

Kyle Dreyfuss-Wells
Manager of Watershed Programs
Northeast Ohio Regional Sewer District

Stormwater Management

An Emerging Field for NACWA
Developments, Successes and Next Steps



NACWA Includes Stormwater Agencies

- In 2009 NACWA amended its bylaws, opening membership to stormwater utilities.
- Benefits of NACWA membership include:
 - NACWA Stormwater Management Committee
 - Voting on association matters
 - NACWA communications and outreach materials, including Stormwater Advocacy Outlook and Flow Webinar Series
 - Advocacy on Executive, Legislative and Judicial matters affecting clean water and stormwater management agencies.
- NACWA working with stormwater agencies to identify emerging concerns and needed advocacy.



NACWA Stormwater Management Committee

- Following the update of our bylaws, NACWA formed the Stormwater Management Committee.
- The Committee focuses on stormwater management issues:
 - Federal and state stormwater regulations and legislation.
 - Legal cases and developments affecting stormwater agencies.
 - Best management practices, including green infrastructure.
 - Stormwater permitting concerns related to nutrients and other pollutants.
- In Fall 2009 the Committee began to solicit members. Today, the Committee enjoys 60 members from within NACWA.



EPA Begins Efforts to Create National Rule

- **EPA Information Collection Request:** In 2010, EPA issued an ICR on a proposed national stormwater rule. It is expected a draft rule will be released in 2011 with a final rule in 2012.
- **NACWA's Stormwater Management Committee Review and Comment:**
 - Municipal utility perspective on the proposed rule.
 - Committee filed two sets of comments.
 - Discuss the rulemaking with EPA and the National Homebuilders Association at our National Environmental Policy Forum in April.
- **NACWA's comment's**
 - Support for innovative approaches to stormwater management.
 - Need for sensitive to the financial, regulatory, and political realities facing stormwater utilities.

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Stormwater Problems are
Costly, Increasing, and
Require Watershed Solutions



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Innovative solutions such as Portland,
Oregon's require Coordination, Expertise,
and EPA Support

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Federal Government Pay Reasonable Local Stormwater Fees

- **Tax vs. Fee:** Federal agencies are refusing to pay stormwater fees on the premise these charges are a "tax" and not a fee.
- **Top of NACWA Agenda:** Must address issue that impacts stormwater programs nationwide and will grow exponentially in the coming years.
- **Letter to DOJ:** NACWA recently sent a letter to the U.S. Attorney General asking the Department of Justice to issue a legal determination that federal facilities pay stormwater fees.
- **Legislative Options:** Seeking legislative solution to confront this issue if efforts with the Department of Justice are unsuccessful.





*Keeping
members
informed of
stormwater
developments*

- NACWA began publishing *Stormwater Advocacy Outlook* electronic newsletter in 2009.
- Focuses on stormwater management developments and trends occurring on the state and federal level.
- Published 8 issues archived at the Stormwater Management section of our website under Operations and Wet Weather Issues.



NACWA Flow Series Web Seminars Highlighting Wet Weather Challenges

- Information on current and emerging challenges and best practices in stormwater management.
- 2010 Flow Series Web Seminars...
 - *Stormwater Management: What Really Works*, January
 - *Climate Change: It's All About Water*, March
 - *Water Quality: The True Impact of Stormwater Runoff*, June
 - *Green Infrastructure: What's Legal*, September 8, 2010
- To learn more about the Flow Series please visit the Conferences and Professional Development section of our webpage.




