

# The Evolving Role of New York State Regional Councils in the Stormwater Phase II Program

by Kathleen Bertuch

Regional councils are public organizations designed to foster coordination among neighboring counties and to provide a regional approach for addressing multi-jurisdictional issues of concern. In New York State, regional councils are active in the areas of water resources and environmental management, land-use planning, economic development and regional information/data services.



## Coordination, Collaboration and Partnership Building

The New York State Association of Regional Councils (NYSARC) works closely with the New York State Department of Environmental Conservation (DEC) to provide unified coverage of regional water resources management needs. Examples include watershed planning; GIS mapping and data development; nonpoint source pollution control; public outreach, training, and education; and, floodplain and stormwater management.

A major goal of NYSARC water projects is transferability of methodology and products to other areas of the state and other watersheds. The NYSARC strongly emphasizes collaborative efforts within and across

regional council boundaries. NYSARC members strive to facilitate and conduct comprehensive watershed-based initiatives that incorporate economic development, land use and water resource concerns. To this end, NYSARC members work closely with county water quality coordinating committees (WQCCs) and other local and regional parties involved in water resource protection. The NYSARC often enlists the expertise and services of local agencies such as county planning departments, soil and water conservation districts, and county health departments.

NYSARC members receive substantial funding from the DEC under section 604(b) of the Clean Water Act. Without this and other Clean Water Act funding programs provided through the Environmental Protection Agency and the DEC, NYSARC's current water quality programs could not be sustained.

## Assisting Regulated MS4 Operators in Permit Compliance

In recent years, NYSARC members have worked closely with the DEC and operators of regulated Municipal Separate Storm Sewer Systems (MS4s) to develop effective Stormwater Phase II programming. Statewide, NYSARC members are assisting 489 MS4s located in 14 designated urbanized areas to understand the Phase II Stormwater regulatory program requirements and to identify and develop intermunicipal compliance strategies for lowering program costs while maximizing regional water quality improvements. NYSARC members are also providing unified assistance in the areas of public education, outreach and participation, municipal training, research assistance, and efforts to secure funding for compliance.

## Looking Ahead

The current MS4 Stormwater Phase II permit cycle ends on January 8, 2008. At that time, regulated MS4s will be required to have fully implemented stormwater management plans. NYSARC members are gearing up to assist MS4s transition from stormwater management planning to program implementation. Although NYSARC members will continue to provide guidance and training to MS4 elected officials, municipal board members and departmental staff in order to ensure that the full intent and purpose of the Phase II Stormwater permit is reflected in MS4 program implementation, NYSARC members are expanding their focus to include MS4 internal compliance capacity building. Statewide, this expanded focus

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Recent flooding and related stormwater runoff in community of DeWitt, NY.

Photo courtesy of Kathleen Bertuch.



Photo courtesy of Kathleen Bertuch.

Stormwater runoff flooding in a community.

includes assistance to MS4s in the review, modification and adoption of the required local laws necessary to carry out construction and post-construction runoff control, and illicit discharge detection and elimination responsibilities. NYSARC members will also assist MS4s to identify and legally adopt appropriate long-term funding mechanisms needed to ensure that adequate financial resources will be available to meet operation and maintenance responsibilities for new stormwater facilities. Long-term funding mechanisms, such as stormwater management districts and stormwater permit fees, will also support additional staff positions and other expenses associated with new and post-construction site plan review, inspection and enforcement activities.

In addition to providing generalized assistance across the state, regional councils are positioned and equipped to respond to specific localized assistance needs. The following highlights how individual regional councils are tailoring their work programs to respond to the specific needs of MS4s in their constituent counties.

**Central New York Regional Planning & Development Board (CNYRPDB):** The CNYRPDB serves as the primary uniting force for the 32 regulated MS4s in

Onondaga, Oswego and Madison Counties. In a continuous effort to promote effective, intermunicipally-driven stormwater management across the Syracuse urbanized area (SUA), the CNYRPDB will continue to staff MS4 working groups, organize workshops and training programs, and provide grant writing and administrative assistance to MS4s. The CNYRPDB will work closely with the DEC Region 7 to provide stormwater program information and training opportunities to MS4s outside of the SUA, including those in Tompkins, Tioga, Broome and Chemung Counties. The CNYRPDB will continue to actively partner with regional groups, such as the Monroe County Stormwater Coalition, to address broad issues of statewide concern while maintaining a strong focus on assisting MS4s in the SUA to incorporate stormwater-related concepts, such as floodplain and septic management, into their stormwater programs. It will also assist in helping to understand and address localized issues, such as the effects of the Onondaga Lake total maximum daily load (TMDL) requirements for phosphorus in the context of stormwater management.

**Genesee/Finger Lakes Regional Planning Council (G/FLRPC):** The “urbanized” area in the Genesee-Finger Lakes Region con-

tains 34 regulated MS4s in three counties. The MS4s located in Monroe County have banded together as the Stormwater Coalition of Monroe County (SCMC). The G/FLRPC supports the overall efforts of the SCMC, which has proven to be an effective and proactive force in regional stormwater management. The G/FLRPC will continue to coordinate training opportunities in direct response to identified needs and organize events such as the 2006 Western and Central New York Stormwater Conference and Trade Show. At the same time, the G/FLRPC, in conjunction with the DEC Region 8, will assist the nine Ontario and Wayne County MS4s in their compliance efforts.

**Herkimer-Oneida Counties Comprehensive Planning Program (HOCCPP):** A major focus for stormwater assistance provided by the HOCCPP includes direct technical assistance and planning support to the 18 MS4s in the region. The HOCCPP was responsible for creating the Oneida-Herkimer Counties Intermunicipal Stormwater Management Working Group and will continue to coordinate Working Group meetings while providing each MS4 with direct assistance for meeting each of the six minimum control measure requirements. Particular emphasis will

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Photo courtesy of Kathleen Bertuch.

**Uncontrolled runoff into sewer drain.**



remain on public education, illicit discharge detection and elimination, and the development of municipal good housekeeping programs.

**Hudson Valley Regional Council (HVRC):** The HVRC will continue to serve as a primary coordinator and resource for local, regional, and state entities. Anticipated assistance activities include organizing workshops and conferences, conducting targeted mailings and distributing resource materials to WQCCs and other interested entities. The HVRC will help the DEC enlist additional participation in the stormwater program by compiling information and lessons learned during the first three years of the permit program for distribution to traditional and non-traditional MS4s statewide.

**Lake George-Lake Champlain Regional Planning Board (LG-LCRPB):** The LG-LCRPB fully incorporated stormwater management into its comprehensive watershed management program and will continue to recognize and promote stormwater manage-

ment as an integral tool for managing watershed quality through 2008 and beyond. The LG-LCRPB will help MS4s integrate stormwater practices both on the ground and in local government policies, in part by providing grant administration assistance to support stormwater management; holding workshops; facilitating communication between municipalities and state agencies; and, promoting the stormwater program to nonregulated MS4s.

**Southern Tier Central Regional Planning and Development Board (STCRPDB):** The STCRPDB assists the 12-member Chemung County Stormwater Coalition by providing staff support and serving as both the primary advisor to the Coalition chair and technical advisor to Coalition members. Looking ahead, the STCRPDB will maintain its technical support role by providing vital GIS and watershed planning services to the Coalition. The STCRPDB is also working to engage greater county level support for increased day-to-day stormwater program implementation. Toward this end, the STCRPDB is keeping the county planning office informed and involved in local law preparation so that county planners can be the first source of assistance when updates to various local laws are needed in the future.

#### **Additional Information**

More information about the NYSARC's role in the Stormwater Phase II Program is available online by visiting [www.cnyrpdb.org/nysarcwater](http://www.cnyrpdb.org/nysarcwater) or by contacting the individual member agencies listed here.

**Capital District Regional Planning Commission**—518-453-0850; [cdrpc@cdrpc.org](mailto:cdrpc@cdrpc.org)

**Central New York Regional Planning & Development Board**—

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**Genesee/Finger Lakes Regional Planning Council**—585-454-0190; [gflrpc@gflrpc.org](mailto:gflrpc@gflrpc.org)

**Herkimer-Oneida Counties Comprehensive Planning Program** — 315-798-5710;

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**Hudson Valley Regional Council**—845-567-9466; [hvrc@hvi.net](mailto:hvrc@hvi.net)

**Lake Champlain-Lake George Regional Planning & Development Board**—

518-668-5773; [lclgrpb@verizon.net](mailto:lclgrpb@verizon.net)

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