

# Meeting TMDL Requirements:

Municipal Incentives and Support for  
Private Stormwater Updates

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**Town of Williston, Vermont**





# Outline

- **Williston History**
  - **Utility Timeline**
  - **Impervious Cover**
- **Allen Brook Impairment**
  - **Flow Restoration Plan (FRP)**
- **Residential Expired Permits**
- **Loan Incentive**
- **Grant Incentive**
- **Summary**

History

Allen Brook

Expired Permits

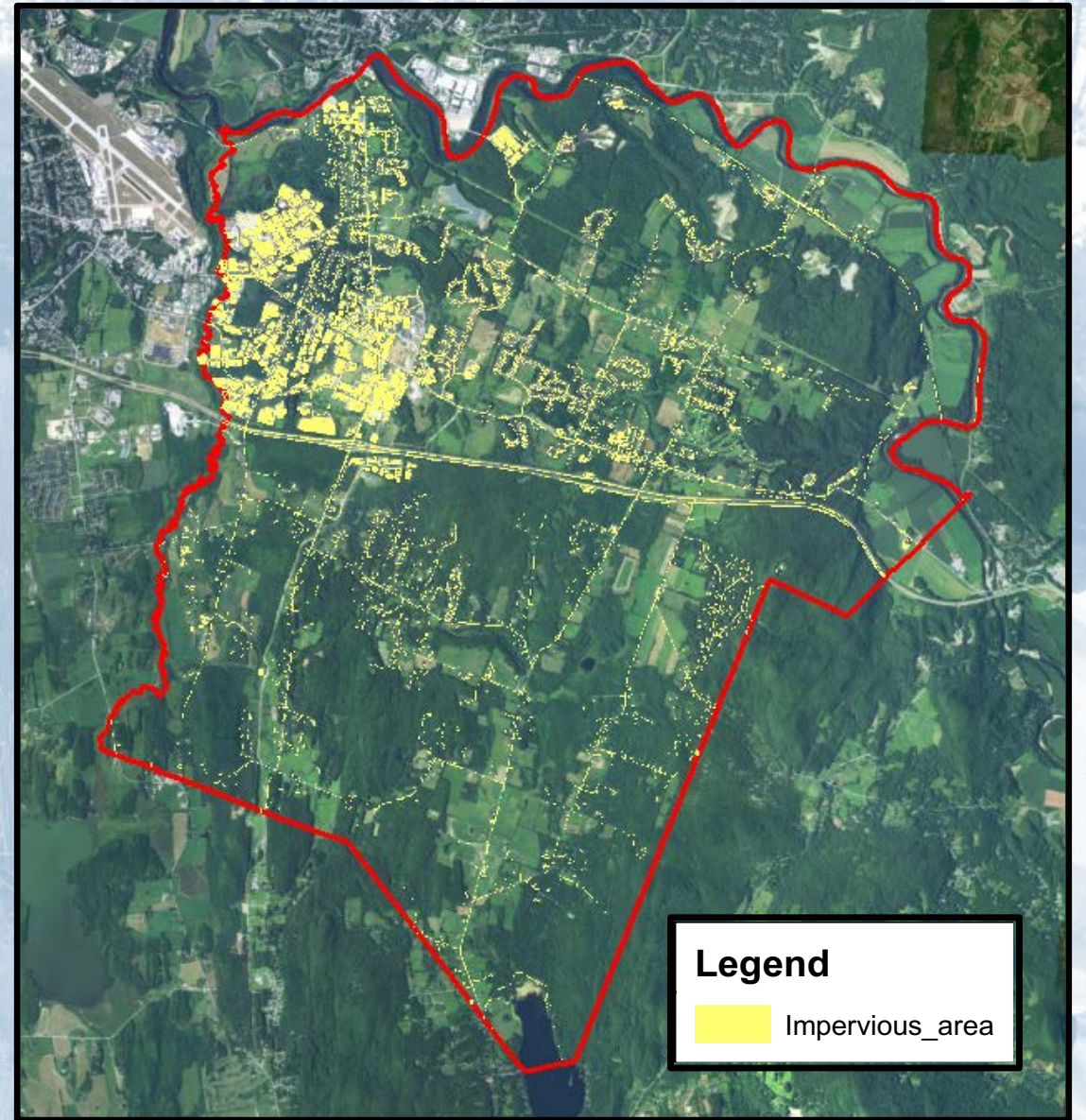
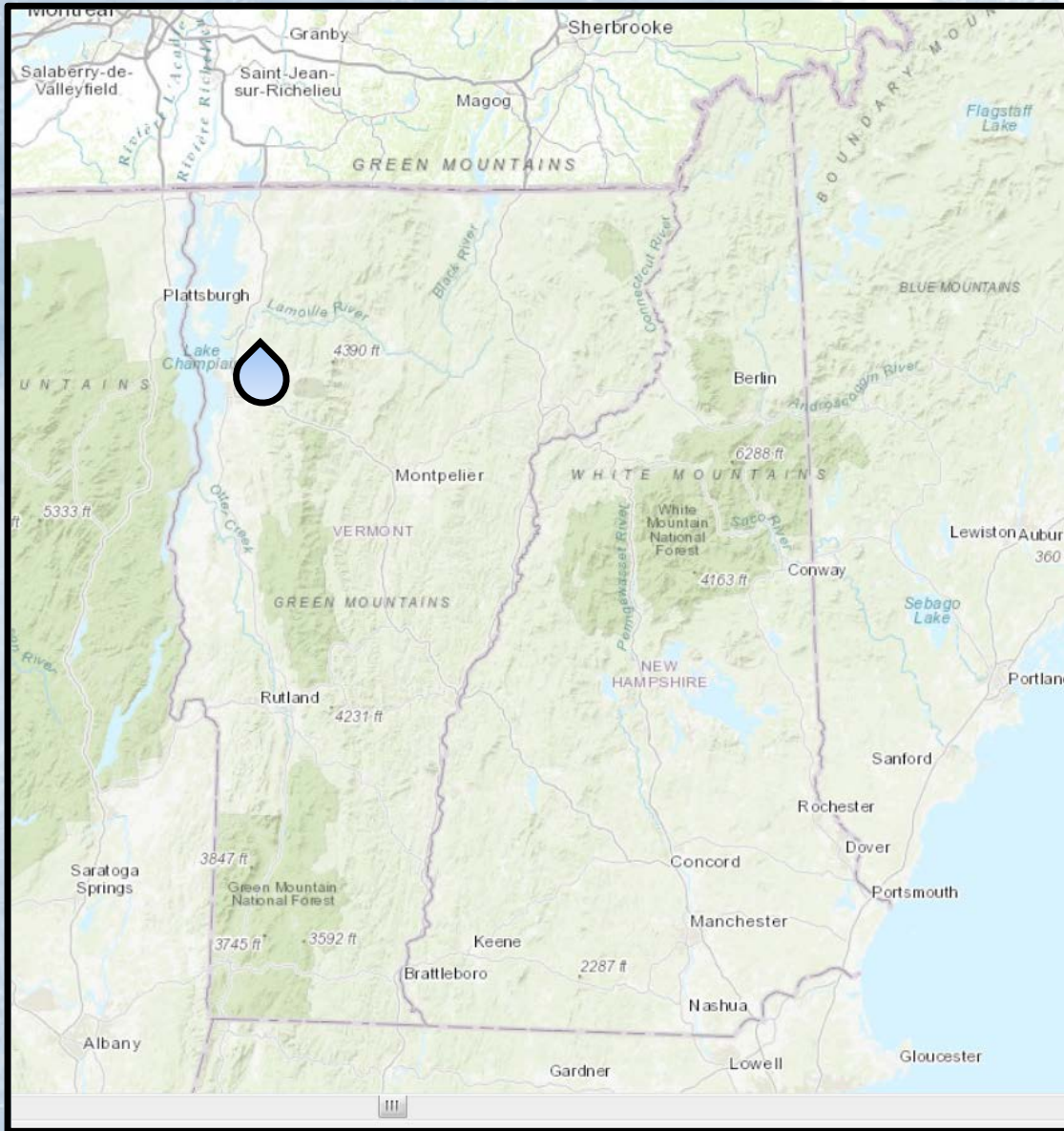
Loan

Grant

Summary



# Williston, VT



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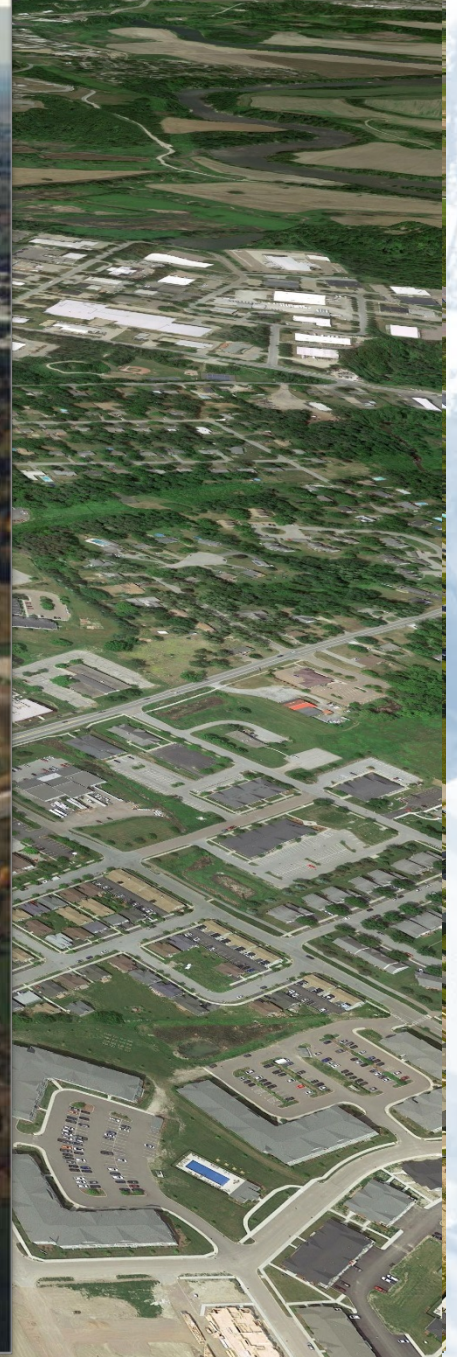
Summary



# History of the Utility

- **2012: Stormwater funding study begins**
  - Draft Allen Brook Flow Restoration Plan (FRP) prepared, a significant portion of which is the upgrade of residential stormwater systems which have expired permits
- **2014: Utility adopted by ordinance**
  - Stormwater coordinator hired
  - Williston is the third municipality in Vermont to implement a utility
- **2015: Utility sends out first impervious cover billing**
  - Policy to incorporate expired residential permits is adopted
- **2016: Final Allen Brook FRP approved by the State**
  - Lake Champlain Phosphorus TMDL Established by the EPA
- **2017: Stormwater Loan Policy adopted**
- **2018: Stormwater Grant Policy adopted**
- **2019: New MS4 permit issued**





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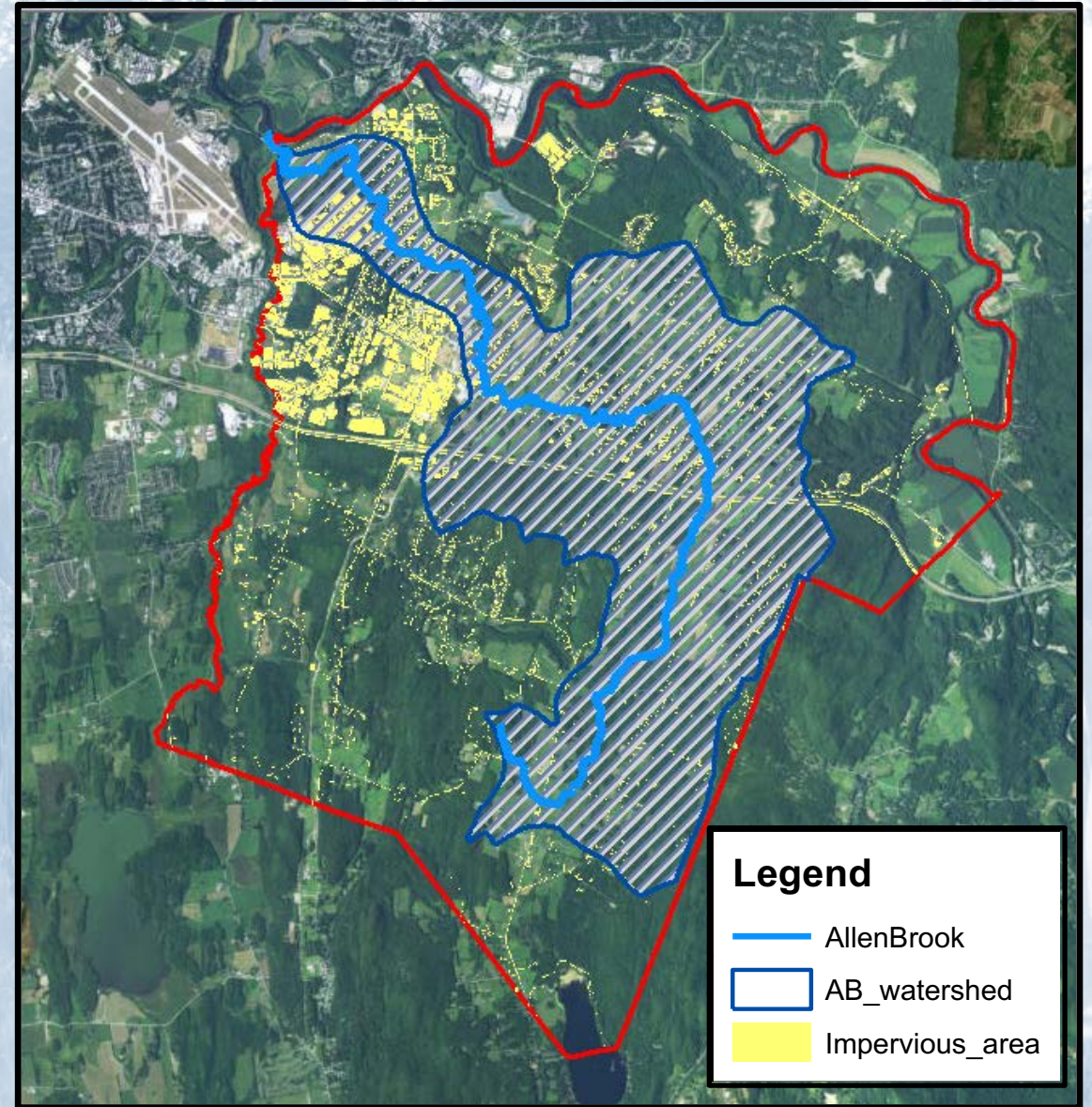
Grant

Summary



# Allen Brook

- Located entirely within Williston.
- Flows from sparsely populated largely agricultural headwaters to an increasingly urbanized landscape.
- The Allen Brook watershed is approximately 14.5 mi<sup>2</sup>.
- The land use breakdown of the watershed draining to the lower impaired reach is 26% developed lands, 33% agricultural or open lands and 41% forested.





# What's Up with the Allen Brook?

- **Allen Brook is on the State's 303(d) list as impaired due to stormwater.**
- **This TMDL utilizes the surrogate of stormwater runoff volume in place of the traditional “pollutant of concern” approach.**
- **The goals laid out in the TMDL are both the reduction of stormwater runoff volume during high flows and the increase of groundwater recharge during low flows.**
- **The use of this surrogate corresponds to the physical impacts to the stream channel caused by stormwater runoff such as sediment release from channel erosion and scour from increased flows.**



# Flow Restoration Plan

- The State requires MS4 communities whose stormwater runoff drains to waters that are impaired to develop a Flow Restoration Plan (FRP) for these waters.
- The purpose of the FRP is to identify stormwater BMP's (including retrofits to existing practices) that achieve established TMDL targets for Allen Brook.
- Williston has focused heavily on bringing expired stormwater permits into compliance. While these include a mix of commercial and residential, Williston has only offered incentives to residential neighborhoods.
- Williston must meet the requirements of the FRP by 2032.



# Residential Stormwater Systems with Expired Permits

- Residential Development from the 80's onwards is responsible for a significant amount of impervious cover.
- While developers would build and obtain permits for these systems, once the Home Owner Associations (HOA's) assumed responsibility maintenance rarely occurred.
- Following Allen Brooks impairment listing these systems found themselves in limbo, unable to obtain permitting compliance without updating the systems to current standards.



# Residential Expired Stormwater Permit Policy

- The Town of Williston decided that, in order to ensure long term maintenance of these stormwater systems, it would have to assume permitting and maintenance responsibility.
- In May of 2015 Williston enacted the [Residential Expired Stormwater Permit Policy](#) enabling the incorporation of these permits into our MS4 General Permit.
- In exchange for HOA's paying for the system upgrade to current standards, the town would then assume responsibility for them in perpetuity.

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# HOA Coordination

- A significant amount of staff time was required to educate HOA's on why they had to update their stormwater systems, the actual process of updating their systems, how to meet loan and grant requirements, and providing requisite legal documents.
- While the town requested a single point of contact many neighborhoods had multiple residents assisting with the process and some neighborhoods had their property management firms as the designated contact.
- HOA's also had resident turn over. In some cases the individuals spearheading the coordination with the town sold their homes or suffered health issues.



# Loan Incentive

- Eligible neighborhoods (single family residential in the Allen Brook FRP) can obtain a loan in accordance with the [Loan Policy](#) for the full cost of construction directly from the town.
- These loans are available for 20 year periods at an interest rate of 1.5%.
  - This was determined as the minimum interest rate that wouldn't otherwise result in the loan being a de facto grant to a private neighborhood.
- Loans are paid biannually following substantial completions of construction.
- The Town has the same enforcement and foreclosure rights under its loan agreement as would be available under a bank mortgage.

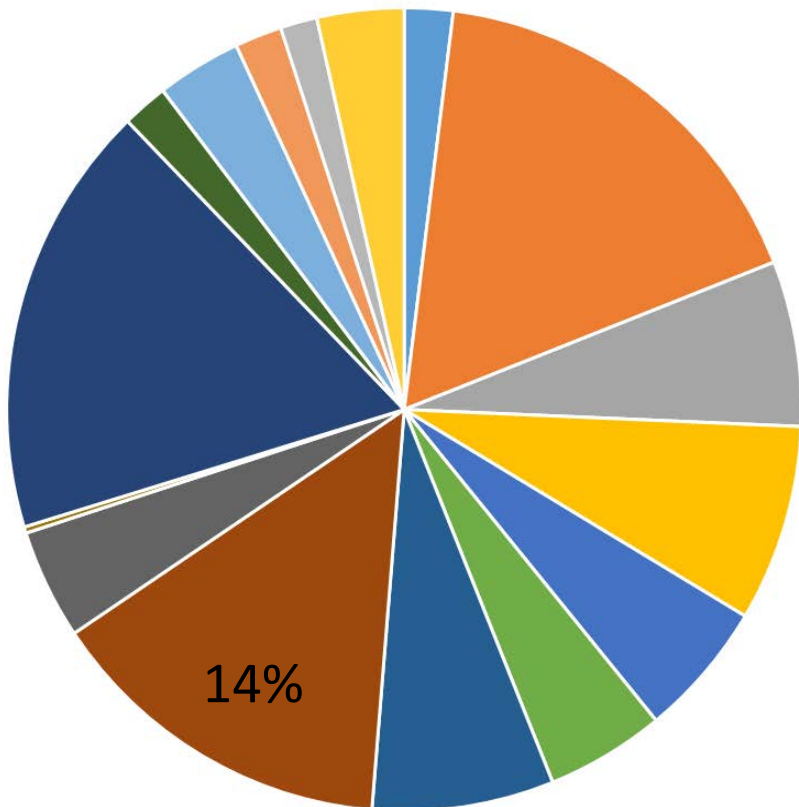


# Grant Incentive

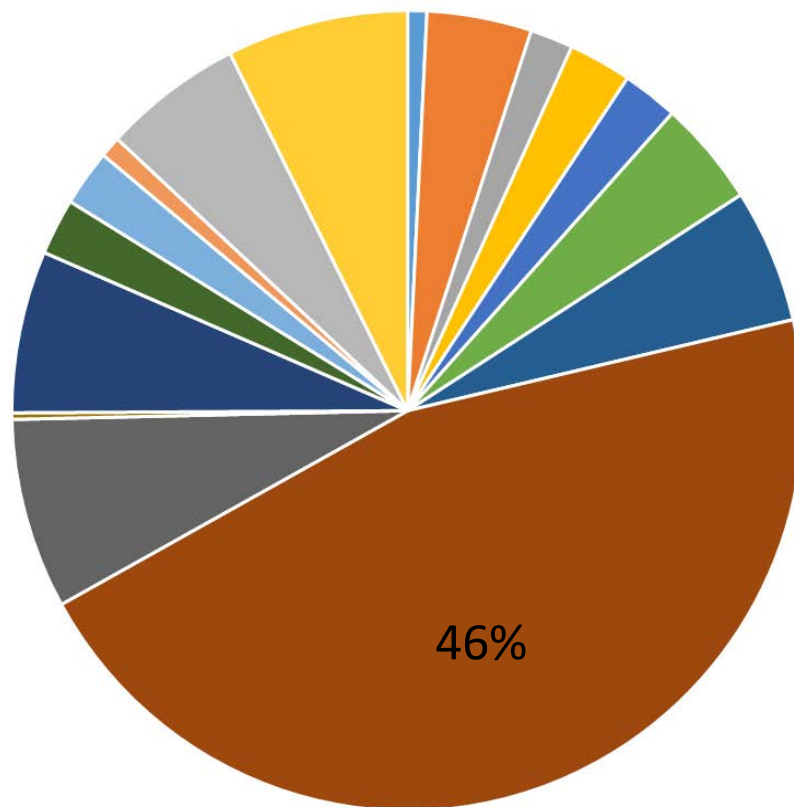
- Eligible neighborhoods can ask the town to write a grant on their behalf which, as a private neighborhood, they would be otherwise ineligible to apply.
- The [Grant Policy](#) was created as an equitable method to distribute grant funds obtained by the town for an individual neighborhood to all neighborhoods participating in the Allen Brook FRP.
- The Town considered three separate methods of determining the percent distribution to each neighborhood based on impervious acreage treated, construction cost, and a 50/50 average of the two.



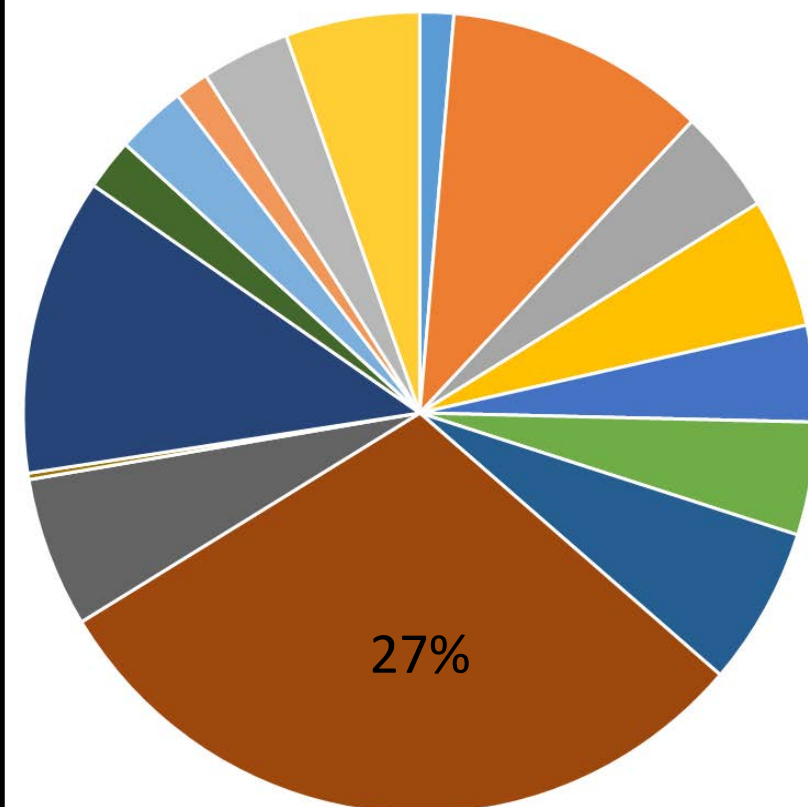
# Possible Grant Incentive Distributions by Neighborhood



**Impervious Cover Treated**



**Construction Cost**



**Impervious Treated -  
Construction Cost Average**

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# Grant Incentive

- **Once an upgraded stormwater system is formally incorporated into the town's MS4 permit through the Residential Expired Stormwater Permit Policy it is eligible for its percentage of all available grant funds.**
- **As grants are completed year to year more funds are available.**
- **These funds are distributed biannually to all eligible neighborhoods.**

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# Grant and Loan Incentives Summary

Neighborhood	Upgrade/ New Construction	Status	Grant	Loan
Allenbrook Meadows	1 bioretention system	Complete		
Brennan Woods	1 wetpond	Complete		
Coyote Run	2 wetponds	Pending		
Golf Links	2 wetponds	Complete	X	X
Heritage Meadows	1 wetpond	Complete		X
Indian Ridge	1 wetpond	Under Construction	X	
Meadow Run	1 grassed swale	Complete	X	
Forest Run	1 wetpond	Complete	X	X
Meadowridge	3 wetponds	Under Construction	X	X
Old Stage Estates	2 wetponds	Complete	X	X
Pinecrest Village	NA	NA		
Pleasant Acres	1 grassed swale	Complete		
South Ridge	4 wetponds	Complete	X	X
Taft Farms	1 wetpond	Under Construction	X	
Turtle Crossing	2 grassed swales	Pending		
Turtle Pond	1 wetpond	Complete		
Whitney Hill	1 wetpond	Pending		
Williston Commons	1 wetpond	Pending	X	X

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# Grant and Loan Incentives Summary

**Since 2015 Williston has obtained \$690,000 in grant funds (for total project costs of \$1,380,000), loaned approximately \$1,150,000 and brought 12 of 18 systems to substantial completion. It is anticipated that two more systems will be substantially complete by the end of 2019 resulting in 78% of residential projects completed in a 5 year timespan.**

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# Questions?

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# Resources

- **Town of Williston Stormwater Program Website**

- [https://www.town.williston.vt.us/index.asp?Type=B\\_BASIC&SEC={ACC6B21E-0FDB-497F-8A5A-62CDFF871272}](https://www.town.williston.vt.us/index.asp?Type=B_BASIC&SEC={ACC6B21E-0FDB-497F-8A5A-62CDFF871272})

- **Final Allen Brook Flow Restoration Plan (2016)**

- [https://www.town.williston.vt.us/vertical/Sites/%7BF506B13C-605B-4878-8062-87E5927E49F0%7D/uploads/2016\\_Report\\_Williston\\_FRP\\_Rev\\_2\\_04-11-17.pdf](https://www.town.williston.vt.us/vertical/Sites/%7BF506B13C-605B-4878-8062-87E5927E49F0%7D/uploads/2016_Report_Williston_FRP_Rev_2_04-11-17.pdf)

- **Residential Expired Stormwater Permit Policy**

- [http://www.town.williston.vt.us/vertical/sites/%7BF506B13C-605B-4878-8062-87E5927E49F0%7D/uploads/residential\\_expired\\_storm\\_permit\\_policy\\_060115.pdf](http://www.town.williston.vt.us/vertical/sites/%7BF506B13C-605B-4878-8062-87E5927E49F0%7D/uploads/residential_expired_storm_permit_policy_060115.pdf)

- **Stormwater Loan Policy**

- [https://www.town.williston.vt.us/vertical/Sites/%7BF506B13C-605B-4878-8062-87E5927E49F0%7D/uploads/Stormwater\\_loan\\_policy\\_signed\\_041718.pdf](https://www.town.williston.vt.us/vertical/Sites/%7BF506B13C-605B-4878-8062-87E5927E49F0%7D/uploads/Stormwater_loan_policy_signed_041718.pdf)

- **Neighborhood Stormwater Grant Policy**

- [https://www.town.williston.vt.us/vertical/Sites/%7BF506B13C-605B-4878-8062-87E5927E49F0%7D/uploads/Stormwater\\_Grant\\_Policy- Amended\\_9.18.18.pdf](https://www.town.williston.vt.us/vertical/Sites/%7BF506B13C-605B-4878-8062-87E5927E49F0%7D/uploads/Stormwater_Grant_Policy- Amended_9.18.18.pdf)

