

Water Institute Munch Bunch Seminar:

Weathering the Storm(water): Understanding and Overcoming Barriers to the Implementation of Low Impact Development in Florida

Mark Clark, Ph.D., Asst. Professor, Extension Specialist, Wetlands and Water Quality Soil and Water Science Department, University of Florida
(352) 392-1804 ex 319, clarkmw@ufl.edu

Thomas K. Ruppert, J.D., UF/IFAS Assistant in Environmental Law
Thomas T. Ankersen, J.D., Legal Skills Professor and Director
Conservation Clinic, University of Florida College of Law
(352) 273-0835, ruppert@law.ufl.edu, ankersen@law.ufl.edu

In the 1980s, Florida's newly-enacted stormwater regulations set a progressive example for stormwater management. Almost 30 years later many of the State's waters have been declared impaired pursuant to the federal Clean Water Act, due in part to inadequate treatment of stormwater. As a result, regulators and managers have been forced to reexamine Florida's current approach to stormwater management. We first discuss how current regulations fail to achieve adequate treatment, and describe the currently proposed solution in the form of a new statewide stormwater rule, which relies in part on an approach referred to as "low impact development" or "LID." LID presents unique implementation challenges in terms of the legal and regulatory framework, operation and maintenance of LID systems and acceptance by the public. We present the results of a quantitative and qualitative investigation of barriers to LID due to perceptions of stakeholders in the regulated and regulatory community in Florida. We find a lack of acceptance by the regulatory community mainly due to concerns about long-term operation and maintenance of LID systems, particularly when proposed for use on individual private parcels. Finally, we present some conceptual legal models for LID to help maximize the assurances of proper long-term functioning of LID.

Legal analysis rpt: <http://www.law.ufl.edu/conservation/pdf/weathering.pdf>

Perceptions / barriers rpt: <http://www.waterinstitute.ufl.edu/research/downloads/Clark-LID.pdf>

This project was funded by the UF Water Institute 2007 Program Initiation Fund

Friday, March 20, 2009

Frazier-Rogers Hall 141

12:30 to 1:30 → panel and 20 minute discussion



pizza provided