



Advancing Large-Scale Green Infrastructure Through Collaborative Partnership Agreements

Brief Description:

Regulated entities can be hesitant to adopt new environmental protection practices because they are unsure about how effectively these practices will work and how regulatory agencies like EPA will respond. They may also be reluctant to accept the risk of emerging practices even when these practices may provide additional environmental, economic, and social benefits. This has been the case with cities that wish to use green infrastructure practices as a key element of their Long Term Control Plan to address stormwater and reduce CSOs.

Shifting the relationship among EPA, states, and cities from regulator and regulated to a partnership—whereby EPA and the regulated entity mutually agree to work toward the desired outcome and share some risk, while maintaining regulatory responsibility and accountability—helps move the green infrastructure initiative forward more quickly; leverages additional support; and creates an atmosphere of cooperation, education, and success.

The partnership agreement approach:

1. Provides a framework that describes the working relationships between EPA and partner cities/jurisdictions implementing green stormwater infrastructure for achieving specified goals.
2. Demonstrates a joint commitment to green infrastructure and this emerging green economy.
3. Allows for “real-time” collaborative discussion about what each partner can do to support achievement of the desired outcome.
4. Does not eliminate environmental responsibilities and requirements under the CWA but demonstrates a willingness to approach those responsibilities and the associated risks in a collaborative, solutions-oriented fashion.

Subobjective:

Water Quality

Type:

Partnership Agreement

Highlights:

- **What:** The partnership agreements advance large-scale green infrastructure (GI)⁸ implementation through an innovative Urban Retrofit Partnership “model” by aggressively addressing combined sewer overflows (CSOs) and water quality while demonstrating multiple sustainable benefits to impacted watersheds and communities.
- **Who:** EPA Mid-Atlantic Region 3 (Water Protection Division), Philadelphia Mayor’s Office, and the Philadelphia Water Department.
- **Why:** To demonstrate EPA support for adoption and use of large-scale decentralized green stormwater management for addressing CSOs and wet weather, along with other urban impacts through the use of innovative collaboration and sustainable development.

This approach is best captured and demonstrated by the “Green City, Clean Waters Partnership Agreement” between the city of Philadelphia and EPA and the recent “Clean Rivers, Green District Partnership Agreement” between the District of Columbia, DC Water, and EPA (modeled after the Philadelphia agreement). While these partnership agreements are slightly different, they both represent a new approach to early adoption of green infrastructure and a best practice for building positive partnerships to protect human health and the environment.

⁸ Green infrastructure refers to a range of soil-water-plant systems that intercept stormwater, infiltrate a portion of it into the ground, evaporate a portion of it into the air, and in some cases, release a portion of it slowly back into the sewer system. The benefits of green infrastructure are particularly enhanced in urban areas where green space is limited and environmental damage may be more extensive.

Each agreement outlines the roles of each partner and the strategy for early adoption of green infrastructure, assessing the performance of green infrastructure, future adoption of green infrastructure, and ongoing communication between the partners. The agreements also identify specific collaborative actions, such as green design challenges, that will be used to build capacity and understanding around green infrastructure. These agreements are innovative because they provide an alternative to the strictly regulatory approach. They demonstrate the EPA's willingness to work with cities (and other regulated entities) that show good faith effort in protecting human health and the environment. For terms of the agreements, see Web links below.

Current Status:

Both partnership agreements have been signed, and the partners are moving forward with implementation. The Philadelphia partnership agreement was signed on April 10, 2012. The DC partnership agreement was signed on December 10, 2012. These partnership agreements are still in the early stages, yet they are already yielding positive results.

Outcomes:

The Philadelphia partnership agreement has served as a springboard for multiple activities in the Philadelphia area, including a green infrastructure design initiative, green infrastructure research, green streets,⁹ and work to develop the "Next Generation Big Green Block". The Green City, Clean Waters Partnership Agreement (along with the leadership and staff in the Philadelphia Water Department and the efforts of the Region 3 Water Protection Division) has made Philadelphia a national model of green stormwater management. Philadelphia has also become the focus of an EPA Science To Achieve Results (STAR) grant, which will help support research and advance the science of green infrastructure.

Lessons Learned/Recommendations:

While each partnership agreement will necessarily have unique local variations, the partnership approach provides an alternative to the standard practice. Partnerships demonstrate a willingness to consider new ideas and new practices while maintaining accountability to regulatory requirements. While EPA maintains its responsibility as regulator, the partnership approach has changed the tone of the discussion and made it possible to establish shared goals and a clear path to collaborative success. The partnerships are bringing positive national attention to these cities and to the topic of green infrastructure, helping to leverage both expertise and funding.

Visual Diagram:

<http://issuu.com/phillyh2o/docs/green-city-clean-waters-2012-year-in-review?mode=window&backgroundColor=%23222222>

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"Green City, Clean Waters Partnership Agreement"

http://phillywatersheds.org/doc/EPA_Partnership_Agreement.pdf

"Clean Rivers, Green District Partnership Agreement"

http://www.epa.gov/reg3wapd/pdf/pdf_chesbay/GreenPartnshipAgreement.pdf

⁹ The simplest definition of "Green Streets" is "combining multiple GI practices along a street corridor." http://water.epa.gov/infrastructure/greeninfrastructure/upload/gi_munichandbook_green_streets.pdf