

**For Immediate Release**

**March 24, 2010**

## **Clean Water Groups Defend State Effort to Reduce Polluted Runoff**

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**Montgomery**—The Alabama Rivers Alliance, Black Warrior Riverkeeper and the Cahaba River Society have filed a motion to intervene in a permit appeal by a business organization filed against the Alabama Department of Environmental Management to help defend the agency’s stormwater program for small cities.

Represented by the Southern Environmental Law Center, the groups say the lawsuit by the Business Alliance for Responsible Development (BARD) is a delaying tactic aimed at keeping local and state stormwater controls weak and ineffective. Without adequate programs to control polluted runoff from development and urban uses, downstream communities and businesses will continue to shoulder the high costs to clean drinking water and repair flood damages.

“Rivers, streams, coastal waters and lakes are critical to Alabamians for drinking water, recreation, wildlife and the economy. Polluted runoff is harming those uses. Every delay in halting polluted runoff means more degradation of our water and higher long-term clean-up costs for the public,” said Gil Rogers, head of the Clean Water Program for the Southern Environmental Law Center, which filed the motion earlier this week in with the Alabama Environmental Management Commission. Click [here](#) for a link to the motion.

Under the federal Clean Water Act, ADEM is required to set up a permitting program for small cities to control their polluted stormwater runoff. In August 2010, the Environmental Protection Agency rejected ADEM’s first version because it did not meet basic requirements of the law. It was the first time the EPA had ever taken such a step with any state. ADEM subsequently made some modest improvements and issued a final permit on February 1. Stormwater runoff is widely acknowledged as one of the most serious causes of water pollution in Alabama.

“Many responsible developers in Alabama are already achieving the standards called for in ADEM’s permit. Better stormwater practices that safeguard drinking water and help prevent flooding are proven to save money and make money for developers and communities,” said Beth Stewart, Executive Director of the Cahaba River Society. “In these tough economic times, green projects with lower stormwater costs give developers and communities a competitive advantage, but lax stormwater controls undercut innovative developers and transfer costs to local governments and downstream neighbors.”

BARD’s challenge of ADEM’s stormwater permit represents one more salvo in its continued resistance to improving development practices that protect water quality. For years, BARD has incited local

governments to fight against standards that better manage development. BARD's misguided advice that local governments are doing too much to stop stormwater pollution has already made some cities and counties vulnerable to EPA audits and enforcement oversight. In 2009 and 2010 the EPA found that the stormwater programs of cities and counties in the Birmingham-Hoover metro area were not meeting basic requirements of the Clean Water Act.

“Traditionally, our organization has been on the opposite side of ADEM, as we consistently challenge them to do a better job of protecting Alabama’s waters,” said Eva Dillard, Staff Attorney for Black Warrior Riverkeeper. “We’re taking ADEM’s side in this appeal because we don’t want to see the permit weakened even further, which is BARD’s main objective.”

“Enforceable permits are absolutely essential to stopping the devastating impacts of uncontrolled stormwater across Alabama,” said Mitch Reid, Program Director of the Alabama Rivers Alliance. “Protecting our rivers is a shared responsibility of government at every level and this permit provides a level playing field so that no community is disadvantaged for doing the right thing for our environment.”

The proposed permit will govern the local stormwater programs of about 60 smaller cities and counties for the next five to seven years. Just as important, ADEM has indicated that this permit will be the basis for other stormwater permits that will be written for larger cities and counties, as well as for the Alabama Department of Transportation.

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*The Alabama Rivers Alliance is devoted to healthy rivers, healthy people, and a healthy system of government for the state of Alabama. Black Warrior Riverkeeper protects and restores the Black Warrior River and its tributaries. The Cahaba River Society’s mission is to restore and protect the Cahaba River watershed and its rich diversity of life. The Southern Environmental Law Center uses the power of the law to protect the environment of the Southeast.*