

Update on EPA's Stormwater Rulemaking

EPA's Stormwater Rule

- Primary focus is to protect water bodies from construction discharges from developed areas
- Rule may establish a volume retention standard; permitting authorities may impose additional requirements on dischargers, if needed, to meet wasteload allocations in a TMDL
- Other actions are being developed to protect water bodies from discharges during the active construction phase
 - Construction and Development Effluent Guidelines
 - Construction General Permit

Stormwater is a leading source of water quality impairment

- Urban stormwater is a leading source of water quality impairment
 - 22,559 miles of impaired rivers and streams
 - 701,024 acres of impaired lakes
 - 867 square miles of impaired estuaries
- Fast growing water quality concern
 - 800,000 acres being developed every year
 - growing to ~2.1 million acres by 2039
 - Rate of development is > 2x rate of population growth
- Development increases the amount of impervious cover in the landscape
 - Currently 100 million acres developed;
 - Discharge from 1 acre of impervious cover is equivalent to 100 acres of forested land
- Small increase in impervious cover has large impacts
 - Watersheds with <1-2% of impervious cover have good water quality
 - Watersheds with >5-15% of impervious cover have degraded water quality; loss of function; Loss of habitat

Sto

- Stormwater Pollution
 - Cause beach closures through bacterial contamination
 - Impact fisheries and wildlife
 - Sedimentation (smothering)
 - Nutrients (eutrophication)
 - Metals (poisonous)
 - Temperature (affects oxygen levels)
 - Increase the costs of water treatment
- Hydrologic Impacts
 - Causes flooding, sea level rise
 - Reduces groundwater baseflows to become saltwater

Smarter Stormwater

Traditional approach

- Convey stormwater quickly from site to waterbody or detention ponds
- Manage peak flows for flood control, drainage and large scale downstream erosion.

New approach

- View stormwater as a resource
- Slow down the flow, allow to infiltrate
- Reduces pollutant loads to waterbodies
- Obtain multiple community benefits

- Section
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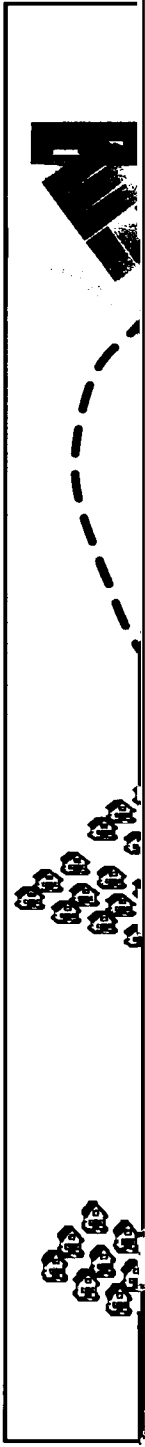
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- Section
 - Corporate
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quality

- Phase I –
 - Regulate
acres or
 - Establish
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 - Encomp

- Phase II –
 - Regulate
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 - Urbanize
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3. Extenc

Element

- Considerations
 - Types of sites: re
 - Recognize state regionally/muni
- Discharges from N
 - Standard may re
 - Rule could allow
 - Standard would onsite could be release
 - Site constraints
- Recommend Lowe
 - Recognize site c
 - Encourage rede
 - Provide incentiv

- Considerations
 - Create a
 - Protect upstream
- Where to
 - Nationv
 - Combin
 - MS4s of
- Size thres
 - Current

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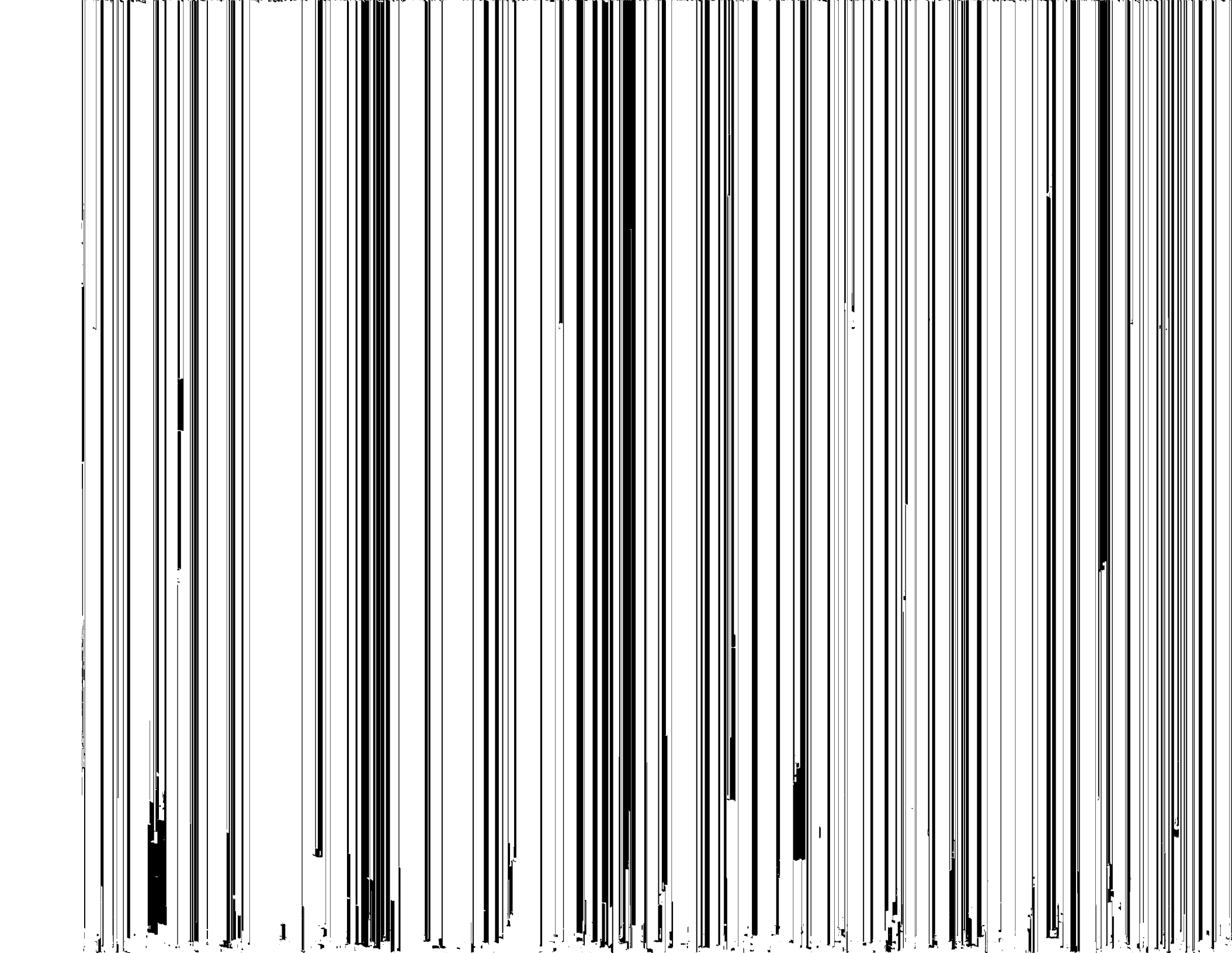
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Element Protection

- Considerations
 - Helps ensure standard
 - Reduces need for exper
 - Builds on existing fram
must oversee directly)
 - Implements 6 minimum
- Options
 1. No change –Urbanized
 2. Jurisdiction boundaries
boundary
 3. Urbanized clusters as d
–Reaches unregulated
 4. Small watershed which
–Reaches areas of high
–Promotes watershed
 5. Combination of 3 and
 6. Principal Arterial Roads

Considerat

- How to phase in requiremer
 - Effective date
 - Time needed to change codes
- Size threshold for newly regi
- Size threshold for MS4s to d

Rulemaking Schedule

- 9/30/11 – Proposal Signed
- 11/19/12 – Final Action

