

## Regional News

### FLORIDA

Florida Department of Environmental Protection ([www.florida.dep.org](http://www.florida.dep.org)) expects to be identified by the U.S. EPA as the State's NPDES permitting authority in October 2000, with most Florida Phase I municipalities already considered to be in substantial compliance with their permit conditions. In October 2000, FDEP will begin rule-making procedures regarding the Phase II Stormwater Program. The agency encourages municipalities affected under the Phase II Stormwater Program to begin now to proactively prepare a Stormwater Management Plan that adequately addresses the six program areas of the Phase II NPDES Stormwater Program permit.

### MARYLAND

The Maryland Department of Environment ([www.mde.state.md.us](http://www.mde.state.md.us)) has completed the 2000 Maryland Stormwater Design Manual, Volumes I & II and published the revised Code of Maryland Regulations (COMAR 26.17.02). The electronic version of the Design Manual is currently under construction and will be posted on the web site of the Office of the Secretary of State, Division of State Documents ([www.sos.state.md.us/sos/dsd/html/stdocs.html](http://www.sos.state.md.us/sos/dsd/html/stdocs.html)).

### CALIFORNIA

One of the minimum control measures for the new Phase II stormwater regulation is to develop post-construction best management practices for new construction and redevelopment. The Los Angeles Regional Water Quality Control Board has taken a first step toward implementing this control measure through Standard Urban Storm Water Mitigation Plans (SUSMP), which would require treatment of the first 0.75 inches of storm water runoff for new projects and redevelopment over certain size criteria. Currently, the measure is under appeal before the State Water Resources Control Board (<http://www.swrcb.ca.gov>) with a final decision expected within the next month. The San Diego RWQCB has a similar measure that will be included in the new Municipal Stormwater Permit once a final decision is made by the State.

## Advice from an Expert: W.L. "Chip" Hatcher, PE



*After 30 years in the public sector including 14 years as Stormwater Manager for Tampa, Florida and two years as Director of Engineering for the City of Columbus, Georgia, Chip is now serving as a Stormwater Consultant for LawGibb Group. He assisted the U.S. EPA in drafting and modifying the regulations for both the Stormwater Phase I and Phase II Rules.*

### What will be the greatest challenge(s) for the smaller municipalities and other entities subject to the new Phase II regulations, in achieving compliance?

Foremost will be building public support via elected officials, citizens and businesses. The first step would be to define target audiences who are both internal and external "stakeholders" in the issue. Focus on getting the stakeholders to buy into the idea that this is good for their community in the long term, and not just that the federal government is requiring this program. Develop a community "vision" for the success of stormwater initiatives.

### How will municipalities and other entities actually benefit from the Phase II regulations?

First, it will help them reflect on their current operations, and what they are already doing that promotes good stormwater management. Second, by quantifying their plans they can go to the community for ideas and concurrence on new programs such as street sweepers, inlet cleaning, sediment in lakes and ponds, fall leaf pickup programs, park and lake enhancements, and determining funding sources.

### When do they need to begin work on their plans for compliance? What should they be doing now?

They should begin now to inventory their in-house programs, and to appoint facilitators from local / state agencies and local consultants. They may find that they are already doing a lot of good things that will qualify as meeting permit requirements. March 2003 will be here before they know it. Communities within larger counties should look to partner on the permit process. Stormwater is best handled by a watershed basin program. In this manner, all individual groups, industries, and businesses that impact and/or benefit from the watershed are included as one entity.

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## Looking Ahead

The U.S. EPA has issued the following approximate implementation schedule for the Phase II Rule ([www.epa.gov/owm/sw/](http://www.epa.gov/owm/sw/)). Specific compliance dates will be established by individual NPDES permitting authorities throughout the country, as they modify their own affected regulations and issue general permits.

**October 2000** (1 year from the date of signature on the final rule): EPA is obligated to issue a menu of recommended BMPs for regulated small MS4s.

**October 2001** (1 year after the issuance of the menu of BMPs): EPA is obligated to issue guidance on the development of measurable goals for regulated small MS4s.

**December 8, 2002** (3 years from the date of publication of the final rule): The NPDES permitting authorities are required to issue general permits for Phase II regulated small MS4s and small (less than 5 acre) construction activity.

**March 10, 2003** (3 years and 90 days from the date of publication of the final rule, or by the time specified in the permit): Operators of Phase II regulated small MS4s and small construction activity are required to obtain permit coverage.

**By the end of their first permit terms (typically 5 years)**, operators of regulated small MS4s would have to fully implement their stormwater management programs.



In an ongoing project for Caltrans, LawGibb is conducting groundbreaking research into the effectiveness of biofilter and infiltration gallery techniques.

## LawGibb to Perform Stormwater Monitoring and Research for Caltrans

LAWGIBB Group was recently awarded a three-year contract to perform on-call stormwater monitoring and research for the California Department of Transportation (Caltrans). The project team is conducting a broad range of services including field monitoring of stormwater at Caltrans sites statewide; research and pilot studies to evaluate stormwater best management practices; and development and updating of the Caltrans Three-Year Action Plan.

Caltrans has a comprehensive and coordinated statewide Stormwater Management Program focused on preserving and improving the quality of water in California by preventing adverse effects of stormwater runoff from the agency's roadways and facilities. LAWGIBB has worked extensively with Caltrans on stormwater issues in the past, in a subcontractor capacity. "Winning this contract is extremely significant to LAWGIBB as it elevates us as a leader in stormwater monitoring and research", said Steve Brinigar, San Diego Office Manager. "It puts us at the forefront of an emerging market and validates our credibility as experts in stormwater treatment technology."

## About LawGibb Group

### (Law Engineering and Environmental Services, Inc.)

We are a full-service engineering and environmental consulting firm with 100 offices in 36 countries, including 60 locations in the U.S. and its territories alone.

Our comprehensive services are grouped into six major areas:

*Water Resources*

*Environmental Consulting*

*Engineered Construction*

*Facilities Engineering*

*Industrial*

*Transportation*

## Stormwater Management Services

- Development of an individually tailored Stormwater Management Plan
- Development and implementation of comprehensive Illicit Discharge and Elimination Program
- Comprehensive library / database of public education and outreach materials and Pollution Prevention / Good Housekeeping program materials
- Post construction run-off control strategies for diverse development types
- Collection of existing stormwater system attributes for use in stormwater modeling, if required
- Development of corrective action / implementation program
- Completion and application for the NPDES permit for the municipality, including updates and renewals
- Creation of funding / financial mechanism
- Provision of long-term program management and maintenance through a GIS system administrator

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## How much can a municipality / public agency expect to spend to achieve compliance? Are there any industry averages or budgetary benchmarks used to determine approximate costs?

The American Public Works Association has published data collected from EPA based on a survey of 21 Phase I communities. Spending for the First Permit Cycle (first 5 years) ranged from \$1.40 to \$7.83 per capita; Second & Third Cycle (5 to 15 years) spending was \$1.28 to \$6.71 per capita. These estimates could vary because the sample was for larger Phase I communities. Expenditures may be on the high side if their inventory and local maps are minimal, but costs could be reduced if communities can team up with adjacent counties or cities.

## What is happening in the cities where you've worked, and when did they start?

Both Tampa and Columbus, where I worked extensively on the NPDES permit requirement, were Phase I cities. Both cities received their permits over five years ago and are now into the second 5-year cycle. Some larger cities like Tampa, Louisville, Portland, Cincinnati, and Tulsa have been practicing good stormwater management for several years. Even Billings, Montana (population 68,000), where I served as City Engineer for five years, has had a stormwater program and a stormwater fee that dates back to 1963.

Georgia is drafting a proposed statewide stormwater manual combining 1) policy; 2)

design; and 3) BMP standards via the Atlanta Regional Commission, of which I am a Technical Committee member, with final development targeted for March 2001. Georgia and other states will be mandating new soil and erosion control measures on all construction activity. Georgia and many other states already are regulating construction activity on sites five acres or larger; communities subject to Phase I and II rules will now be required by state NPDES permit requirements to regulate sites one acre and larger.

## Why should impacted parties engage the services of a professional consulting firm, and what qualifications should they look for when choosing a consultant?

Local communities should look to consultants to first help them step back and review what they are currently doing, then to determine what else they need to do (develop an Action Plan). Professional assistance is needed in facilitating a vision for the community that includes Stormwater. They should look for firms that have expertise in water resources, mapping, water quality testing, facility management, and financial assessment.

## Why did you decide to go into consulting yourself?

I was trained in the public sector for 30 years, and strongly believe that my background has prepared me to help small communities spend the proper amount on this program. I want to help them avoid wasting scarce revenues.