

**SUMMARY**  
**Urban Stormwater Workgroup (USWG)**  
**Teleconference**  
**Tuesday, September 17<sup>th</sup>, 2013**  
**9:30 AM to 11:30 AM**  
[www.chesapeakebay.net/calendar/event/19175/](http://www.chesapeakebay.net/calendar/event/19175/)

**SUMMARY OF DECISIONS & ACTION ITEMS**

**DECISION:** The June minutes were accepted as submitted.

**ACTION:** If workgroup members have any relevant literature for the BMP panels to consider, they should provide the studies to Jeremy ([jhanson@chesapeakebay.net](mailto:jhanson@chesapeakebay.net)) and Cecilia ([watershedgal@hotmail.com](mailto:watershedgal@hotmail.com)).

**MINUTES**

**Welcome, Introductions, and Review of 6/18 Minutes**

- Norm Goulet (Northern Virginia Regional Commission; USWG Chair) convened the call shortly after 9:30AM and reviewed the morning's [agenda](#).
- Goulet asked for comments or corrections to the June USWG minutes ([Attachment A](#)); hearing none, the minutes were accepted as written.
  - **DECISION:** The June minutes were accepted as submitted.
- Goulet noted that Virginia DEQ had requested time to discuss an issue about BMP crediting in MS4 areas.

**Announcements**

- Tom Schueler (Chesapeake Stormwater Network; USWG Coordinator) congratulated the District of Columbia and Delaware on passing their new stormwater regulations.
  - New CSN Technical bulletin on bioretention.
  - Updated FAW for performance standards and retrofits
  - He noted that Judge Rambo ruled in favor of EPA, upholding the Bay TMDL.
- Goulet: STAC has released a report on incorporating lag times into the WSM. Think there are implications for the urban sector. He encouraged members to visit the STAC website and review the report: [http://www.chesapeake.org/pubs/305\\_Hirsch2013.pdf](http://www.chesapeake.org/pubs/305_Hirsch2013.pdf)
- Goulet: Milestones workgroup was provided the draft base conditions (land use, population, etc.) for the 2014-2015 milestones. Recommend the states look closely at those numbers.
  - Matt Johnston (University of Maryland, CBPO) noted that Peter Claggett handles the urban land use modeling at the CBPO, so comments should be sent to him. There will be updates in April 2014 when we have new population data and land cover data from the NLCD. The Milestones Workgroup requested a projection now, but they requested incorporation of the new data when it is available in April.

**Update on Status of USWG Urban Verification Protocols**

- Goulet noted the BMP Verification Review Panel met for two days at the end of August. The Verification Committee meeting on Sept 16<sup>th</sup> was postponed. The CBP expects substantial comments from the Review Panel on the sectors' protocols.
  - He explained that most questions and comments were again focused on the non-regulated areas. Expect to receive additional input and feedback from the panel in the coming weeks.
  - Schueler noted the original schedule had the framework going to the management board in November, which will be adjusted.

### **Update on Technical Requirements for urban BMP reports for Scenario Builder**

- Matt Johnston explained that under the latest BMP Review Protocol addendum, technical appendices will be included with each BMP expert panel going forward. The performance standards, retrofits, urban nutrient management, and stream restoration BMP reports were approved by the WQGIT prior to the protocol addendum. For 2013 progress, every jurisdiction can still report stream restoration and we will have new effectiveness values once the pilot stage is complete. You can report urban nutrient management plans and stormwater performance standards for 2013 Progress. Performance standards will be calculated outside of Scenario Builder. Currently working with the erosion and sediment control panel to put together a technical appendix.
  - Schueler asked for the UNM FAQ to be posted to the calendar entry.
- Goulet asked Ginny Snead
- Ginny Snead (VA DEQ): We view it as a separate process. We have a clearinghouse committee that needs to approve before anything goes online, into the approved standards/specs. As we move forward the clearinghouse will remain in place, but the CBP approvals will likely play a bigger role. For our MS4 permits, the guidance is relying very heavily on the expert panel reports in terms of expectations for jurisdictions in the Bay.
- Goulet posed the question to the other states.
  - Ray Bahr (MDE): Maryland has an MS4 guidance document that has relied very heavily on CBP BMP efficiencies in the past. We intend to incorporate newly approved BMPs into the document this year.
  - Ben Sears (New York State DEC): Not a primary concern right now.

### **Update on STAC Research Proposal and Land Use Loading Rate Lit Review**

- Goulet recalled that STAC had accepted the proposal for a workshop on land use loading rates. The steering committee for the workshop is currently planning the workshop.
- Karl Berger (MWCOG): Both the Land Use Workgroup and USWG have been involved
- Schueler: David Sample is the STAC representative on the steering committee. They are currently reviewing a draft agenda. Schueler noted there is a tentative deadline at the end of 2014 to get new land uses and loading rates prepared for the Phase 6 Watershed Model.
- There are a few areas in particular where we could use suggestions on experts or speakers to invite, including: effect of disconnection, the stream corridor, and also urban tree canopy. If any suggestions, send them to Tom ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)) to be shared with the steering committee.
- Goulet: It will be invite-only, since it will be focused on delivering key information to the target audience of modelers and researchers.

### **Update on Expert Panels**

- Neely Law (Center for Watershed Protection) explained the expert panel on vegetated urban filter strips and stream buffer upgrades. These are two separate BMPs not currently available for credit in the Model. The panel will be reviewing a draft report of recommendations. Intend to bring the full report to the USWG in January 2014.
- Sadie Drescher (CWP): The expert panel on shoreline erosion control has decided to change the BMP name to “shoreline erosion management.” Currently on a similar timeline to the filter strips and stream buffer upgrades panel.
  - Goulet clarified that once the expert panel determines how to credit the practice, CBPO staff will work the panels to generate a technical appendix. The technical appendix will need to be ready before the panel report goes through the approval process.
- Goulet explained the street sweeping panel has reconvened. He recalled that the previous street sweeping recommendations were accepted as a BMP before the review protocol was established. There have been concerns with the existing BMP that the panel hopes to resolve.
- Schueler noted that expert panel on septic systems has released its draft report. Perhaps the USWG can receive a briefing on those recommendations during a future call.
- Schueler explained the enhanced erosion and sediment control panel is on their second draft. They have come to a general consensus on most points. Panel is finding that the decades-long evolution of E&S practices has led to very high removal rates for sediment. However, for nutrients, there is a lack of data and concerns over fertilization, so there will be little, if any, nutrient credit recommended. Expect the report to come to the USWG later this year, possibly December depending on amount of tweaking needed.
- Schueler: the Illicit Discharge Detection and Elimination (IDDE) panel has expanded to include several types of discharge and has renamed it as “Inappropriate Discharge.” Expect report for the USWG in December or January. Since every community is required
- Cecilia Lane (CSN) noted the street sweeping panel will hold a research workshop on October 29<sup>th</sup>. The Floating Treating Wetlands panel has also launched and will hold its research workshop on November 1<sup>st</sup>.
- Jeremy Hanson (CRC) noted the street sweeping panel is looking at other practices that collect sediment from the streets, e.g. catch basins and sediment removal practices.
- Johnston: The Watershed Technical Workgroup is overseeing an algal flow-way technologies panel that may help set the stage for other panels or BMPs that deal with growth and harvest of biomass for nutrient removal.
  - Goulet felt the panel will need to consider and address the fate/transport of the biomass.
    - Johnston noted the panel has discussed this extensively. For modeling purposes, simplest to landfill it. There are still questions about how manure and other nutrient inputs will be handled in phase 6 of the model.
- **ACTION:** If workgroup members have any relevant literature for the BMP panels to consider, they should provide the studies to Jeremy ([jhanson@chesapeakebay.net](mailto:jhanson@chesapeakebay.net)) and Cecilia ([watershedgal@hotmail.com](mailto:watershedgal@hotmail.com)).

### Update on Homeowner BMP Crediting Approach

- Schueler noted that most types of homeowner practices are included in the performance standards and retrofits reports. The Chesapeake Stormwater Network has been working with a number of groups and partners including Alliance for the Chesapeake Bay, the Watershed Stewards Academy, and others. There are four other tools that have been developed that can assist this effort: the SMART tool, which is being piloted in three Maryland communities. CSN has been working with 16 collaborators on a homeowner guide.

- Schueler reviewed [the homeowner BMP crediting memo](#) with participants and described the general process that could be taken to report homeowner BMPs for progress runs. He noted at a future workgroup meeting we will get some UMD watershed extension folks to provide more details on the new SMART tool.
- Goulet asked for some clarification on the process of how this moves forward to the WQGIT. This is a gray area, since the homeowner BMPs are based on approved panel reports, but the homeowner BMP approach is different from BMPs typically reported by the states.
  - Schueler asked for thoughts from the participants on this. The BMPs are approved already, so there is no need for WQGIT approval on that aspect.
  - Johnston: it makes a lot of sense because it is built on the curves that are already approved. Proposed verification for stormwater practices has trended toward site specific information. So while it makes sense to aggregate the homeowner BMPs for reporting purposes, it should be noted that this could pose different verification issues. Perhaps Norm or Tom should draft a memo for the partnership to consider.
  - Schueler noted that there are a lot of local and watershed groups that would like credit for their incentive programs for homeowners.
- Snead: Unless this homeowner practice crediting approach has approval for credit in the model, we are not really in a position to recommend it to our localities.
- Johnston: there is an addendum to the protocol for incremental recommendations, so would that be the way to approach this, since we agree that it's part of an established BMP?
- Schueler: seems that the states want certainty that these homeowner practices are acceptable.
- Snead: In light of this discussion, perhaps it could make sense to tie this to the outreach component of MS4 management measures, e.g., have some sort of bean-counting method for communities that engage homeowners about BMPs.
- Jim Caldwell (Howard County) described a homeowner BMP project in Howard County. The county is working with Sea Grant to provide reimbursements and incentives for residential owners that implement BMPs. They are taking a two-phase approach. Homeowners can report their practice online to Sea Grant. Sea Grant will have a series of reviewers, or verifiers, that will advise the homeowners and ensure that collected information is correct. The information is then entered into a database managed by Sea Grant. Howard County will have access to the Sea Grant information. The homeowner can then go online and ask for reimbursement or a credit. The County then determines the amount of reimbursement or credit that is due to the property owner. The overall amount of money for reimbursement payments varies by year, since it has to be approved by County Council. There are requirements for what the practice treats, and limits to the amount of reimbursement.
- Goulet called for questions; none were raised. He thanked Caldwell for joining the workgroup and looked forward to see how this project progresses.

**Additional item at request of VADEQ: discussion of crediting MS4s for previous implementation not counted in the Model**

- Snead: The requested discussion deals with Virginia's 5% requirement under new MS4 permits. The panel reports may be generous for some practices. We are toying with the idea of a factor that can be applied to discount specific practices that are underperforming.
- Schueler: There are a number of details that still need to be hashed out for BMP rehabilitation and BMP enhancement. Think the jurisdictions could probably make those determinations themselves based on the engineering parameters. Would make sense to do it that way, as long as the state applies the methods consistently.

- Bahr: Maybe it would be a good idea for states to develop guidance. Maryland has some existing guidance on this, in a general sense. Working on a draft that should be available by the end of the year with more details.
  - Schueler asked Snead and Bahr to present on these guidance documents to the USWG at a future meeting or conference call.
- Goulet: we will definitely circle back on this. Exactly the discussions we want to have about how the states are incorporating the expert panels into their state programs.
- Goulet thanked everyone for their time and participation.

**Adjourned**

### **Teleconference Participants**

| <b><u>Name</u></b> | <b><u>Affiliation</u></b>             |
|--------------------|---------------------------------------|
| Tom Schueler       | Chesapeake Stormwater Network         |
| Norm Goulet        | Northern Virginia Regional Commission |
| Jeremy Hanson      | CRC, CBPO                             |
| Raymond Bahr       | MDE                                   |
| Karl Berger        | MWCOG                                 |
| Heidi Bonnaffon    | MWCOG                                 |
| Chris Brosch       | Virginia Tech/VA DEQ                  |
| Greg Busch         | MDE                                   |
| Jim Caldwell       | Howard County                         |
| Karen Coffman      | MD SHA                                |
| Sebastian Donner   | WV DEP                                |
| Sadie Drescher     | CWP                                   |
| Nathan Forand      | Baltimore County                      |
| Jack Frye          | CBC                                   |
| Megan Grose        | WV DEP                                |
| Alana Hartman      | WV DEP                                |
| Matt Johnston      | UMD, CBPO                             |
| Whitney Katchmark  | HRPDC                                 |
| Cecilia Lane       | CSN                                   |
| Neely Law          | CWP                                   |
| Ben Sears          | NYS DEC                               |
| Ginny Snead        | VA DCR                                |
| Jennifer Tribo     | HRPDC                                 |