

New Federal Statute Creates Opportunities Through Integrated Planning

Parma Water Summit
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The Water Infrastructure Improvement Act

Municipal Integrated Planning
was always a good concept.

NOW IT IS THE LAW.



The Water Infrastructure Improvement Act

- Adds new Section 402(s) to the Clean Water Act, 33 USC 1342(s), which incorporates US EPA's 2012 Integrated Planning Framework document into law.
- Enables a local government to identify the most important issues on which it will spend its limited public dollars, and to maximize those expenditures by integrating with other municipal programs.
- Allows a local government to incorporate its Integrated Plan into NPDES permits rather than be subjected to a federal consent decree.
- Establishes an office of Municipal Ombudsman to help EPA implement this framework and to assist local governments with Clean Water compliance.



Integrating Municipal Stormwater & Wastewater Planning



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN -5 2012

MEMORANDUM

SUBJECT: Integrated Municipal Stormwater and Wastewater Planning Approach Framework

FROM: Nancy Stoner 
Acting Assistant Administrator
Office of Water

Cynthia Giles 
Assistant Administrator
Office of Enforcement and Compliance Assurance

TO: EPA Regional Administrators
Regional Permit and Enforcement Division Directors

In recent years, EPA has increasingly embraced integrated planning approaches to municipal wastewater and stormwater management. EPA further committed to work with states and communities to implement and utilize these approaches in its October 27, 2011 memorandum "Achieving Water Quality Through Municipal Stormwater and Wastewater Plans." Integrated planning will assist municipalities on their critical paths to achieving the human health and water quality objectives of the Clean Water Act by identifying efficiencies in implementing requirements that arise from distinct wastewater and stormwater programs, including how to best prioritize capital investments. Integrated planning can also facilitate the use of sustainable and comprehensive solutions, including green infrastructure, that protect human health, improve water quality, manage stormwater as a resource, and support other economic benefits and quality of life attributes that enhance the vitality of communities.

To provide further guidance on developing and implementing effective integrated plans under this approach, we have developed, with extensive public input, the attached Integrated Municipal Stormwater and Wastewater Planning Approach Framework document. We are posting the framework document on our website and, as they become available, will provide practical examples of how municipalities are implementing this approach. We would like to thank Regions 2, 4, 5, 7 and 10 for their assistance in conducting public workshops to gain input on the draft framework. We encourage all Regions to work with their States to identify

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MEMORANDUM

NOV 24 2014

SUBJECT: Financial Capability Assessment Framework for Municipal Clean Water Act Requirements

FROM: Ken Kopocis *Keneth Kopocis*
Deputy Assistant Administrator
Office of Water (OW)

Cynthia Giles *Cynthia Giles*
Assistant Administrator
Office of Enforcement and Compliance Assurance (OECA)

TO: Regional Administrators
Regional Water Division Directors
Regional Enforcement Division Directors

In May of 2012, we distributed the Integrated Municipal Stormwater and Wastewater Planning Approach Framework (Integrated Planning Framework). Since that time, we have made solid progress in promoting integrated approaches to meet Clean Water Act (CWA) obligations. Thanks to the hard work of regional and headquarters staff, and the active engagement of cities, many of our enforcement settlements now embody integrated planning principles in the structure and schedule for injunctive relief or explicitly include integrated planning as part of the settlement. We have also seen an increasing number of municipalities and local authorities moving towards developing integrated plans to support the development of their NPDES permits. We have been working with EPA Regions and States to assist in that process.

As the implementation of the Integrated Planning Framework has progressed and evolved, we have been actively engaged with stakeholders on ways to build on our efforts. Those discussions found a natural focus on issues related to the financial capability of permittees working toward our shared goals of clean water. One consistent theme that emerged was the benefit of more clearly articulating the flexibility available under the existing guidance. EPA continues to be guided by the 1997 *Combined Sewer Overflows – Guidance for Financial Capability Assessment

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[M]any state and local government partners find themselves facing difficult economic challenges with limited resources and financial capability. [EPA] recognize[s] these challenging conditions and are working with states and local governments to develop and implement new approaches that will achieve water quality goals at lower costs and in a manner that addresses the most pressing problems first.

Integrated Planning Principles

1. Maintain existing regulatory standards that protect public health and water quality.
2. Allow a municipality to balance CWA requirements in a manner that addresses the most pressing public health and environmental protection issues first.
3. Responsibility to develop an integrated plan rests with the municipality.
4. Innovative technologies, including GI, are important tools that can generate many benefits, and may be fundamental aspects of integrated solutions.

Elements of an Integrated Plan



Element 1

A description of water quality, human health and regulatory issues to be addressed in the plan.

Element 2

A description of existing wastewater and stormwater systems under consideration and summary of information describing current performance.



CLEAN WATER ACT
INTEGRATED PLANNING
PHASE 1 REPORT

MAY 2018

http://cityofparma-oh.gov/pdf_Parma/en-US/CWAPhase1.pdf

Elements of an Integrated Plan

Element 3

A process which opens and maintains channels of communication with relevant community stakeholders.

Element 4

A process for identifying, evaluation, and selecting alternatives and imposing implementation schedules.

Element 5

Plan for measuring success.

Element 6

Process for improvement to the Plan.



Creates Planning Opportunities to:

- Shape legal compliance points
- Gain local public input, legitimacy and support
- Realize co-benefits (brownfields and community development, transportation infrastructure, greening, nuisance abatement)
- Lower costs for infrastructure/construction coordination
- Leverage non-local dollars, non-ratepayer dollars, and private investment

How will communities afford regulatory demands to retrofit infrastructure and still thrive in the 21st Century?

Planning and prudent investment.



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MAY 2018