

LOCAL COMMENT

Keep water rules flexible for Rouge River Communities



BY JAMES W. RIDGWAY • June 5, 2008

The Michigan Department of Environmental Quality has issued a revised permit that regulates stormwater discharges from municipal systems. Often these permits go unnoticed. But a large number of communities from across the state have been paying very close attention to this one. Why? Because it will impact their bottom line, but may not improve the quality of the water in their local lakes and streams.

After months of negotiations with the state, the Alliance of Rouge Communities, which represents 41 communities and three counties in the Rouge River watershed, was unable to negotiate a flexible, comprehensive general watershed permit, much like the one under which the alliance communities operated for the past five years.

The ARC members had argued that the water quality improvements they have demonstrated in the Rouge River justified the flexibility that was imbedded in the previous permit. The MDEQ, however, felt obligated to issue a prescriptive permit that would cause communities to spread their limited resources across the watershed rather than focus these resources in those stretches of the Rouge River that the communities believe have the largest problems.

Both the ARC and the MDEQ want clean water. Both also have substantial fiscal challenges. However, they also have differing opinions on how best to target those limited resources.

The details of the permit do not make easy reading, but hidden in its 42 pages are requirements that will have a definite impact on the operating costs of most communities but might not result in improved water quality.

The major points of contention include:

- The MDEQ's requirement for detailed mapping and data collection throughout the municipally owned storm water collection systems -- not just at the point storm water enters the river.



- The extensive and costly dry weather and wet weather monitoring throughout the regional drainage system that is required to be collected in an unreliable manner. The Rouge River is already one of the most monitored rivers in Michigan, if not the nation.
- The post-construction runoff control requirements that establish a "one-size-fits-all" design standard for the entire state of Michigan.

Several communities contend that the state chose a more prescriptive approach to provide clear guidance for the communities while reducing review time for MDEQ staff. These communities, however, argue that this approach will expand the communities' reporting requirements at the expense of pollution detection and removal.

The MDEQ staff has committed extensive time and effort during the negotiations and addressed a number of the ARC's initial concerns. The MDEQ has compromised on a number of the smaller details but has not agreed on the larger, more costly requirements. The ARC believes that the more flexible approach that MDEQ relied on in the past is also more representative of the watershed approach that is so often touted by both the U.S. Environmental Protection Agency and the state.

No matter how the dispute is resolved, the Rouge communities will continue their efforts to clean up the Rouge River. The ARC supports the MDEQ's right and responsibility to regulate the waters of the state.

This, however, does not mean these communities want to accept "make work" requirements that do not improve water quality.

JAMES W. RIDGWAY is the executive director of the Alliance of Rouge Communities, a quasigovernmental organization of 41 communities and three counties working together to improve the Rouge River.