

**Final Meeting Minutes
Chesapeake Bay Program
Urban/Suburban Stormwater Workgroup
April 30th, 2012**

Decision and Action Items

DECISION: The March meeting minutes were accepted.

DECISION: The USWG approved the Retrofit Panel Recommendations.

DECISION: The USWG approved the Performance Standards Recommendations.

ACTION: Lucinda Power will distribute a brief description of the urban BMP trends from the final Phase II WIPs.

ACTION: At the next meeting State/DC representatives will be asked to go over the stormwater aspects of their WIPs, including the milestones data

ACTION: Norm Goulet, Tom Schueler, and Lucinda Power will provide a draft of the decision framework for the stormwater sector between now and the next meeting. The USWG will be asked to review and comment.

ACTION: Norm Goulet will contact Katherine Antos about the possibility of her chairing a session of the Watershed Technical Workgroup to address the Retrofit and Performance Standard Panel recommendations. Target meeting is June.

ACTION: Tom requests recommendations for people to serve on the upcoming Illicit Discharges and Enhanced Erosion and Sediment Controls BMP Panels. Please email Tom directly with your recommendations: watershedguy@hotmail.com. Tom also requests that you notify the person you are recommending to serve as a Panel member.

ACTION: The USWG will revisit the list of potential panels at the next meeting.

ACTION: Tom Schueler requests nominations/volunteers for the Urban BMP Verification Committee (UBVC).

ACTION: The next USWG meeting is scheduled for Tuesday, June 12, 2012 as a teleconference from 10-12pm.

Minutes

Urban BMP Trends in State Phase 2 WIPs: Lucinda Power, EPA/CBP, presented a summary of the key urban BMPs that are being relied upon to meet the Bay TMDL. EPA is in the process of providing their evaluation comments on the final Phase II WIPs and final 2012-2013 milestones.

- Some jurisdictions have established high reduction goals for abandoned mine reclamation BMPs. This BMP falls under the purview of the stormwater sector.
- Sediment goals are primarily met when nutrient reductions are achieved, particularly in headwater states.
- Questions were raised about meeting sediment goals if trading with the agriculture sector.
- Jurisdictions are encouraged to resubmit if their WIPs aren't able to meet TMDL goals
- WIP progress is being measured through the annual progress runs and the two-year milestone process.

ACTION: Lucinda Power will distribute a brief description of the urban BMP trends from the final Phase II WIPs.

ACTION: At the next meeting State/DC representatives will be asked to go over the stormwater aspects of their WIPs, including the milestones data.

Update on CBP Adaptive Management Effort: Greg Allen, EPA/CBPO, updated the USWG on the Partnership's adaptive management effort and how the USWG will play a role in the future.

- Adaptive Management/Decision Framework implementation will allow for actions taken with the best information available, while recognizing that uncertainties exist.
- All GITs have met the "first-pass".
- Chesapeake STAT will be used to reflect progress on meeting adaptive management goals.
- Comment by Glynn Rountree: adjusting as we go should be utilized by the states as well, not to be locked in place with WIPs.
- There is an Adaptive Management clause in the Bay TMDL.
- Comment by Scott Crafton: but once something occurs, can become locked in place through permits.
- Comment by Tom Schueler: Adaptive Management allows the USWG to be more proactive (vs. reactive to Bay TMDL).

ACTION: Norm Goulet, Tom Schueler, and Lucinda Power will provide a draft of the decision framework for the stormwater sector between now and the next meeting. The USWG will be asked to review and comment.

Next Steps for Panel Recommendations

- Norm thanked the Panel members for all of their hard work and outlined the next steps for the recommendations: The Panel to present their recommendations to the Watershed Technical Workgroup (WTWG) for their feedback and approval, and where modeling concerns can be addressed. Once the WTWG approves the recommendations, they will be forwarded to the Water Quality Goal Implementation Team (WQGIT) for their review and approval. If approved, the rate will become an official BMP.

Report of the Expert Panel on Stormwater Retrofits: Jason Papacosma, Arlington County, VA

- Robin Pellicano recommended that the Panel Recommendations not be distributed to the public until after they have been formally approved by the WTWG and the WQGIT.
- The TSS removal values are not credited for the prevented sediment downstream associated with runoff reduction practices.
- Norm Goulet asked the USWG to approve the recommendations; Scott Crafton motioned to accept.

ACTION: Norm Goulet will contact Katherine Antos about the possibility of her chairing a session of the Watershed Technical Workgroup to address the Panel recommendations. Target meeting is June.

DECISION: The USWG approved the Retrofit Panel Recommendations.

Update on Other Expert Panels: Tom Schueler solicited additional nominations for the Enhanced Erosion & Sediment Control (Enhanced E&S), Illicit Discharge, and BMP Verification Panels; provided brief updates on the urban tree planting, fertilizer management, and stream restoration Panels; and announced a workshop on floating islands/harvested wetlands.

- Tom Schueler drafted the charges for the Enhanced E&S and Illicit Discharge Panels.
- Literature reviews for these two Panels are currently being conducted by Tetra Tech.
- Enhanced E&S is an important panel for two reasons: all states assumed 100% implementation of this BMP in their Phase II WIPs and most states have the regulatory authority to control.

- Norm Goulet provide two contact names for the Illicit Discharge Panel from HRPD.
- The Floating Wetlands Workshop is planned for late July: Cecilia Lane (CSN) and Sarah Lane (UMD) will be coordinating to determine if there is enough research to merit a more formal Urban BMP Panel.
- Shoreline Protection is going to be facilitated by the future Stream Restoration Coordinator.
- The Stream Restoration and Urban Fertilizer Management Panels are moving along nicely.
- There is one undesignated Panel for the remainder of 2012/early 2013
- Norm indicated that there will be an entire session on the USWG at CWP's conference this fall.
- Joe Kelly will send contacts for upcoming BMP Panels to Tom Schueler.
- Tom Schueler requests substantive comments only on the final Panel recommendations.
- Norm Goulet recommends that local governments review "baseline" sections of both Panel recommendation memos carefully
- List of potential Urban BMP Panels will be revisited at least every 6 months.

ACTION: Tom requests recommendations for people to serve on the upcoming Illicit Discharges and Enhanced Erosion and Sediment Controls BMP Panels. Please email Tom directly with your recommendations: watershedguy@hotmail.com. Tom also requests that you notify the person you are recommending to serve as a Panel member.

ACTION: The USWG will revisit the list of potential panels at the next meeting.

Expert Panel Report on State Stormwater Performance Standards: Randy Greer, DENREC, briefed the Workgroup on the consensus recommendations on defining nutrient and sediment removal rates for new state stormwater performance standards as they are applied to BMP systems for new development and redevelopment projects. Randy went over the general protocol, presented several examples of how they are calculated, and the verification procedures.

- After multiple conversations with Stew Comstock at MDE, CSN will include the following additional language in the performance memo: "The Panel agreed on the continuing need to monitor the effectiveness of stormwater BMPs at both the project and watershed scale to provide greater certainty in the removal rate estimates. The Panel also noted the importance of monitoring both runoff reduction and stormwater treatment BMPs in varied applications, terrain and climatic conditions. The Panel expressed a particular interest in defining the fate of nitrogen in BMPs that rely heavily on infiltration or extended filtration to provide runoff reduction".
- The Panel dropped the idea of "Nutrient Neutrality" on the grounds that if everyone meets the state's performance standards, they will likely be very close to nutrient neutrality.
- Comment from Scott Crafton: Actually meeting TMDL targets is based on the State's performance standards – this is due to a difference between the model and the real world scenario.
- The new performance standard rate? allows for easier reporting to the modelers; actual calculation method of the baseline load is reserved for the states to determine.
- The effect of new development will be demonstrated through the Chesapeake Bay Watershed Model.
- There is a table in the Memo that identifies which categories specific practices will fall under.

- As with the retrofit recommendations, the performance standards recommendations will not be distributed to the public until after they have been approved by the WTWG and the WQGIT.
- Norm Goulet requested the USWG to approve the Performance Standards recommendations.

DECISION: The USWG approved the Performance Standards recommendations.

Urban BMP Verification Principles and Protocols: Tom Schueler, CSN, continued the discussion of the revised memo on Urban BMP reporting, tracking and verification.

- Tom noted that every sector workgroup is looking at the issue of verification; there is going to be an overall verification workgroup: Urban BMP Verification Committee (UBVC)
- Tom asked the USWG for:
 - Any major problems they have with the Verification memo
 - Is UBVC a good idea? Nominations for panel members?
- Alana Hartman from WV DEP discussed West Virginia's concerns regarding the relatively small amount of urban land that is located in WV's MS4s.
- Norm Goulet commented that there needs to be better representation of urban stormwater on the overall verification panel.
- UBVC would occur later in the summer: July 2012 timeframe.
- The UBVC should have representation from PA and WV (possibly DE) in order to represent non-MS4 interests and historic BMPs.
- Steve Stewart from Baltimore County commented that there should be a graduated timeframe for removing BMPs from full credit.
- Tom Schueler mentioned that sub-sampling was a popular idea but we should have a system in place and be able to achieve the goal of complete BMP verification by 2017.

ACTION: Tom Schueler requests nominations/volunteers for the Urban BMP Verification Committee (UBVC).

Update on Urban BMP Cost Study: Cecilia Lane, CSN, gave the Workgroup an update on the CSN Urban BMP Cost Database. She presented their method for acquiring cost data for bioretention areas which included the use of two different survey types. She also outlined the methods that would be used to incite people to contribute their data as well as the methods that would be used to analyze the data once it was collected. She asked for feedback from the Workgroup.

- Add location to the 1-page survey: possibly in the form of zipcode in order to better determine how geographic distribution within the state is influencing the cost of the practice.
- Add residential or non-residential categories to survey.
- Ken Murin noted that there are many potential "hidden" costs when practices are constructed as part of capital improvement projects through the use of volunteers, etc.
- The Workgroup discussed the idea of collecting costs associated with long-term maintenance. It was decided that it was not feasible under the scope of work.

The next meeting of the USWG set for Tuesday, June 12, 2012 as a teleconference from 10-12.

Participants

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