

**SUMMARY**  
**Urban Stormwater Workgroup (USWG)**  
**Teleconference**  
**November 19, 2013**  
**10:00AM to 12:00PM**

**SUMMARY OF DECISIONS & ACTION ITEMS**

**DECISION:** The September minutes were accepted with the noted corrections from West Virginia.

**ACTION:** The workgroup will revisit the BMPs on CSO issue during a future conference call. Workgroup members should review Attachment C.

**DECISION:** The workgroup accepted the homeowner BMP crediting policy as written. It will be submitted for consideration by the WTWG and WQGIT.

**MINUTES**

**Welcome, Introductions, and Review of 9/17 Meeting Minutes**

- Tom Schueler (Chesapeake Stormwater Network; USWG Coordinator) noted that Norm Goulet (Northern Virginia Regional Commission; USWG Chair) was unable to join the call. He would chair the call in Goulet's place.
- Schueler reviewed the morning's [agenda](#).
- Schuler directed participants' attention to the draft minutes from the September conference call ([Attachment A](#)).
  - Jeremy Hanson (Chesapeake Research Consortium, CBPO) noted there were a few minor edits pointed out by Alana Hartman (WV DEP).
  - Hearing no further comments, the meeting minutes were accepted, pending the corrections pointed out by WV.
  - **DECISION:** The September minutes were accepted with the noted corrections from West Virginia.

**Announcements**

- Hearing no objections, the USWG will continue to meet the third Tuesday of each month.
- He asked for agenda topics or other items the workgroup would be interested in discussing over the coming months.
- Julie Winters: perennial interest in selection of wetland and stream restoration projects. Not just permitting issues, but also the project and BMP selection.
- Schueler noted the Technical Requirements for Entering UNM Practice into Scenario Builder ([Attachment B](#)) was accepted in September by the WTWG. He asked for comments or questions on the document. None were raised.
- Cecilia Lane (CSN): The Best Urban BMP in the Bay Awards (Bubba's) are for projects that have been constructed. Deadline for submission is January 30<sup>th</sup>, 2014. There are

seven different categories, including best homeowner BMP, best combination of BMPs in a series, and best stream restoration, among others.

- Schueler: the winner will be awarded \$5,000. He encouraged everyone to apply. The awards will be announced at the 2014 Stormwater Retreat.
- Schueler called for other announcements from the workgroup; none were raised.

### **Update and Next Steps on MS4/CSO Data Inventory**

- Fred Irani (USGS, CBPO) discussed the Bay Program Partnership's MS4 and CSO data, for the Phase 5.3 Model and new data that has been received recently. [View his presentation](#) for more details.
- Snead: some of the data may be out of date for Virginia. Can discuss offline with Fred to put him in touch with current point person.
- Irani: The data and attribute tables are not consistent across all the states. For example, Maryland has a lot of complexity where they designate industrial, etc., so we end up with a lot of different attributes. We have not received attribute tables that are consistent across all the states.
- Ottinger: part of the issue could be that the states define local jurisdictions differently. Township, county, municipality, etc. can add confusion to the process.
- Schueler: Maybe we can get some feedback from state agencies at the next meeting in December. When would CBPO need the updated info?
- Irani: By the end of 2014 would be fine. Depends on the CBPO Modelers' needs.
  - Schueler: We'll add it as a future agenda item for the states to report out on their MS4 and CSO data.
- Ottinger noted the states' data may also need to be updated based on the 2010 Census.
  - Schueler asked Ottinger to send updated maps to Fred Irani and Emma Giese at the Bay Program.
- There was a question about how the jurisdictions were submitting their land use data to the Bay Program.
  - Emma Giese (CRC, CBPO): we set up an ftp site where the states can upload the data. The data request was sent out through the Land Use Workgroup.
- Schueler directed participants' attention to Attachment C and noted the workgroup discussed the BMPs on CSO issue back in June. He asked the workgroup to review the memo one last time for a workgroup decision in December or January.
- **ACTION:** The workgroup will revisit the BMPs on CSO issue during a future conference call. Workgroup members should review Attachment C.

### **Review and Approval of Homeowner BMP Crediting Policy**

- Schueler directed participants' attention to the proposed policy for crediting homeowner BMPs under CBP-approved stormwater BMPs ([Attachment D](#)). He noted the version shared for the meeting did not incorporate comments received from Ray Bahr (MDE) the previous week, which will be incorporated in the updated memo after the call. He noted the issue was discussed during September's conference call. The substantive changes to the memo are explained on the first page. He called for comments or feedback from the workgroup.
  - For more details, [view the presentation](#).

- Ottinger: how exactly would we allow the localities to do this? Would we put something in their permits?
  - Schueler: Great question. The remainder of the slides shows how the crediting system works.
- Schueler: Local governments can opt out of the crediting framework. He noted we can only allow BMPs that meet CBP definitions, as defined by the expert panels.
- Buchheister: so the homeowner BMPs would get the same efficiency as other, more highly engineered practices?
  - Schueler: The homeowner practices have shorter lifespans for earning credit, relative to their larger performance standards and retrofit counterparts. They would get full credit, but for less time. They would need to be re-verified to continue earning credit past their lifespan.
- Cecilia Lane described the homeowner BMP guide developed by CSN and a large number of other partners. The document is open-source and fully adaptable for any user's needs. It is available on the CSN site at: <http://chesapeakestormwater.net/be-bay-friendly/>
- Jackie Takacs (Maryland Sea Grant) gave a brief overview of the SMART Tool developed by Maryland Sea Grant Extension in coordination with Howard County.
  - Takacs: There are 20 practices we currently track. Take full information so we fully track and verify each practice, and ensure we don't double count. At end of process, the county staff can see the aggregate totals for acres treated and other variables that could be submitted to the state. Currently piloting the project in Howard County, where it is linked to credits for their stormwater utility. Working to expand the SMART tool to Virginia as well. Jackie: All the information is available on the UMD Extension website: <http://extension.umd.edu/watershed/smart-tool>
- Schueler thanked Jackie and noted the workgroup will discuss this in more depth at its December meeting.
- Schueler noted CSN has been working to develop visual indicators for inspection and verification of homeowner BMPs. Will host a webcast series next year.
- Snead: Who's the leader on the related homeowner BMP efforts in Virginia?
  - Takacs: Nissa Dean with the Alliance for Chesapeake Bay, through their RiverWise Program
- Takacs: If anyone takes the time to look through the SMART tool, any comments and suggestions are welcome. I can be reached at [takacs@mdsg.umd.edu](mailto:takacs@mdsg.umd.edu)
- Schueler called for the workgroup to approve the homeowner BMP crediting memo as written. No objections were raised; the policy was accepted for submission to the WTWG and subsequently the WQGIT.
- **DECISION:** The workgroup accepted the homeowner BMP crediting policy as written. It will be submitted for consideration by the WTWG and WQGIT.

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

- Schueler directed participants' attention to the rough draft agenda for the upcoming STAC workshop on land use and loading rates ([Attachment E](#)). Currently nailing down speakers, venue, and dates. Should know more within the next couple weeks.

- He noted the CBPO has a contract in place with Tetra Tech, and has issued a Technical Directive to them to conduct a literature search and review with a delivery date in advance of the workshop.
- Bill Stack (Center for Watershed Protection) explained the goal of the workshop is to tee everything up for a future expert panel that will build off the recommendations and findings of the workshop and Tetra Tech's literature review.
- Schueler: not sure about the specifics of that future panel, but it is likely that Virginia Tech will take the lead. Virginia Tech was recently awarded a large cooperative agreement from the Bay Program to assist with BMP expert panels, among other things.

### **Update on Stream Restoration Expert Panel Test Drive**

- Lisa Fraley-McNeal (CWP) and Bill Stack recalled and summarized the protocols for stream restoration credit.
  - [View their presentation](#) for more details.
  - They discussed the six month test drive process. Four consulting firms and one local government applied the protocols to ten different projects over period.
  - For main concerns identified, see slide 8.
- Stack: We presented some solutions to the expert panel. There are concerns that the protocols are too complicated and difficult to use for planning purposes. Solution: make it clear that the interim rate is used for planning purposes and to projects that do not conform to recommended reporting requirements.
- Stack: We are putting another technical appendix together with results from the test drive.
  - He reviewed the concerns and associated changes following the test drive, and identified the changes that require panel approval [see slides 9 through 16]. We are working with CBPO staff this winter to incorporate these changes in Scenario Builder.
- Schueler: TBD if the changes are substantive enough to merit approval by the WQGIT or its workgroups.
- Matt Johnston (UMD, CBPO): Personally share some of the concerns that the protocols are complicated and the interim may be too high. There may not be enough incentive to go through the whole protocols when the interim rate, as the default rate for non-conforming practices, potentially gives more credit.
  - Stack: We revisited the interim rate and it appears to sit at the middle of available studies, so the rate is pretty good. The complaints about complexity were from local governments and only apply to the use of the protocols for planning purposes. Restoration professionals use these methods all the time and they are well understood.
- Schueler: have heard a lot of admiration for the report and the science behind it. Thank Bill and Lisa and the panel for their work. Not calling for any action at this time, will wait for the Panel to complete their work. Going forward, we will seek approval for the Technical Appendix for Scenario Builder, likely in the January timeframe.

### **Discussion on 2014 Bay-wide and State Specific Stormwater Training Needs**

- Cecilia Lane discussed some new CSN products and resources [slide 15], including the homeowner BMP guide, a new Technical Bulletin #10, Bioretention Illustrated, and an inspection and maintenance app (in beta) for tablets and smart phones.

- CSN will continue providing training under its NFWF grant for the Stormwater Training Partnership. Will be moving more towards webcast based training in 2014. Webcast themes will include homeowner BMPs, expert panel findings, and advanced stormwater design, and state-specific needs.
- CSN needs feedback from the states about their specific feedback. Can provide input to Cecilia directly to [watershedgal@hotmail.com](mailto:watershedgal@hotmail.com)
- Schueler asked the workgroup for their training priorities.
- Schueler: 2014 will be a big year. A lot of new state stormwater regulations will be taking effect.
- Snead: strongly support CSN's continued training efforts. The trainings have been well received and very useful.

### **State MS4 Permit Implementation Update**

- Schueler asked for state updates
- Snead noted she is no longer a DEQ employee. Virginia's Phase II General permit that covers over 100 permittees went into place in July. The first of 11 Phase I permits to be reissued, Arlington County, was issued by VA DCR and effective in June. The state has worked through issues that EPA had with the next two Phase I permits with the exception of their concerns about interconnectivity with VDOT. A letter from DEQ went to VDOT stating that they need to have an individual permit to resolve EPA issues of concern.
- Schueler: Montgomery County Co has its Phase I permit.
  - Steve Stewart: have not yet finalized Baltimore County's permit yet.
- Schueler: Pennsylvania has only Phase II permits in the Bay watershed.
- Ottinger: Pennsylvania's new general permit went into effect in March, but a lot of permit coverages are being held up. There are local TMDL requirements that need sign off from PA DEP. Areas with local TMDLs may take a little longer, expect to have coverage for other areas by March or April 2014. DEP is training their regional staff. They are also revising their BMP Manual.
- Ottinger: For Delaware, New Castle County's Phase I was reissued in May. Middletown now has its own separate Phase II permit, issued in October, but only for one year. Delaware, because of the new Census will get a new general permit, so Middletown will be covered under that new permit.
- Sebastian Donner (WV DEP): no new permittees in West Virginia. MS4s will be reissued next year.
- Schueler noted the District of Columbia is two years into its most recent permit. The workgroup will schedule and agenda item for VA/PA/MD to report out on updates to their guidance.

### **Preview of December USWG Meeting Agenda**

- Schueler explained the plan to have the next workgroup meeting or a call on December 17<sup>th</sup>. Looks like the Erosion and Sediment Control report will be ready for presentation. Will invite the Watershed Technical Workgroup to condense the review time for the BMP recommendations. Will also ask for Jackie to go into more depth on the SMART tool.
- Jeremy Hanson (CRC, CBPO) noted that the BMP Verification Review Panel would be sending feedback to the workgroup chairs and coordinators later that day.

- Cecilia Lane asked if the recently approved stormwater BMPs have been incorporated into CAST/MAST/VAST.
  - Johnston: They are in scenario builder. Will work with Olivia Devereux to get them into CAST/MAST/VAST.
  - Schueler: We will add this to our next agenda.

Schueler thanked participants for their time and input.

## **Adjourn**

## Participants

<b><u>Name</u></b>	<b><u>Affiliation</u></b>
Tom Schueler (Coord.)	CSN
Jeremy Hanson (Staff)	CRC, CBPO
Ted Brown	Biohabitats
Bevin Buchheister	CBC
Greg Busch	MDE
Sebastian Donner	WV DEP
Lisa Fraley-McNeal	CWP
Emma Giese	CRC, CBPO
Alana Hartman	WV DEP
Fred Irani	USGS, CBPO
Matt Johnston	UMD, CBPO
Cecilia Lane	CSN
Liz Ottinger	EPA Reg. 3
Ginny Snead	Louis Berger
Bill Stack	CWP
Steve Stewart	Baltimore County (MD)
Jeff Sweeney	EPA, CBPO
Jackie Takacs	MD Sea Grant
Jennifer Tribo	HRPDC
Julie Winters	EPA, CBPO