

SUMMARY
Urban Stormwater Workgroup (USWG)
Teleconference
February 18th, 2014
10:00AM to 11:30AM

www.chesapeakebay.net/calendar/event/21147/

SUMMARY OF DECISIONS & ACTION ITEMS

DECISION: The January minutes were approved as submitted.

ACTION: USWG members to provide final comments or questions on the UFS/SBU report to Neely Law (nll@cwpl.org) by Monday, March 3rd.

MINUTES

Welcome, Introductions, and Review of January Minutes

- Norm Goulet (Northern Virginia Regional Commission; USWG Chair) convened the call and welcomed participants. He verified participants and reviewed the [agenda](#)
- Goulet directed participants' attention to the minutes from the November conference call ([Attachment A](#)).
 - **DECISION:** The January minutes were approved as submitted.

Announcements

- Goulet noted the STAC workshop on the Peculiarities of Perviousness was postponed the preceding week due to the weather. The steering committee will set a new date, though it will likely be delayed until late April before it can fit into the speakers' schedules.
- Goulet noted that Kathy Boomer (TNC) submitted a STAC workshop proposal titled "Re-Plumbing the Chesapeake Watershed: Improving roadside ditch management to meet TMDL water quality goals." Though it is not a strictly urban stormwater proposal, Goulet noted he is on the planning committee for the workshop if accepted by STAC. He will keep the USWG informed.
- Tom Schueler (Chesapeake Stormwater Network; USWG Coordinator) thanked Natalie Gardner (CRC; STAC Coordinator) for all her hard work on the Peculiarities of Perviousness workshop throughout all the venue changes and the postponement.
- Schueler noted the WQGIT approved the homeowner BMP memo, which will be posted to the CBP website shortly. He mentioned the stream restoration panel report has been updated following the test drive period. The updated report is now available on the CBP website.
- Schueler noted the Erosion and Sediment Control panel's report is still up for Watershed Technical Workgroup (WTWG) approval.
- Schueler announced that CSN is still welcoming nominations for the Best Urban BMPs in the Watershed Awards (Bubba's). Grand prize is \$5,000. Awards will be announced at the annual stormwater retreat. Deadline for submissions is February 28th, 2014.

**Action item: Presentation of Urban Filter Strip (UFS) and Stream Buffer Upgrade (SBU)
Expert Panel Report**

- Goulet introduced Neely Law (CWP) who coordinated the UFS/SBU panel.
 - The full draft of the Panel's recommendations is available as [Attachment B](#).
- Law described the Panel's membership, charge, and summary recommendations.
 - View [the presentation](#) for more details; slide numbers referenced below.
 - Sally Claggett (U.S. Forest Service, CBPO, panel member) reviewed the research for the panel's recommendation for stream buffer upgrade (SBU) BMP [slides 7-12]. She described the potential definitions considered by the panel. The panel concluded that there was not enough information to define SBU as a BMP distinct from urban stream buffer or urban tree planting BMPs.
 - Law described the panel's recommended definition for the urban filter strip (UFS) BMP. She noted the definition was derived based on the states' BMP manuals and guidance and research. She explained the differences in terminology for length and width, as explained in the research and BMP manuals [slides 13-17].
 - Law explained the qualifying conditions for UFS practices. [10:35]
 - Law introduced Ryan Winston (NCSU; expert panel member). Winston reviewed the UFS science considered by the Panel and the methods to derive the pollutant removal rate [slides 18-30].
 - Law noted that although UFS meet the definition of runoff reduction (RR) practices, they do not store or retain runoff the same way as other runoff reduction practices.
 - Law explained a dissenting opinion from the panelist Tom Jordan (Smithsonian Environmental Research Center, panel member) that was unable to join the call [slides 31-36]. The Panel concluded that because N leaching has not been studied in UFS, estimates of N removal by UFS are best professional judgment.
 - Law concluded by reviewing the panel's recommendations for reporting, tracking, and verification [slides 37-39], unintended consequences and double-counting [slide 40], and future management and research needs [slides 41-42].
- Law welcomed questions or comments.
 - Goulet asked what the CBP modelers' thought are on the dissenting opinion described in the presentation.
 - Law noted that she had been in contact with the modeling staff, but they had not expressed any specific concerns to her directly. They were supportive of the panel's recommendations based on the literature and science.
 - Joan Salvati (VA DEQ): As we go forward with research needs for buffers, would suggest that any further findings regarding width be considered with the understanding that the states have buffer requirements and EPA has a CGP requirement for buffers during construction.
 - Ken Murin (PA DEP) agreed with Salvati. Stream buffers and vegetated filter strips are two different things. Seems like the research has focused on vegetated filter strips rather than riparian buffers. We have riparian buffer requirements in our permit. First, would like some more time to review the report. Second, perhaps split the recommendations to separate riparian buffers from vegetated buffers.

- Randy Greer (DE DNREC): The panel was not looking at riparian buffers at all. We were focused on the UFS and SBU practices described in the report. There was not enough information to consider the stream buffer upgrades as a separate, distinct BMP, as explained in the report.
 - Murin thanked Greer for the clarification.
 - Salvati commented we want to be careful what we say about riparian buffers given the amount of effort and policy encouraging these projects.
 - Law: The panel was not asked to look at urban forested riparian buffers, but to look at a new practice for stream buffer upgrades. Our recommendations are based on defining that new practice, not revisiting the current urban practice for riparian buffers.
 - Bill Keeling (VA DEQ) felt it was unclear if a filter strip is considered a riparian buffer or not. Maybe there is a question to the agriculture folks, but do not see justification for agriculture filter strips having larger upland area treated than urban. For UFS it says to treat “small” impervious areas. Suggest defining “small” more explicitly.
 - Law: The panel defines “small” to be consistent with the states’ guidance, which is usually less than an acre, or less than 5,000 sq. ft.
 - Keeling: is there any upland treatment benefit for these filter strips?
 - Law: The panel could not determine any upland benefit aside from the reduction and treatment rates recommended.
 - Keeling: there are a lot of filter strips put in that are not riparian. That may be a scenario builder issue.
 - Law: we will make it clear to distinguish these practices from other distinct practices like stream buffers.
 - Keeling: Perhaps the default may be an assumption that it is not riparian. Keeling noted research exists that demonstrates the width of a buffer is a poor predictor of a buffer’s effectiveness. There are lots of other factors that determine a buffer’s effectiveness. There are some studies that show they can be sources of nutrients.
 - Greer noted that the panel did recommend limitations for flow length of 75 feet.
 - Law: Can be longer than 75 feet if a level spreader is in use.
 - Schueler commended Law and the panelists for their excellent work. Strongly support the excellent technical work.
- Goulet asked for additional questions; none were raised.
 - Goulet asked Murin to look at the report and provide any additional comments or questions by March 3rd, given the report is currently scheduled to go in front of the WTWG on March 6th. As long as there are no major concerns would like to keep the report moving forward.
 - Murin explained his major concern is possible linkage to riparian stream buffers. At this time would have to either say no or abstain on moving forward with the report until more time is provided to review it in detail.
 - Salvati agreed and asked for more time before making a decision on the report.
 - Goulet asked Law to make herself available to respond to comments from VA/PA.
- Raymond Bahr (MDE) asked for clarification on the ratio for upland treated areas.

- Law explained the ratio comment was in reference to how current riparian forest buffers are modeled and credited. It does not apply to UFS.
- Bahr: if local jurisdictions had previously implemented a non-conforming project, but it meets the criteria for a “conforming” project, can they earn credit as a conforming practice?
 - Law: Panelists had pointed out that filter strips have been installed historically, though usually for different purposes than runoff reduction.
 - Greer: Apply for credit if it was implemented as a UFS BMP using state/local design specifications at the time.
- Keeling: The report may need to clarify that practices installed prior to 2006 would be included in the calibration and only BMPs after that point could be credited. Should include a bullet on this when presenting to the WTWG.
 - Greer: As long as the project meets the state requirements, would get the credit for the contributing area.
 - Law: Matt Johnston will prepare a technical appendix to address this question
 - Keeling suggested it also needs to be clear to the Scenario Builder staff that it’s the area contributing, not the area of the filter strip itself, that earns credit.
- Goulet noted a question from SHA regarding limits to slope for UFS projects.
 - Law: The panel deferred to the state manuals and design specifications on specific slope percentages. All the state manuals and specifications include slopes that fall within the same range of values as the research.
- Goulet asked USWG members to provide specific questions or comments to Law within the next two weeks (by March 3rd).
- **ACTION:** USWG members to provide final comments or questions on the UFS/SBU report to Neely Law (nll@cwpc.org) by Monday, March 3rd.

Other business

- Goulet noted the CBP verification framework document is available on the CBP website.
 - The February draft is available under the “Projects & Resources” tab on the BMP Verification Committee webpage:
http://www.chesapeakebay.net/groups/group/best_management_practices_bmp_verification_committee
- Goulet noted the next USWG is scheduled for March 18th. Will be either a face-to-face meeting or a conference call depending on the length of the agenda.

Adjourned

Participants

<u>Name</u>	<u>Affiliation</u>
Norm Goulet, Chair	Northern Virginia Regional Commission
Tom Schueler, Coordinator	CSN
Jeremy Hanson, Staff	CRC, CBPO
Katherine Antos	EPA, CBPO
Raymond Bahr	MDE
Kaitlyn Bendik	EPA Region III
Karl Berger	MWCOG
Chris Brosch	Va Tech, VA DEQ
Greg Busch	MDE
Sally Claggett	US Forest Service, CBPO
Jack Frye	CBC
Randy Greer	DE DNREC
Alana Hartman	WV DEP
Bill Keeling	VA DEQ
Cecilia Lane	CSN
Neely Law	CWP
Hannah Martin	CRC, CBPO
Ken Murin	PA DEP
Donna Murphy	US Forest Service
Elizabeth Nellums	NFWF
Glynn Rountree	NAHB
Joan Salvati	VA DEQ
Ginny Snead	Louis Berger Group
Bill Stack	CWP
Steve Stewart	Baltimore County
Jenny Tribo	HRPDC
Ryan Winston	NCSU
Julie Winters	EPA, CBPO