

# Forward-looking opportunities and obstacles for WQT

Mark S. Kieser  
Senior Scientist  
Kieser & Associates, LLC

# Common Threads of Success

- Bourgeoning successes (but the definition of “success”...)
- Cost-savings to regulated entities
- Support of regulators
- Stakeholder trust (though opinions vary...)
- Robust and reproducible quantification methods
- Explicit verification protocols
- Adaptation

# Notable Programs

State	Description (Program, Permits, Rules, etc.)	PS/ PS	PS/ NPS	NPS/ NPS	Activity (Relative)
Minnesota	Permits, Draft Rules	✓	✓	✓	Moderate
North Carolina	Bubble Permits, WQ banks	✓	✓	✓	High
Maryland	Guidelines (some draft)	✓	✓		None
Montana	Policy		✓		None
Colorado	Rules, watershed programs		✓		Low
Virginia	Rules	✓	✓	✓	High
Connecticut	Legislation	✓			High
Oregon	Guidance	✓	✓		Low
Pennsylvania	Rules	✓	✓	✓	High
California	Permit		✓	✓	Low
Idaho	Internal Guidance Doc.	✓	✓		None
Michigan	Rule (Rescinded)	✓	✓	✓	None
Wisconsin	P rule/guidance		✓		Low
Ohio	Rule, watershed programs	✓	✓	✓	High

# Barriers...

- Regulatory stalemate vs. innovation
- Legal challenges
  - Lacking legal certainty
- Engaging regulators
  - Enabling legal authority vs. more pilots
- Addressing complexity
  - Explicit guidance vs. flexible approaches via discovery
- Interstate program differences

# Looking to the Future

- Policy or regulation?
- Templates of success
- Addressing urban growth/stormwater
- Innovative market features/approaches
- Broader view/integration of ecosystem services
- Collaboration and common vision
  - National Network on WQT
  - NWQTA