

Environmental Regulations

When stormwater moves across a surface, it can pick up motor oils, fertilizers, pesticides, pet waste, dirt, grass clippings, leaves, and trash. That material remains untreated, going from the storm drain system into the streams and can harm aquatic life and the environment. These pollutants can clog storm drains, cause flooding, create safety hazards and property damage, and can result in inconvenience and delays to motorists.

Stormwater runoff is not cleaned at a treatment plant, but instead goes directly into area waterways. Therefore, stormwater management strives to control pollution that could be picked up in runoff. Increasingly stringent federal environmental regulations for stormwater quality, an outgrowth of the Clean Water Act, mean that local communities must undertake additional actions to control and monitor pollution to stormwater. These federal regulations administered by the U.S. Environmental Protection Agency (EPA) are known as NPDES (National Pollutant Discharge Elimination System) for MS4s (Municipal Separate Storm Sewer Systems). The regulations require that owners of municipal stormwater systems abide by a permit (NPDES Phase II Permit) that requires stormwater control actions and programs to control pollutants from entering stormwater. Stormwater programs include activities such as detecting and eliminating illicit stormwater discharges, managing construction and post-construction stormwater runoff, preventing stormwater pollution from municipal activities, and educating and involving the public in stormwater activities. In Colorado, the NPDES permit is issued through the Colorado Department of Public Health and Environment (CDPHE).

Phase I of the federal government's NPDES program required large cities with populations of more than 100,000 to monitor the quality of stormwater runoff. Phase II requires moderately sized municipalities, including the City of Grand Junction, the Town of Palisade, unincorporated Mesa County, and the Grand Valley Drainage District to also meet these new regulations. Both of these phases are currently being enforced. If these requirements are not met, environmental fines on local governments and special stormwater districts can be issued. Therefore, local communities must deal with the unfunded federal mandates and bear the costs for stormwater quality control. The State (CDPHE) and the EPA are expected to step up enforcement efforts in 2008. Fines for non-compliance will be as high as \$10,000 per day for civil violations.