



STORMWATER RUNOFF ON A WATERSHED SCALE



Stormwater runoff threatens our water bodies in many ways, transporting sediments, excess nutrients, bacteria and other pathogens, debris, and automotive and household hazardous wastes into the estuarine system. Because stormwater runoff contributes to increased volume and velocity, it is also a major cause of stream bank erosion.

The Mobile Bay area receives an average of over 66 inches of rain annually. In Baldwin County, Alabama, stormwater impacts, like flooding, sedimentation, increased pollution, habitat destruction, and decreased aesthetics and property values, have intensified due to rapid residential and commercial development. Local governments there are facing increased regulatory pressure as well as greater demands on already limited public works budgets.

Seeking a collaborative solution to an environmental challenge that does not follow geopolitical lines, the MBNEP brought Baldwin County and its municipalities together to establish a mechanism for managing stormwater runoff on a regional, or watershed, scale. In Alabama, one of only two states that constitutionally prohibit “home rule,” this process required broad, statewide legislative approval.

THE NATIONAL ESTUARY PROGRAM IN ACTION

Mobile Bay National Estuary Program

In 2004, a Blue Water Commission was established by the City of Fairhope, located along the eastern shore of Mobile Bay in Baldwin County, to investigate possibilities of developing a county-wide stormwater strategy. Commission members asked the MBNEP to lead an effort to create a regional authority able to identify an alternative source for funding stormwater management activities. The MBNEP agreed and program staff called

upon key elected officials not only to join, but to commit financially to developing a long-term mechanism for regional stormwater management.

Twelve of the 13 municipalities and the County Commission accepted the invitations, provided staff for the effort, and committed funding towards assessing the feasibility of creating such an authority within the State of Alabama. Municipal and county

representatives, including staff and elected officials, local environmental organization representatives, state legislators, and concerned citizens, formed the Baldwin County Watershed Coalition (BCWC). Over the next five months, the MBNEP led the BCWC through an intensive series of workshops facilitated by a nationally recognized stormwater expert. These workshops were used to educate participants about problems, solutions,



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and experiences related to stormwater issues and designed to determine how they could collaborate on a regional basis, across political boundaries, to manage flooding, drainage, and water quality problems caused by runoff. Through a consensus-building process, the BCWC determined that this management authority would be a voluntary, non-regulatory association of local interests operating on a regional/watershed scale to support local communities in managing problems related to stormwater runoff. It would be funded by a small, equitable user fee, based on areas of impervi-

ous surface, with credits available for stormwater management features. Its function would include watershed stewardship provision, standards and criteria development, regulatory compliance coordination, stream system management, and partnership in local stormwater programs.

The establishment and existence of a regional authority hinged on passage of legislation by the state legislature, since the State Constitution prohibits cross-jurisdictional cooperation between municipal and county governments. MBNEP staff, BCWC

members, and local state legislators crafted legislation as a local constitutional amendment, permitting county and local governments to seek passage of a referendum to form a stormwater authority funded by user fee collection from residents and businesses. Introduced in 2007, the bill required passage by each of the state's 67 counties. Recognizing the need for broad-based support, the MBNEP conducted outreach and education to local chambers of commerce, realtors, developers, and other business interests to gain support for the authority concept. In 2007 the bill was passed in the House, but Alabama Business Council concerns over language forced withdrawal before Senate approval at the end of the legislative session. It was reintroduced with revised language in 2008, and the House and Senate passed HB58 to create Act 2008-

507, enabling local governments to proceed with establishing a Baldwin County regional stormwater authority.

Establishment of a stormwater utility funded by a user fee will require passage in a fall 2010 County referendum, so the MBNEP and BCWC are working to educate voters about the concept of a stormwater authority. Meanwhile, the BCWC is working to define several features of the authority—its exact structure (county government or public service corporation), representation on its board of directors, fee structures, and incentive packages and credit structures. The MBNEP continues its commitment to working with the BCWC and others to ensure a long-term, regional solution for stormwater management in Baldwin County that addresses the issue from the northern-

most reaches to the receiving waters of Mobile Bay.

Visit www.mobilebaynep.com to learn more about this and other MBEP efforts.

EPA's National Estuary Program (NEP) is a unique and successful coastal watershed-based program established in 1987 under the Clean Water Act Amendments. The NEP involves the public and collaborates with partners to protect, restore, and maintain the water quality and ecological integrity of 28 estuaries of national significance located in 18 coastal states and Puerto Rico.

For more information about the NEP go to www.epa.gov/owow/estuaries.