

LEGAL ISSUES FOR STORMWATER UTILITIES

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MEP

- **What does the acronym stand for?**
- **Who knows what MEP is?**

MEP (cont.)

- **MAXIMUM Extent Practicable**
- **Maximum Extent PRACTICABLE**
- **Regulator (Permit)/Court if 3P Challenge**

MEP Battleground Issues

- **Numeric Limits**
- **Progress toward a goal?**
- **Monitoring**
- **Public Comment (Specificity of Permit, clear enforcement, attachments to Permit)**
- **TMDLs/WLA**
- **303(d) list/toxics**
- **Hydromodification**

National Stormwater Debate

- **Stormwater Rule on hold**
- **November 26, 2014 EPA Guidance Memo**
- **Waters of the United States**

Limits on Regulator's Authority

- **Regulator MUST: (Minimum)**
- **Regulator CAN: (Maximum)**
- **Regulator SHOULD:**

Working with Attorneys

- You know more than they do!
- ACWA can help, too