

If you want to know what's going on with the Waters of the United States (WOTUS) rule, read on, because it will effect all of us! We can only hope that we find balance between economic growth and water quality. There's no question, something needs to be done with the existing confusion with federal surface quality regulations. We can only hope the powers at be will make good choices for not only business, but also the future recreational fisherman, casual boater/kayaker and swimmer!



On Wednesday, August 21, 2019, the United States District Court for the Southern District of Georgia ruled in *Georgia v. Wheeler* that the WOTUS Rule impermissibly extended the Agencies' authority beyond the scope of the Clean Water Act ("CWA") and failed to comply with the Administrative Procedure Act ("APA"). The Court remanded the WOTUS Rule back to the Agencies and extended its preliminary injunction of the Rule. In *Georgia v. Wheeler*, the Court-relying primarily on Justice Kennedy's concurrence in *Rapanos v. United States*-held that the WOTUS Rule impermissibly extended the Agencies' jurisdiction beyond their delegated authority under the CWA.

The Court also held that the Agencies' definitions of interstate waters, tributaries, adjacent waters, and case-by-case waters violated the CWA, and that the Rule significantly interfered with lands and waters that were traditionally under state authority without clear congressional intent. Additionally, the Court determined that the Rule failed to comply with the APA both procedurally and substantively. These topics are further discussed below.

[Click Here](#) for the full article.

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The Misunderstood Silt Fence

Silt fences, can be incredibly effective when properly placed in a SWPPP, then installed and maintained in a way that allows them to do their job. That said, silt fences can also be responsible for creating more erosion than if the SWPPP designer and/or

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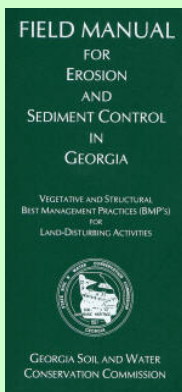
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Sheet Flow Sediment
Great Example

volume and velocity to an unlined channel created by the silt fence, taking it directly to the creek below.

Silt Fences must be properly installed in areas where they receive sediment from sheet erosion, perpendicular to



A Row of Silt Fence Funneling
Sediment Directly To The Creek

contractor decided to not use them at all.

The few pictures posted here, will show you a situation where a the same run of silt fence are both working to hold back sediment from sheet erosion, but then in other areas where it creates more



Sheet Flow concentrated by Silt
Fence

the direction of flow.

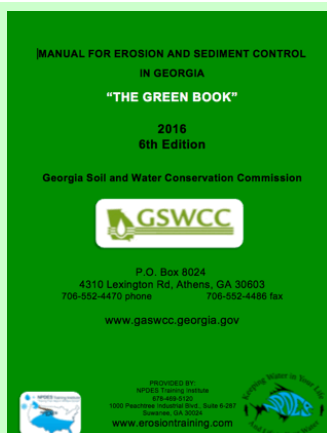
The photo to the left demonstrates how a row of silt fence channeled sediment and other pollutants directly to a tributary to Suwanee Creek in Buford, GA.

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"The instructor was incredibly knowledgeable and shared his experience that really made the point. Different media in the training (video, whiteboard and slides with few words and big pictures) made a potentially boring class, fun. The NPDES Training Institute rocks!"

"The trainer was knowledgeable of the material, his anecdotes and teaching method of involving others was great."

"Of all the stormwater classes I've had to take, this one was by far the most stimulating and educational yet! Thank you, your passion for America and our quality of life shines through your training!"

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Creek at a Time

the cake"

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Cheryl Wasserman, USEPA

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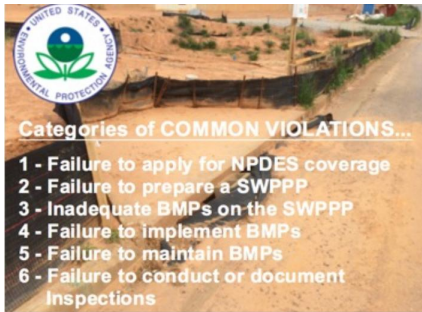
GREEN BOOK (Manual for E&SC in Georgia - New 2016)

FIELD MANUAL for E&SC in Georgia - New 2016

WHO NEEDS TO BE CERTIFIED in GEORGIA - FACT SHEET

Enforcement Requirements for Local Issuing Authorities

EPD GUIDANCE TO SWCC DISTRICTS FOR PLAN REVIEWS



Categories of COMMON VIOLATIONS...

- 1 - Failure to apply for NPDES coverage
- 2 - Failure to prepare a SWPPP
- 3 - Inadequate BMPs on the SWPPP
- 4 - Failure to implement BMPs
- 5 - Failure to maintain BMPs
- 6 - Failure to conduct or document inspections

List of Common Violations to Avoid



Southeast Stormwater Association

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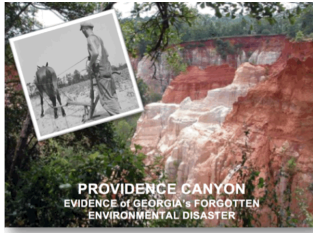
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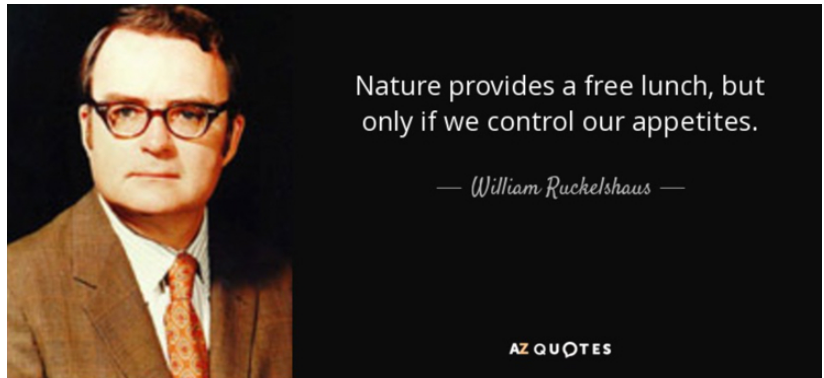
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Never Forget Our
Environmental History ,
It's Our Greatest Teacher!



Respecting our neighbors downstream is what America is all about and it's the NPDES program that helps us do that!

*OUR CHILDREN will be living through
decisions we make today with our water . Let's be kind!*

NPDES is an investment in our nation's future generations so they too can have an equally great place in which to live, swim, fish, boat, and hunt tomorrow!

Sincerely,
NPDES  TRAINING
INSTITUTE

T. Luke Owen, PG MS4CECI
President

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