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We provide this article below, focusing on Stormwater

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**INDUSTRY LEADERS**

By Gary Brown, RT Environmental Services

**Stormwater Management  
 Gets Attention**



Gary Brown

Stormwater concerns from owners of existing residences are making it harder for realtors to help developers and redevelop-ers find sites. Developers are encountering existing resident perceptions that believe there should be no more development in a particular area until existing stormwater problems are completely solved in an entire area even if the issues are not on the property in question. It is one thing for a developer and redeveloper to take responsibility for stormwater improvements on their planned development site, or even nearby roadways, but with stormwater laws and regulations becoming more complex and more costly, the ability to find sites where stormwater issues can be cost effectively resolved, is dwindling.

Most New Jersey and Pennsylvania locations where there is infill nor planned development on the fringe of existing development areas have to deal with not just roadway, but stormwater right of way issues. A fundamental change over the last decade means that at development sites, civil and environmental engineers have to evaluate all or most of a water shed, in addition to the actual development site. This can mean that more "stakeholders" are drawn into public notices, information sessions, and participation prosthesis, with more calls for improvements to address stormwater concerns. It has been possible until the last five or ten years for engineers designing stormwater improvements at developments to claim that their stormwater design does not cause any increased flows, but underlying questions about storm frequencies and sufficiency of existing infrastructure, or questions about experienced downstream inundation and damages, have caused more and more nearby residents to become more vocal. Citizen groups frequently retain lawyers and/or engineers to oppose particular developments, unless perceived stormwater problems at the site and downstream of the site are fully addressed.

In Pennsylvania, Conservation Districts and the Department of Environmental Protection, as well as municipal governments, could not stop development at questionable sites until the last decade. After 2008, Pennsylvania required legal right of ways for taking stormwater from individual sites to adequate stormwater discharge locations, which may include stormwater interceptors, streams, and/or lakes. In New Jersey, criteria was changed significantly changed to protect flood plains, after it was found that

previously approved stormwater measures at developments and redevelopments, were not adequate. In some instances, it was thought that improvements which go along with developments would be adequate to protect flood plains for fifty years or more. However, many newly constructed facilities were found to be inadequate as to the sizing of stormwater infrastructure, and would last only 15 to 20 years.

Delays related to stormwater, both technical and regulatory, are postponing development and redevelopment of properties. Some of the reasons include:

- There are no legal easements for pipes, channels and sheet flow drainage paths down which water from a new development or redevelopment must flow;
- Existing drainage infrastructure is failing and there are insufficient public funds for maintenance and upgrades;
- There is a public perception that drainage backups and climate change are getting worse, so new projects should be opposed;
- There are conflicting local, county, state, and conservation district stormwater regulatory programs; and
- There are too few regulatory staff to handle increased numbers of applications and more complicated permit applications.

RT has been helping realtors, developers and redevelopers since the mid 1990's, and we place importance on keeping abreast of all developments related to stormwater, as there remain initiatives and changes to guidance and regulations, much of which comes from EPA and Washington. States have and continue to expand their stormwater programs, and conservation districts tend to work more closely with DEP, to make sure that stormwater issues are carefully addressed, on a site by site basis. Municipal engineers are frequently calling for more Best Management practices at individual sites as well.

We at RT welcome opportunities to work with clients developing and redeveloping sites throughout our service area. We stay abreast of requirements for individual and general permits, as stormwater approvals more frequently are the critical path item, and, approvals, including right of way approvals and permits, can be the longest permit item leading up to the final approvals to allow contractors to mobilize and begin construction. Should you need any assistance on stormwater issues either at individual sites or at development and redevelopment sites, we are glad to assist, throughout PA and NJ.

**Gary Brown, P.E., RT's president, is helping by taking on more stormwater assignments, which frequently involve expert testimony work.** He has also presented five stormwater seminars this year in King of Prussia, Harrisburg, Pittsburgh, Ohio, and Virginia. Justin Lauterbach, Q.E.P., RT's VP, joined Gary in the PA Chamber of Business and Industry seminar in Pittsburgh. Consultation is also being provided on stormwater permitting issues and regulations to the PA Asphalt Pavement Association (PAPA). Gary was also recently elected as Vice Chairman of PAPA's Environmental Committee.

Each stormwater project tends to be unique, but RT's staff has experience with stormwater projects since 1973. We can frequently help get projects moving and find reasonable, cost effective solutions to stormwater engineering and evaluation needs.



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