires communities to evaluate and, in some cases, conduct testing and underground inspections of their storm drain outfalls for illicit connections. The project team undertook several tasks to assist communities meet this permit requirement:

- Mapping and preliminary assessment and ranking of each outfall in the study area, based on the water quality of the streams where the outfalls are located,
- Development of a GIS mapping methodology to delineate the catchment area associated with each outfall, with a pilot application of the methodology in one community. The methodology was piloted in Milton because the town has a consistent base map of local outfalls, which is needed to obtain reliable results from the catchment delineation methodology
- Review of the outfall mapping of the other towns in the Neponset Stormwater Partnership, with recommendations for improving their outfall maps in order to apply the catchment methodology
- Preparation of model language for the IDDE section of the SWMP.

4. Local Bylaw and Regulation Evaluation

An important set of requirements in the draft MS4 permits is focused on the adoption and/or updating of local stormwater bylaws to control illicit connections, construction site sediment and erosion, and post-construction stormwater management. These bylaws must also address water quality issues such as Total Maximum Daily Load and impaired waters compliance.

To assist communities in developing local bylaws required by the MS4 permit, the project team prepared a “Stormwater Bylaw Evaluation Worksheet” to guide the process of evaluating required or desirable changes to existing stormwater bylaws. The project team then used the Bylaw Evaluation Worksheet to assess and report on any needed changes to the stormwater bylaws in each participating community.

The draft MS4 permit also requires communities to evaluate whether non-stormwater bylaws such as zoning and street design standards inadvertently prohibit desirable stormwater management practices. The project team updated MAPC’s existing non-stormwater bylaw evaluation checklist and used it to evaluate existing bylaws in participating communities, and prepared a set of recommended rule changes in each participating town.

5. Preliminary Evaluation and Ranking of Parcel and Roadway Retrofits

Most of the existing pavement in the participating communities was constructed before the advent of regulations requiring measures to collect and clean up polluted stormwater runoff prior to discharging it to the nearest stream. In many cases existing paved areas without stormwater control measures will need to be upgraded or retrofitted, and the draft MS4 permit requires communities to evaluate their drainage systems for retrofit opportunities.

The project team developed a methodology to evaluate and rank town-owned parcels and roadways for their stormwater retrofit potential using a computer mapping-based methodology to prioritize sites for further field evaluation based on receiving water conditions, soils, drainage collection-system routing and other factors. The methodology was applied to the entire study area, and resulted in a list of parcels and roadway segments in each town with their stormwater retrofit rankings. The methodology was also documented and is available for use by any other community in the Commonwealth.

6. Stormwater Good Housekeeping Tools

The draft MS4 permit requires communities to be more proactive in the way they manage and maintain their own infrastructure, which is referred to in the permit as “good housekeeping.” Communities will be required to develop detailed standard operating procedures for activities such as conducting site inspections, catch basin cleaning, enforcement, site reviews, infrastructure maintenance, pollution prevention and many other activities. As part of our effort to ensure that we complement rather than overlap the work of the Central Massachusetts Regional Stormwater Coalition (CMRSWC), the project team assembled required standard operating procedures, stormwater pollution prevention plan templates and other pertinent documents by drawing on materials already prepared by the CMRSWC, with adaptations as needed. These materials are available to participating communities on the project website, www.neponsetstormwater.org. The project engaged the services of Aubrey Strause, P.E. of Fuss and O’Neil, who worked with CMRSWC, to provide a training session on Good Housekeeping tools to the Neponset Stormwater Partnership in October 2014.

7. Evaluate Regional O&M Database for Private Permit Conditions

Under their local bylaws, communities regulate the operation and maintenance of privately owned stormwater management systems. The challenge is that their existing systems for tracking compliance are entirely paper-based, making it virtually impossible for municipalities to effectively monitor and enforce compliance with maintenance requirements.

To begin addressing this problem, the project evaluated the potential for creating a regional Operation and Maintenance (O&M) Database to streamline tracking, reporting and enforcement of O&M requirements for privately owned stormwater treatment systems. The concept is for a centrally hosted database that would track O&M requirements for permitted sites, enable permittees to self-report completed O&M activities electronically, automatically issue periodic reminders to permittees, and automatically provide municipal authorities with reports on permittees who are behind on their O&M activities so that appropriate follow up action can be taken where need.

In order to better define the needs of communities, a municipal users focus group was convened by the project team. With input from the focus group, the project team established system requirements for a regional O&M database and prepare a scope of services for an RFP for the establishment of a regional system. Although the evaluation was based on input from Neponset watershed communities, the scope and RFP are available to all interested communities in the Commonwealth on the project website, www.neponsetstormwater.org.

8. Stormwater Financing Pilot

Financing the additional costs of the draft MS4 permit is the most challenging aspect of compliance for most towns. New financing methods such as stormwater utilities and drainage fees, have the potential to establish reliable revenue streams, but they have only been implemented by a handful of communities in Massachusetts.

MAPC has recently developed a Stormwater Financing Toolkit that provides step-by-step guidance for evaluating stormwater financing options. The project team conducted a pilot application of the MAPC Stormwater Financing Toolkit in two participating communities, Milton and Dedham. These pilots helped the two communities begin to assess the potential stormwater management expenditures they will face and evaluate user-fee based funding mechanisms. When the two pilots were completed, the project hosted a regional workshop with all the Neponset Stormwater Partnership towns to present the methodology and findings of the pilots. Case studies of the two pilots were prepared and are available on the project website at www.neponsetstormwater.org.

Section 4: Budget

Original Budget

The CIC grant provided \$131,366 for the project. In addition, each participating town committed to providing a local cost share of \$5,000 per town. Initially there were 10 towns, providing \$50,000 in local cost share, for a total project budget of \$180,366.

The project budget was structured to provide a number of specific tasks for the members of the Neponset Stormwater Partnership that are aligned with the requirements these towns face in their MS4 stormwater permits. The tasks and their budgeted amounts are summarized below:

Neponset Stormwater Partnership CIC Project Budget 2014-15

Project Tasks	Budget
Task 1 Partnership Coordination	12,385.00
Task 2 Education & Public Outreach	28,258.00
Task 3 IDDE	41,404.00
Task 4 Bylaw Evaluation	32,560.00
Task 5 Parcel & Roadway Retrofits	10,940.00
Task 6 Good Housekeeping Tools	5,664.00
Task 7 Regional O&M Database	12,735.00
Task 8 Stormwater Finance Pilot	30,120.00
Task 9 Project Management	6,300.00
TOTAL PROJECT	180,366.00
Local Cost Share	50,000.04
CIC GRANT	\$130,366.00

Budget Revision

After the project began the town of Foxborough decided to join the Partnership, so with a total of 11 towns the revised project budget was \$185,366. The CIC grant amount did not change.

Once the project got underway, it became apparent that the GIS mapping of stormwater catchment areas under Task 3 would be more involved and costly than anticipated. The project team reallocated funds from cost savings in the amount originally budgeted for outside consultants, as well as savings in Task 5, Parcel and Roadway Retrofits and Task 7, Regional O&M Database. By rebalancing the budget among these tasks, each of them had adequate funding to be completed.

Section 5: Challenges and Solutions

The project unfolded largely as anticipated. However, a number of challenges were encountered during the course of the project as detailed below.

The process of coordinating meetings and activities amongst the 14 participating communities and agencies turned out to require more time than originally anticipated. To address coordination needs, the partners established a process of holding regular conference calls amongst the people working on key tasks and sub-committees to review progress and plan meeting agendas for the full steering committee and other key activities. The lack of sufficient budget allocated for basic coordination activities was addressed in part by reallocating time from other tasks that were completed more quickly than expected and by having the Neponset River Watershed Association and Metropolitan Area Planning Council contribute additional hours to support coordination as an in-kind match.

For the Illicit Connection Detection and Elimination (IDDE) Planning Task, in many cases the quality of existing Geographic Information System (GIS) data describing drainage infrastructure in the participating communities was a challenge. This task involved performing complex GIS analysis of drainage infrastructure and associated data for each town in order to delineate the drainage catchment areas for thousands of storm drain outfalls in the study area using an automated process. A further step was to analyze land use and other factors within those catchment areas to categorize and rank each catchment. The completeness and accuracy of existing GIS data that was available from communities was variable, ranging from non-existent to largely complete. Further complicating matters, data on state owned stormwater infrastructure (DCR and MassDOT) which is interconnected with municipal systems was not available at all. Even where municipal data was fairly complete, those datasets had not been specifically designed to support the type of analysis being undertaken, and a variety of problems arose.

To address these GIS data challenges, the project team focused on developing a set of GIS tools and procedures that will enable communities to complete the analysis easily once issues with their data have been resolved. In addition, the team performed a preliminary analysis for each town that identified the data quality concerns that need to be addressed. Lastly, they performed a proof of concept demonstration, using one town that had fairly good existing GIS data and making a variety of corrections to the town's GIS data based on local knowledge that enabled the tools to run successfully.

The final challenge encountered over the course of the project was a lack of active engagement on the part of one of the participating communities. Although this community had signed on to participate in the project, the town was nonetheless only minimally engaged once the project got

underway. The project team attempted to more fully engage this community through repeated direct outreach to key municipal staff, but these efforts were largely unsuccessful in increasing the engagement level of this community.

Section 6: Outcomes

The grant agreement for this project identified five broad outcome measures for the project that will be used to track progress both during the project and over the course of several years following the project. These outcome measures and the project's progress toward meeting them as of the date of this final report are discussed below.

Outcome 1: Formalization of a regional Stormwater Cooperative and active participation in the Stormwater Cooperative by 10 communities and commitment for ongoing local funding.

The grant agreement identified several benchmarks for this outcome including: participation in meetings by all towns, development of a draft MOU formalizing the collaborative, adoption of the formal MOU by the participating towns and development of a budget, work plan and local funding commitment for second year. The long term benchmark identified for this outcome is the level of ongoing participation and funding for the Partnership.

Each community designated one or more individuals to represent them on the Steering Committee. Six meetings of the steering committee were held, plus one separate training meeting, and all were well attended. A formal MOU was developed and the form of the MOU was endorsed by the steering committee members. After considerable deliberation, the steering committee selected a name for the group (the Neponset Stormwater Partnership), a logo and an internet URL. In the fall of 2014, the partners worked together to develop a work plan and budget for a second year effort and used that as a basis for submitting a new CIC grant application toward which nine of the 11 communities committed a new cash match of \$5,000. After the CIC Grant program was eliminated, the group developed a more modest revised work plan that will be funded through a combination of \$5,000 local matching commitments and MAPC Local District Technical Assistance Funding. Work under this new scope is presently getting underway.

Outcome 2: Implementation of a coordinated, region-wide stormwater outreach and education program.

The grant agreement identified several benchmarks for this outcome including: formation of outreach steering committee, preparation of draft outreach campaign materials, and consensus on implementation of a final regional outreach campaign. The long term benchmark identified for this outcome is the number of communities participating in a regional outreach campaign.

The Outreach Sub-committee was formed and held two meetings, in addition to the discussion of outreach which occurred at that larger steering committee meetings. The Outreach Sub-committee was instrumental in identifying key priorities such as the need for outreach to a broader cross section of local officials within each town, as well as innovative approaches to business outreach. Outreach to local officials became a key task in the year-two work plan.

A suite of outreach campaign materials was developed to serve the needs of the region as a whole including print materials and a public facing outreach website. Model stormwater management program plans for outreach and public participation were also developed and discussed in depth by the Steering Committee. The model outreach and participation plans outline a comprehensive approach suggested by the Outreach Sub-Committee using a regional implementation strategy designed to minimize cost and maximize effectiveness. The plans were developed with a modular design so that they can be scaled to match the level of effort each community wants to implement. A preliminary budget estimate for the implementation of each module was also prepared. The Steering Committee endorsed the final draft outreach and public participation plans as project deliverables, and once the new EPA MS4 permit is finalized, it will be up to each town to determine whether it wants to fund its participation in a regional implementation program for outreach and public participation and, if so, which modules it would like to implement.

Outcome 3: Adoption of innovative stormwater financing mechanisms in one or more participating communities.

The grant agreement identified several benchmarks for this outcome including: formation of pilot town steering committees, preparation of draft alternatives evaluation in two pilot communities, and preparation of final recommendations for two pilot communities. The long term benchmarks identified for this outcome are the number of communities from the study area implementing innovative financing mechanisms, and the number of communities applying the MAPC stormwater Financing Options Toolkit process.

Stormwater financing steering committees were formed for Dedham and Milton and two or more meetings were held. In each town impervious cover by parcel was quantified, long term stormwater management costs under the new MS4 permit were estimated, and a variety of potential fee structures for a stormwater utility / stormwater enterprise fund were considered by the steering committees. A final report was prepared, including recommendations for each community, and a presentation was made to the full Neponset Stormwater Partnership Steering Committee summarizing the results and lessons learned.

The Town of Milton has indicated its intention to move forward with development of a final proposal for implementing a stormwater utility, conducting a public outreach program around the proposal and, pending the outcome of the public outreach process. bringing a proposal to town meeting. Toward that end, Milton, the Watershed Association and the MAPC worked together to develop and submit a Local District Technical Assistance grant application that would support this work. This initial grant application was not successful, but the partners anticipate resubmitting it this summer. Dedham has taken the recommendations for financing mechanisms under advisement and plans to further evaluate its options once the new EPA MS4 permit is finalized. Two additional communities, Foxborough and Stoughton, requested an initial evaluation of financing options as part of the year two CIC grant application which was submitted but unfortunately not funded. The revised year-two work plan reflects a much more limited level of effort regarding stormwater financing.

Outcome 4: Implementation of recommended changes to stormwater and non-stormwater bylaws by participating communities.

The grant agreement identified several benchmarks for this outcome including: development of bylaw evaluation checklists, application of bylaw checklist to participating towns, and delivery of town specific recommendations. The long term benchmark identified for this outcome is the number of communities adopting recommended bylaw changes.

Bylaw evaluation checklists were developed for both stormwater bylaws and non-stormwater (i.e. zoning, subdivision, etc) bylaws. Because several of the participating communities did not have a stormwater bylaw, a model stormwater bylaw and regulations were also developed along with a bacteria TMDL implementation guidance document. Each participating community's bylaws were evaluated based on the two checklists. The conclusions of the evaluation along with recommendations for action were delivered to each community through face to face meetings, phone conferences or in some cases by email. In general, the recommendations have been well received, and one task in the scope of work for the year-two project is further technical assistance to communities on implementing bylaw revisions. Town of Westwood is bringing a new stormwater bylaw proposal developed with input from the project to town meeting in the spring of 2015. If adopted, the Westwood proposal will serve as a concrete model to support similar efforts by neighboring communities.

Outcome 5: Identification of all illicit discharges in the service area and elimination of 50% to 75% of the illicit discharges within 4 years.

The grant agreement identified several benchmarks for this outcome including: assembly of storm drain data for participating communities, preparation of a draft model IDDE program, and delivery of model IDDE program to participating towns. The long term benchmarks identified for this outcome are the number of communities adopting recommended model program, the percentage of outfalls checked for discharges, and the number of discharges repaired.

Existing stormwater infrastructure data for each community was assembled, although as discussed above, one of the challenges for the project was the variable level of existing data across communities in the study area. In spite of this data variability, outfall location data was available for all communities and this data was cross referenced with data on stream impairments and TMDLs. Tools were developed to delineate and rank outfall catchment areas. However this process was hampered by the quality of available data and so at a minimum a preliminary evaluation was completed for each community that identified needed data enhancements in order for the full analysis to be conducted. In a parallel process, model language for the required Stormwater Management Program document regarding illicit discharge detection and elimination (IDDE) was developed. This model language was reviewed by the participating communities and revised. The results of the outfall and catchment analysis, as well as the recommended IDDE Stormwater Management Program language were delivered back to the participating communities. The participating communities will continue to work on these issues during the year-two work plan including via further discussions with each community about the IDDE program, further discussion among communities regarding the potential for a regional approach

to implementing IDDE program requirements once the EPA MS4 permit is finalized, and technical support for three communities who update their GIS data to perform the catchment analysis procedure.

Contact Information

The project was jointly developed by the Metropolitan Area Planning Council and the Neponset River Watershed Association. Contact information for the project managers from both organizations is shown below.

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Website: www.neponset.org

References

A **dedicated project website** was developed and is hosted by the Neponset River Watershed Association at the following URL:

www.neponsetstormwater.org

All of the products from this project are posted on the site.
A copy of the draft Memorandum of Understanding follows this section.

Resources

The project team collaborated with the Central Massachusetts Regional Stormwater Coalition, the first such regional stormwater project in the state, also supported by the CIC grant program. CMRSC has many useful documents and tools available on their website at:

www.centralmastormwater.org

DRAFT
MEMORANDUM OF AGREEMENT
FOR THE PURPOSE OF ESTABLISHING THE

NEPONSET STORMWATER PARTNERSHIP

Agreement by and between the Towns of Canton, Dedham, Foxborough, Medfield, Milton, Norwood, Randolph, Sharon, Stoughton, Walpole, and Westwood, Massachusetts (hereinafter referred to collectively as the “Towns” or individually as a “Town”), the Metropolitan Area Planning Council (“MAPC”), and the Neponset River Watershed Association (“NepRWA”),

Whereas, the Towns all face similar USEPA Municipal Separate Storm Sewer System Permit (MS4 Permit) requirements and, as such, there are opportunities to reduce the cost and/or increase the effectiveness of permit compliance efforts by implementing them on a cooperative regional basis.

Whereas, the Towns along with the MAPC, NepRWA, and the Boston Water and Sewer Commission (“BWSC”) successfully sought and implemented a 2014 Community Innovation Challenge Grant for “The Neponset Valley Stormwater Collaborative,” to undertake a variety of MS4 activities on a regional basis using a combination of state grant funds and a cash matching contribution from each Town.

Whereas, the Towns intend to continue their cooperative efforts and seek additional opportunities for joint and collaborative projects for the benefit of the Partnership's members.

Now, therefore, in consideration of these premises, and for other good and valuable consideration, the parties agree as follows.

I ESTABLISHMENT OF THE NEPONSET STORMWATER PARTNERSHIP

1. Partnership. The Towns hereby form the Neponset Stormwater Partnership (Partnership) to facilitate ongoing regional collaboration in the implementation of MS4 Permit requirements. The efforts of the Partnership shall be governed by the Neponset Stormwater Steering Committee (Steering Committee) with representation from each of the Towns.

2. Not a Legal Entity. Neither the Partnership nor the Steering Committee, are independent legal entities, and their decisions and recommendations shall not supersede the authority of any other state or federal agency, or any town board or committee, including but not limited to boards of selectmen, planning boards, conservation commissions, or public works department unless such authority is expressly granted in writing by the appropriate body.

II. MEMBERSHIP AND PROCEDURES

1. Representation. Each Town shall appoint one or more representatives to the Steering Committee. The appointment shall be made by the Town's Board of Selectmen, or its designee. The Towns are advised to consider appointing a balance of perspectives with an interest in stormwater management including but not limited to public works, conservation, planning, and elected officials. The Steering Committee representatives shall be appointed for two year renewable terms.

2. The Steering Committee shall meet four times per year or as needed. The Steering Committee may designate such subcommittees or working groups deemed necessary to address specific topics and issues, which shall report their findings to the Steering Committee.

3. The Steering Committee may elect a Chair, a Vice-Chair, and a Secretary from among its members. None of these officers shall be members from the same Town. Officers shall serve two-year terms, and shall not serve for more than two consecutive terms. The Chair shall set meeting agendas and preside over the meetings. The Vice Chair shall preside over meetings in the absence of the Chair. The Secretary shall keep a current roster of Steering Committee members, take meeting notes, and record votes taken.

4. Voting Procedure. Votes of the Steering Committee shall be taken with one vote per Town. Each Town shall determine its own method for deciding its vote among its representatives. An affirmative vote from 70%, or eight of the eleven Towns is required to pass a motion.

5. Information Sharing. The Towns agree to share local information related to stormwater management, where such information is not restricted, for the benefit of all members, and to seek opportunities for cost reductions and efficiencies in stormwater management through coordination and collaboration with the parties to this agreement.

6. Financial Contributions. Beyond the term of any CIC grants, some or all of the Towns may from time to time develop a work plan, scope of services and budget for new collaborative tasks to be funded with contributions from interested Towns and/or other sources of grant funding, and carried out through a mutually agreeable fiscal agent and/or contractor. The scope, budget and municipal contributions for any such future projects shall be approved by the appropriate authority in each Town that wishes to participate in such efforts.

7. MAPC and NepRWA Roles. MAPC and NepRWA shall participate as non-voting observers to the Steering Committee, and may agree to assist the Partnership in seeking grant funds, implementing work plan tasks, or serving as a fiscal agent on behalf of the Partnership as the Steering Committee requests and as funding sources allow. Neither the MAPC nor NepRWA shall have a vote in any decisions made by the Partnership.

8. Severability. In the event any provision of this Agreement is found by a court of appropriate jurisdiction to be unlawful or invalid, the remainder of the Agreement shall remain and continue in full force in effect.

III. AMENDMENTS TO THIS AGREEMENT

1. Amendments. This Memorandum of Agreement may be amended or terminated at any time by mutual written agreement of all the Towns, signed by each Town's Board of Selectmen. Any Town may withdraw from this Memorandum of Understanding upon 60 days written notice to the Steering Committee, signed by the Town's Board of Selectmen.

IV. SIGNATURES

1. Signatures. This Memorandum of Understanding is to be signed by the Chair of the Board of Selectmen of each Town, upon a vote of the Board authorizing the Chair to do so, and by the Executive Directors of MAPC and NepRWA.