

GCSA News Bulletin – January 2014

INCOG NOTE: The following items have been collected from recent emails and announcements with changes to format, not content. Some have been abbreviated or images removed.

1. EPA's 2014 MS4 Stormwater Conference in Fort Worth, Texas (item repeat)

Dates for next year's conference are July 27 to August 1, 2014. EPA has an updated website for the conference: <http://epa.gov/region6/water/npdes/sw/ms4/2014conference/index.html> . Another website link to the conference is: www.scieca.org. Future conference locations being considered are Northwest Arkansas in 2015, and Oklahoma City in 2016. However, Waco and South Padre Island are also showing interest for future venues. Conference organizers are actively soliciting for presentations, so if you want to be a speaker, please submit your request now by following the instructions at the links provided above. Registration will likely be around \$300, probably with an Early Bird discount, and perhaps a discount for speakers.



2. LID Design Competition Still Needs Promotion (item updated)

INCOG NOTE: The following was received from the LID Design Competition Committee members to further promote the competition and event:

There is still time to enter the [Low Impact Development \(LID\) Design Competition](#) hosted by the Green Country Sustainability Forum!

Please see the "Competition Info Page" [accompanying this GCSA News Bulletin] for links to the competition website and information. *Your team must register by February 14th!* Even if you were not at the kick-off event, it's not too late to enter! This is your chance to win up to **\$10,000**, market your skills to other professionals, be a leader in the industry, and gain hands on experience! Don't let this opportunity pass you by!!

Thanks!
Jason Vogel

The Tulsa area LID Design Competition is well underway. Several design teams are being formed, so at this point what is needed most by GCSA members is to "talk this up" to those whom you know and work with that may be interested in forming or participating in a Design Team. There are \$10,000 cash prizes for the winners of each of three design categories which should entice participation.

Please direct inquiries to the lid website link below and contact Dr. Vogel at OSU jason.vogel@okstate.edu for more information about participating in the design teams, and for attending the April 3rd LID Symposium at the Hard Rock Casino next Spring.

The sites have been chosen!

1. Mixed Use Development – Elm Ridge in Broken Arrow (Lindsay Development)
2. Commercial Green Street – 6th Street in the Pearl District from Peoria to Rockford (City of Tulsa, Engineering Services)
3. Urban Residential Redevelopment – Barnard Trace, former Tulsa Elementary School (Phil Marshall Properties & Lindsay Development)

For more information about the sites, click here:

<http://lidcompetition.okstate.edu/design-competition-sites>

For information on forming a Design Team, general rules and competition updates, click here:

<http://lidcompetition.okstate.edu/>

April 3, 2014 will host the LID Symposium at the Hard Rock Conference Center. Formal presentations by all contestants will be given during the Symposium, and the competition winners will be announced that evening.

What can GCSA Members do to help promote the competition?

The registration period for all Design Teams is November 14 to February 14, with deadline for final submission of all design contest materials by February 28th, so it is very important that everyone interested in LID promote this and encourage formation of and participation in Design Teams. **How?** Forward this News Bulletin item and other notifications you receive to your city's planning staff, economic development staff and public works / engineering staff, and ask them to communicate with their contacts about the contest. Also forward the information to your own contacts in the private sector who represent firms that do land planning, landscape architecture, urban engineering design, etc. Contact those firms who can participate in or perhaps form a Design Team for the competition.

GCSA members will receive the greatest benefit from this competition if we have maximum participation from the planning and design community within the Tulsa area. So the more this gets promoted, the greater will be our benefits.

Why is the LID Design Competition Important to GCSA? Once OKR04 is finalized within a few months, there will be new requirements for permittees to promote and do education and outreach about LID to builders, developers and the community at large. We are fortunate to have this competition in the Tulsa area at just the right time. This one event encompasses general awareness about LID, provides detailed project development specification data about area projects, will likely lead to actual installation of LID in at least one of the projects in the near future, and will provide competent data that compares LID cost savings and benefits over

standard development designs that lack LID. And the coupling of the design competition to a 1-day formal LID Symposium will attract parties of interest from several regional states to see how LID is growing and benefiting the Tulsa area.

So please take a little time to forward information about the contest to your internal technical, planning and economic development staff as well as your contacts in the private sector involved in project planning and design.

3. Missouri Supreme Court Rules Against St Louis Stormwater Fee



December 20, 2013

[Courts Strike Down Stormwater Fees](#)

In mid-November, the Missouri Supreme Court ruled that the St. Louis Metropolitan Sewer District (MSD) stormwater fee is actually a tax, which violates the state's constitution because it was established without voter approval.

The [court opinion states](#), "A tax by any other name remains a tax. It cannot be transformed into a user fee by adept packaging any more than a zoologist can transform a horse into a zebra with a bucket of paint. Here, no matter how many stripes MSD paints on it, the stormwater user charge is not a user fee."

The stormwater fee, based on impervious surface area and established in 2008, was intended to help the sewer district raise nearly \$60 million per year to address stormwater budget shortfalls.

There have been a number of court cases on stormwater fees in recent years. In another case, decided in September, an [Ohio appeals court struck down](#) the Northeast Ohio Regional Sewer District's stormwater fee, ruling that the sewer district did not have the authority to enact a regional stormwater management program or fee. The Northeast Ohio Regional Sewer District is currently obligated to a \$3 billion combined sewer overflow (CSO) long-term control plan, Project Clean Lake. The decision hinders the ability of wastewater utilities to address CSOs and is impactful because it could serve as a legal precedent outside of Ohio.

The National Association of Clean Water Agencies (NACWA) and the Association of Ohio Metropolitan Wastewater Agencies [filed an amicus brief](#) in the Ohio Supreme Court to appeal the ruling.

4. Idaho Supreme Court Rules Against Lewiston Stormwater Fee



December 5, 2011

[Idaho Supreme Court Rules Stormwater Fee Unconstitutional](#)

In early November, the Idaho Supreme Court ruled the city of Lewiston's stormwater fee unconstitutional because it qualified as a hidden tax, as it was not previously authorized by the Idaho legislature. The fee — levied in 2008 — was based on impervious surface area. However in 2009, a local state college, port, school district, irrigation district, and Nez Perce County [filed a lawsuit](#) against Lewiston. In Idaho, local governments cannot tax one another, so by classifying the stormwater fee as a tax, the plaintiffs would not have to pay.

The ruling was made in part because the Idaho Supreme Court classified the fee as revenue-generating and because the city charged property owners regardless of whether they used the stormwater system.

5. Free Webcast on Green Infrastructure and Healthy Watersheds – Jan. 14th

Webcast on Jan. 14 on Healthy Watersheds Program Example of Planning for Green Infrastructure at the Landscape Scale in New York State

Register for the Webcast at www.epa.gov/watershedwebcasts.

Join us for a webcast sponsored by EPA's Healthy Watersheds Program and the Watershed Academy on Jan. 14 from 1:00 pm to 3:00 pm Eastern on planning for green infrastructure (GI) at the landscape scale, highlighting New York State's new GI planning guide. *Green infrastructure* in the context of landscapes is the interconnected natural systems and ecological processes that provide clean water, clean air, and critical wildlife habitat. This webcast will help states and local governments understand the importance of planning to protect GI landscapes by using a strategic landscape approach to open-space conservation. By using this approach, local communities, landowners, and organizations work together to identify, design, and conserve their local land network and the multiple ecological and economic benefits it provides. A GI plan entails assessing an area's existing natural assets to determine the greatest priorities for protection and restoration, along with implementation strategies. GI plays a critical role in the protection of healthy watersheds and the ecosystem services they support.

This three part webcast will introduce a landscape scale approach toward GI planning and provide a planning example conducted at the county level. The first part of the webcast will highlight why New York State sought to develop a GI plan and how they went about it. The second part of the webcast will introduce the multiple benefits of GI and GI planning as a key tool to ensure that land use conservation decisions are made using the best available data and objective information. The webcast will conclude with a case study of GI planning in Ulster County New York. This example will highlight the various steps of GI planning and demonstrate how GI maps are created and evaluated. The case study will provide a planning model that may be replicated at other counties across New York and nationwide.

Anne Weinberg
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U.S. Environmental Protection Agency

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6. Free EPA Webcast on Faster-Cheaper-Greener – January 13th

USEPA's Faster-Cheaper-Greener Webcast Series is pleased to announce its next event on January 13, 2014

Building Green Infrastructure, Jobs, and Wealth: The Prince George's County, Maryland Urban Stormwater Retrofit Public Private Partnership (P3) Model

Monday, January 13, 2014
1:00pm - 3:00pm Eastern Time

Registration Open Now!

<http://mp118885.cdn.mediaplatform.com/118885/ml/mp/4000/5345/5417/32006/Lobby/default.htm> [EXIT Disclaimer](#)

Speakers:

- Dominique Lueckenhoff, Deputy Director, Water Protection Division, USEPA Region 3
- Adam Ortiz, Director, Department of Environmental Resources, Prince George's County, Maryland
- Roland Jones, Executive Director, Supplier Development and Diversity Division, Prince George's County, Maryland
- Larry Coffman, Deputy Director, Department of Environmental Resources, Prince George's County, Maryland

This session will feature the innovative Prince George's County, Maryland Demonstration Pilot Program which illustrates key steps you need to set up and implement a successful community-based Public Private Partnership (P3) for a green infrastructure-driven urban stormwater retrofit

program. Presentations will describe the process for pulling together the needed expertise - from RFQ to implementation.

This webcast is targeted to professionals interested in innovative financing of urban stormwater retrofits, green jobs, sustainable redevelopment, and green infrastructure for addressing MS4, TMDL, and other requirements and needs.

There will be 2.0 Professional Development Hours (PDHs) offered for this webcast - the certificate will be sent via email after the event. Please check with your state accreditation agency to determine if you qualify. Questions about PDHs should be sent to webcasts@wef.org (webcasts@wef.org).

7. Webinar on Permeable Pavement Infrastructure – February 3rd

The New Permeable Pavement Infrastructure Webinar
Case Studies & Technical Resources
February 3, 2014, 2:00pm – 3:30pm EST

Click the link for more information:

<http://www.multibriefs.com/briefs/icpi/PermeablepavementFINAL.pdf>

Jason R. Vogel, Ph.D., P.E.

8. Possible Future OSU CLEET Training For Stormwater Inspectors

INCOG NOTE: You recall that in 2013 INCOG assisted OSU with sponsoring and providing Council on Law Enforcement Education and Training (CLEET) employee training that included topics on conducting stormwater inspections. Those GCSA members who attended were enthusiastic about receiving this added dimension of information about conducting inspections and enforcement. OSU is planning more Environmental Law Enforcement Training (ELET) events as well as a Pilot ELET Conference in 2014. This will be a great opportunity for all GCSA members involved with inspections and enforcement of local stormwater codes to learn about the different local and state laws and codes that apply to enforcement, and how your tasks must interface with local law enforcement and courts. More information about these training opportunities will be forthcoming.

9. Lorman Stormwater Seminar March 7, 2014 in Oklahoma City (repeat)

Richard Smith with INCOG will moderate and be a speaker at the March 7, 2014 “Current Issues In Stormwater Regulation In Oklahoma” seminar sponsored by Lorman Education Services. The seminar brochure will accompany this News Bulletin. Special guests of INCOG’s Green Country

Stormwater Alliance (GCSA) and associates are eligible for a 50% discount off the registration fee by using the discount code presented below. Additionally, you can take advantage of receiving \$100 off when registering two or more attendees from your city or company for this program. When registering, use the following information to receive the discount, and follow registration instructions in the seminar brochure that will accompany this announcement:

Current Issues in Storm Water Regulation in Oklahoma

March 07, 2014

Oklahoma City, OK

Holiday Inn Hotel & Suites Oklahoma City Airport, 4401 Southwest 15th

Please see the accompanying brochure for more details.

Register online: <http://www.lorman.com/392491>

Call: 866-352-9539

Discount code: **K2443788**

Priority code: **15999**

10. Half-Moon Stormwater Seminar February 4, 2014 in Oklahoma City (updated)

Half-Moon Education, Inc. will host a one-day stormwater seminar on February 4, 2014 at the Marriott Hotel in Oklahoma City, "Oklahoma Stormwater Management 2014" that will target engineers, architects, landscape architects, stormwater permittees and contractors. Richard Smith of INCOG will give the first presentation on understanding stormwater permit requirements and procedures. Registration information and the full agenda is in the Half-Moon brochure accompanying this News Bulletin. The agenda's main topics are:

1. Understanding Oklahoma Stormwater Permit Requirements and Procedures
2. Developing Stormwater Pollution Prevention Plans (SWPPP)
3. Choosing Appropriate Storm Water Best Management Practices (BMPs)
4. Developing Plans for Inspection, Monitoring, and Recordkeeping

To register by phone, call the Half-Moon Customer Service reps at 715-835-5900. For questions about the seminar, contact:

Ryan Bartholomew

Seminar Planner

Phone: (715) 835-5900 x 2035

www.halfmoonseminars.com