



Water Quality

Kaplan Kirsch & Rockwell has worked widely in the area of water quality and is well-versed in the multi-jurisdictional aspects of this field. Our work has involved comprehensive analysis of the various levels of federal, state, and local regulation applicable to water quality, including the Clean Water Act and state statutes and local ordinances implementing delegated authority.

In particular, we have extensive experience in National Pollutant Discharge Elimination System (NPDES) permitting, stormwater permitting, Total Maximum Daily Loads (TMDL), Clean Water Act Section 319 grants, non-point source issues, and Clean Water Act Section 404 permits. We have also participated in matters related to minimum instream flow requirements before various administrative agencies, the legislature, and state and federal courts.

Representative Experience

- Represented a Utah municipality in NPDES permitting requirements associated with city drinking water sources from historic mining tunnels, including TMDL and long-term stipulated compliance order.
- Represented a Colorado municipality addressing effects of a large-scale water diversion and storage project on city drinking water, wastewater discharge compliance, and TMDL requirements.
- Represented airports in stormwater and deicing fluid issues.
- Represented a landowner in obtaining a state settlement related to contamination of the landowner's wells from upgradient salt disposal.
- Advised clients regarding:
 - Federal and state water quality standards.
 - Water quality sampling and monitoring.
 - Water quality remediation technology.
- Represented developers of residential housing in responding to and resolving notices of violation of stormwater permits; crafted Supplemental Environmental Projects as part of negotiated settlements.