



DRAFT

Storm Water Phase II Final Rule

Institutional Assessment

There are many questions to consider when determining what type of institutional framework will work for your community. When considering the appropriate institutional framework, several preliminary questions will need to be asked:

- Which person(s) will develop the storm water management program and select locally appropriate BMPs to satisfy the six minimum control measures?
- How will the program responsibilities be shared?
- Which person(s) will be responsible for monitoring the program and fulfilling reporting requirements?
- Which person(s) will develop and manage the budget for the storm water program?
- What resources (expertise) currently exist in the community?
- Where are the functions that relate to storm water management currently housed?
- Are there neighboring communities with similar storm water issues?
- Is there a regional group that could implement or help with such a program?
- Are there particular storm water issues that pertain to your community?
- Are there State or federal programs that could interface with your community's program?

Although there are a variety of institutional frameworks available, no one approach is inherently better. Selecting the best approach for your community depends upon the characteristics of your community. You will need to determine which structure will best suit local needs, and assess which structure will work most successfully within your resource base.

Internal Programs

Internal programs are programs that are administered within your jurisdiction. Your storm water management program may rely completely on internal resources or a combination of internal and external resources to achieve program goals and objectives.

If the program will be developed and managed with local government resources, you may select one internal entity to design and implement your program or several departments or entities may work jointly within your



municipality to design and implement your program. Several common approaches to a storm water management program organized at the local level include:

- Developing a storm water department
- Giving responsibility to a multi-functional department, such as the public works department;
- Sharing responsibility for implementing the program among several departments within your community; and
- Creating a storm water district.

Storm Water Department

Some communities may form a storm water department staffed with a group that is generally dedicated solely to storm water to perform most or all of the functions required in a storm water management program. This group of staff is usually responsible for program administration but may share the responsibility of implementing some elements of the storm water program with other departments. The advantage of forming a storm water department is the availability of dedicated staff resources to focus exclusively on storm water issues. However, this may not be possible for smaller communities. In many areas, consolidation among departments to reduce administrative requirements is the norm.

Department of Public Works

Critical departments such as engineering, code enforcement, and streets and maintenance often fall under the authority of the public works department. The department of public works generally has suitable equipment to construct and maintain storm water conveyance systems and storm drains. Thus, the department of public works may take the lead role in developing and implementing a storm water management program for many Phase II communities.

An advantage to coordinating the storm water management program through the public works department is the natural synergy between streets and drainage systems. Conveyance systems and storm drains are located along streets, so coordinating repair and maintenance is crucial to program cost-effectiveness.

Since the public works department is a multi-functional department, your storm water program may not have dedicated resources. People and equipment will most likely be shared for different types of projects. It may make sense to house your storm water program under the department of public works if your community:

- Does not have the resources to establish a new department such as a storm water department;
- Already has a public works department that handles streets and drainage, engineering, and code enforcement activities;
- Can perform storm water management functions in an efficient manner using existing and possibly additional resources within the department; and
- Does not have access to a regional entity that would implement a comprehensive storm water management program.

A staff person such as the City Engineer or a deputy engineer may be designated as the lead person within the department to ensure all aspects of the program are being accomplished. To maintain good communications between the sub-departments within the department of public works, an inter-departmental newsletter, regularly scheduled meetings, a storm water bulletin board, and other informational resources dedicated solely to storm water management could be beneficial. Combining resources from a variety of departments to manage one program can be challenging and requires



excellent communication and clear understanding of who is responsible for implementing which elements of the program.

A comprehensive storm water management program might include interacting with several departments within your community. These communities may include:

Department of Public Works

- Streets and roads maintenance
- Municipal good housekeeping measures
- Storm sewer system maintenance
- Street flooding issues
- Household hazardous waste program

Sanitary Sewer Department

- Detect illicit discharge and connections
- Engineering
- Inspection/design permitting
- Erosion and sediment controls
- Construction contract administration
- Code enforcement

Department of Education

- Public education activities for school-age children
- Department of Parks and Recreation
- Mowing detention ponds
- Fire Department/Police Department
- Spill containment
- Other municipal departments
- Planning
- Building Inspection
- Accounting
- Legal
- Administrative
- Watershed or Neighborhood organizations
- Citizen involvement
- Public outreach/education activities

External Programs

External programs are programs that are administered outside your jurisdiction. You may decide to be responsible for some of your storm water management program elements but may decide to rely on external entities to handle other aspects of the program. An example may be a public education program that is developed by a local University or a Conservation District.

Some advantages of an external program approach to handling aspects of a storm water management program include:

- Expertise and resources can be combined to effectively plan and implement projects;
- A regional or watershed approach can be utilized, so that communities who have an impact on each other's resources are working together, not isolated from each other; and
- Programs can be carried out more cost-effectively.

Some of the challenges presented by external programs to overcome include:

- Deciding on how to fund joint projects.
- Communication and establishment of roles and responsibilities.

Suggestions as how to create a productive relationship between entities are as follows:

- Assign one person responsible for overall coordination of the storm water management program. Ensure that all departments involved know who the "program manager" is.
- Assign one person responsible for the RIPDES permitting portion of the program (may be program manager or someone else)



- Ensure that the necessary agreements that clearly define responsibilities and authorities of the cooperating entities are in place.
- Solicit the input of all involved departments while developing the storm water management program.
- Clearly define who is responsible for implementing what portion of the storm water management program.
- Discuss monitoring and reporting requirements in advance. Establish who will be responsible for keeping records, how records will be kept, and how often they will be submitted to the NPDES permit coordinator.
- Establish how activities will be funded.
- Establish an accounting system in advance. If storm water activities have a separate account, ensure all participating departments are able to charge storm water activities to the storm water account. Employees should also be informed of changes in procedures.

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**Additional Information:**

Visit our website at:

www.state.ri.us/dem/programs/benviron/water/permits/ripdes/stwater/index.htm

Sources

Colorado's Phase II Municipal Guidance, A guide to application requirements and program development for coverage under Colorado's Phase II municipal stormwater discharge permit, Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, CO 80246-1530
www.cdphe.state.co.us

Designing and Implementing an Effective Storm Water Management Program, American Public Works Association, 2345 Grand Blvd., Suite 500, Kansas City, MO 64108
www.apwa.net