

Florida Stormwater Association

Short Summary of Accomplishments

1. Advocacy – Agency

FSA has been heavily involved in advocating for local stormwater interests at the agency level. Recent examples include:

- a. FSA has filed numerous comments with EPA/ACOE on proposed rules, including WOTUS and MS4 Phase 2 regulations.
- b. FSA frequently appears in front of the Environmental Regulation Commission on such issues as the revisions to the Impaired Waters Rule, the Triennial Review of Water Quality Standards and Numeric Nutrient Criteria.
- c. FSA's Petition to the ERC that resulted in revisions to the antiquated system of classifying waters in Florida.
- d. FSA filed briefs in state Administrative Court supporting FDEPs version of Numeric Nutrient Criteria.

2. Advocacy - Legislative

FSA has been directly involved in every piece of legislation affecting stormwater policy, finance or funding for the past 20 years, including the passage of major revisions to the TMDL statutes in 2005. FSA has been instrumental in stopping measures that limit the ability of city and county governments to regulate fertilizer use, and in revising legislation that would have pre-empted the ability of local governments to impose stormwater assessments or fees on agricultural properties.

3. Advocacy - Litigation

State Court - FSA has filed briefs at the trial, appellate and Supreme Court level defending the ability of city and county governments to impose user fees for stormwater management, and supporting a rational framework for NNC.

Federal Court - FSA has participated at both the trial and appellate levels (including the US Supreme Court) in cases challenging EPA's NNC and those supporting rational interpretations of the Clean Water Act. FSA is the primary association of local governments challenging the WOTUS regulations nationwide.

4. Advisory Committees

FSA members have served on numerous statewide technical and policy advisory committees whose recommendations have regulatory or financial impacts on city and county governments. Examples include:

- a. *Waterbody Designated Use and Classification Committee* - Formed by FDEP at the request of FSA, the Committee is charged with examining Florida's 40 year-old system of classifying waters.

to learn more about these and other initiatives, please visit

www.florida-stormwater.org

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- b. *Water Quality Credit Trading Advisory Committee* – The Committee’s recommendations provided greater flexibility for local governments when complying with TMDLs and formed the basis of legislation that passed during the 2008 Session.
- c. *Allocation Technical Advisory Committee* – The Committee was formed after the passage of the initial TMDL legislation in 1999 to make recommendations concerning the process by which the allocation of load reduction responsibilities would occur.
- d. *State-Wide Stormwater Rule Technical Advisory Committee* – The Committee made recommendations to assist FDEP and Water Management Districts in developing a new stormwater permitting rule, which will affect all public and private development projects.

5. Training and Certification Programs

The FSA Training Center was created to meet the training/educational needs of field staff in stormwater management. The Training Center offers a comprehensive series of classes for stormwater field personnel, field supervisors and professional staff designed to help ensure a consistent level of knowledge. Completion of FSA’s classes is recognized by FDEP as fulfilling the MS4 permit’s requirements for training and refresher training of stormwater staff.

6. Conference and Education

FSA’s statewide conferences are regarded as being the best-of-the-best in stormwater policy, management and best practices. The conferences offer a well-balanced blend of technical and research presentations, regulatory and policy matters, and include keynote addresses by speakers of statewide and national recognition. The FSA Excellence Awards Program recognizes professionals for outstanding stormwater projects and programs each year.

7. Research

FSA’s Educational Foundation oversees FSA’s research programs. A newly-initiated project will build upon research completed in 2011 that has helped local governments save millions of dollars in TMDL compliance costs.

8. Technical Assistance

Created in 1998 and updated in 2003 and 2013, FSA’s Manual on *Establishing a Stormwater Utility in Florida* is unique in the country and has assisted numerous jurisdictions, both in Florida and in other states, in creating such user-fee funding mechanisms; FSA’s *Survey of Stormwater Utilities* is conducted and published every two years; and, the FSA-FDEP Manual on the TMDL program was the only such publication in Florida. FSA’s website www.florida-stormwater.org is frequently updated.

9. WOTUS and Numeric Nutrient Criteria

FSA was the first association of local governments to intervene (in 2008) in federal litigation seeking to force EPA to develop NNC for the State of Florida. FSA members have served on the FDEP *Numeric Nutrient Advisory Committee* for several years.

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FSA was the first association of local governments in the country to challenge the regulations proposed by EPA/ACOE expanding the Waters of the United States (WOTUS) rules. FSA remains the primary association representing the interests of local government in this precedent-setting litigation.

10. Scholarship

The FSA Education Foundation presents the Annual Scholarship Award to a graduate student in a Florida college or university whose research is focused on stormwater management or surface water quality.

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