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March 30, 2017

Ms. Jamie Piziali
Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460
Submitted Via email: piziali.jamie@epa.gov

Re: Comments on EPA's Draft *Community Solutions for Stormwater Management: A Guide for Voluntary Long-Term Planning*.

Dear Ms. Piziali:

The National Association of Clean Water Agencies (NACWA) appreciates this opportunity to comment on the draft *Community Solutions for Stormwater Management: A Guide for Voluntary Long-Term Planning* (hereinafter *Guide*) published in October 2016.

As the leading national advocacy organization for municipal stormwater and clean water utilities, NACWA appreciates the effort EPA has taken in drafting the *Guide*, developing the integrated online tool, and providing federal stormwater expertise to the five pilot communities. NACWA would like to provide some general thoughts and specific comments on the *Guide* as EPA moves forward with revising and finalizing the draft. We thank EPA for its consideration of these comments, and we look forward to continued work with the Agency on this important effort.

EPA's approach with the *Guide* is a practical first step toward enhancing utility implementation of long-term stormwater planning. It is also a welcomed acknowledgement by EPA that many communities will need an extended period of time to successfully address urban stormwater issues and an important step in helping utilities and communities collectively understand how stormwater management issues can be included within a larger integrated planning approach.

NACWA member communities are increasingly interested in developing short-term and long-term stormwater management plans, investing in green infrastructure, and ultimately reducing pollution caused by stormwater runoff. Many communities across the country, however, are only now beginning to understand the full scope of the stormwater issue and what it takes to manage wet weather issues. In addition, the concept of integrated planning is still a relatively novel idea and many communities often lack the resources, information, and necessary expertise to even begin collecting municipal asset data, let alone start analyzing local data for long-term stormwater planning initiatives. Given the basic understanding of stormwater

coupled with a lack of resource capacity, NACWA believes that EPA's *Guide* is a helpful start for communities looking to address stormwater planning, but we suggest EPA revise the *Guide* to include more comprehensive information and solutions on local stormwater planning obstacles.

Draft *Guide* is a Good Start, More Information and Tools Needed

EPA's draft *Guide* recognizes that "identifying planning and management approaches that are economically and environmentally effective [are] a significant hurdle for many communities," but it fails to adequately address the complexities of integrated planning and asset management that communities often encounter. NACWA encourages EPA to work with states and municipalities to help develop holistic tools that reflect successful integrated planning and asset management techniques at the local level. These tools would help communities balance both regulatory and societal demands (e.g., drinking water, wastewater, recreation, wet weather events) against the demands of other municipal responsibilities that are more local in nature (e.g., public schools, police, roads, and emergency services). In short, it would be helpful if the *Guide* as well as any subsequent documents directly related with integrated planning be woven together to help make the stormwater-integrated planning connection more useful for municipalities.

Some communities are in their infancy in developing stormwater management policies and have not collected stormwater data or defined their short-term or long-term planning goals. Again, NACWA encourages EPA to work with communities to develop the necessary tools to address these fundamental demands. This information should be made available in the *Guide* and/or published online with the integrated online tool.

Draft *Guide* Could Be Interpreted as Attempt to Regulate by Guidance

NACWA understands that the *Guide* is intended to be voluntary and to assist or guide states and local governments in developing new or improve existing long-term stormwater plans and management programs. Several NACWA members, however, have expressed concern that the planning components of the *Guide* may be used to influence or be incorporated into future Clean Water Act permits. States could adopt the language from this broad, national guidance document when writing future permits. Therefore, EPA should make it clear to states and local communities that developing a long-term stormwater plan is entirely voluntary, and that this guidance document does not serve as a basis for integrating comprehensive long-term stormwater planning into future permits.

Community Scale is Unclear

EPA should clarify how and why it selected the five pilot communities in developing the *Guide* and integrated online tool. Each of the selected communities, except for Santa Fe, New Mexico, are similar in population density. Although the pilot communities represent the uniqueness in stormwater management with respect to regionality and climate, the current draft *Guide* does not include information on how communities with larger or smaller populations than the five pilot communities can scale the information up or down to apply to their stormwater planning. EPA should clarify the issues surrounding scale and make clear how municipalities with varying populations could adapt the pilot community initiatives to their own stormwater planning efforts.

EPA Should Include Other Environmental Statutes and Regulations

Regional and stormwater utility members have expressed concerns with the *Guide* and how the long-term solutions comply with other federal statutes or agencies (e.g., Endangered Species Act and Federal Emergency Management Agency). EPA should include information within the *Guide* on how municipalities are to develop a long-term plan for stormwater management against the backdrop of other relevant laws and regulations.

NACWA Comment on Stormwater Long-Term Planning Guide

March 30, 2017

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Thank you for your consideration of these comments. Please contact me by phone at 202/533-1839 or by email at eremmel@nacwa.org with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Rimmel". The signature is fluid and cursive, with a large loop at the end.

Emily Rimmel
Director, Regulatory Affairs