

## **Urban Stormwater Workgroup Meeting**

**Tuesday, January 19, 2016**

**10:00 AM to 3:00 PM**

### **MINUTES**

#### Summary of Action and Decision Items

DECISION: The USWG approved the November meeting minutes.

ACTION: Jurisdictional USWG representatives should review the historic BMP implementation data presented by Jeff and available on the password protected sites, and be prepared to discuss possible reasons for discrepancies between reported Phase 5.3.2 acres and reported Phase 6 acres at the next USWG meeting.

ACTION: The Street Sweeping and Storm Drain Cleaning BMP panel report will be sent to the WTWG, where MDE will raise their two remaining concerns, and Virginia will present their alternative proposal for a mass balance crediting methodology. All other jurisdictions, please update your WTWG representatives.

ACTION: Cecilia will reach out to the elected local government representatives and ask if they would like to serve a one or two year term. Cecilia will also contact at large members to let them know about their 2-year terms.

DECISION: The Urban Stormwater Workgroup confirmed their official membership.

ACTION: BY January 29, send Tom any comments or concerns with the Urban BMP Interpretations Memo. If no comments are received, it will be considered approved by the USWG. Tom will make any requested revisions and bring it back to the USWG for the February meeting

ACTION: Carroll County will put together a short memo/proposal and bring it back to the USWG in 6-9 months. In the meantime, the USWG will begin discussing options with the CBP modeling team.

ACTION: USWG members should submit any comments on the Toxics Report by January 29.

#### Welcome and Review of November Meeting Minutes – Norm Goulet, NVRC

DECISION: The USWG approved the November meeting minutes.

#### Announcements – Cecilia Lane, CSN

- STAC Requests for Workshop proposals are due January 25. The USWG does not have plans to submit any requests, but please contact us by the end of the day if you have a proposal idea that you would like to submit.
- Chesapeake Stormwater Network (CSN) has put together an MS4 survey to help identify key capacity gaps and needs. The survey will go live this week, and we ask that you please either take the survey or pass it along to any MS4 colleagues.
- CSN has developed two new fact sheets on nutrient discharges from gray infrastructure. The fact sheets are due to be released next week.

- Water Quality Goal Team face-to-face meeting was held in December to go over upcoming decisions for 2016. A lot of the meeting centered on the Phase 6 Model update and reviews. As information pertinent to this group is released, we will bring it forward to future USWG meetings.
- Impervious disconnections BMP expert panel is making steady progress but we don't yet have an estimate for when a final report will be released. In the overall scheme of Phase 6 Model development, it is lower priority. For the Urban Tree Canopy panel, an email went out last week to announce a February 11<sup>th</sup> webinar to present new and improved loading rates for the proposed tree canopy land uses. That webinar will be recorded and posted online.
- Floating Treatment Wetlands BMP expert panel is meeting towards the end of the month, and are looking for a final report by this summer.
- The 2016 LID Symposium is being held this year in Portland, Maine at the end of August. Abstract submission deadline is February 12. Contact Tom and he can provide additional details.

#### Historic BMP Data Cleanup – Jeff Sweeney, EPA

Jeff presented summaries of draft historic stormwater management data submitted by jurisdictions. The information is used, in part, to report out implementation efforts and for the initial calibration of the partnership's Phase 6 Watershed Model covering the period 1985 – 2013.

#### **Discussion:**

- Schueler: What do you think accounts for the downward implementation trend between 2010 and 2013?
  - Marty Hurd (DOEE): We did not have a lot of verification information in an easily accessible format, so when we prepared the historic record, we were prepared to let some practices fall out of credit until our verification program is up and running. Perhaps some of those acres could come back.
- Sweeney: There will be opportunities to go back and revise the historic data. The next opportunity is in April, and the final opportunity will be in September. I am intentionally highlighting some of the more unusual data because the jurisdictions should review it.
- Sweeney: The disparity between the cumulative acres on implemented stormwater BMPs reported in Phase 5.3.2 and what we have seen reported for Phase 6 so far is tremendous, and we really do not understand why there is such a large difference in acres. We will make sure the states are aware of these discrepancies and any apparent errors so they can continue to focus their review of the data.
- Schueler: What is your gut in terms of risk to the states if these discrepancies don't get resolved?
  - Sweeney: A lot depends on whether the agriculture sector shows similar trends. The loads at the monitoring stations don't change, so it just depends whether the reductions are attributed to the urban or agriculture sector.
- Goulet: I recommend that our jurisdictional USWG representatives get with their NEIEN reporting people and figure out if this is valid data. We will put this high on the agenda next month to go around state by state to see what the best estimates are for why we're seeing what we're seeing.

- Katherine Antos (EPA): In previous years, EPA has offered WIP assistance funds for historic data cleanup efforts, and I would anticipate that it would be an option again.
- Hurd: When the model reports came out, we had talked with other state folks about the difficulty we've had with interpreting it. The information was very thorough, but difficult to interpret.
  - Sweeney: We heard that in the beginning and we have summary reports for each category of practices on those password protected sites.

**ACTION:** Jurisdictional USWG representatives should review the historic BMP implementation data presented by Jeff and available on the password protected sites, and be prepared to discuss possible reasons for discrepancies between reported Phase 5.3.2 acres and reported Phase 6 acres at the next USWG meeting.

#### Street Sweeping and Storm Drain Cleaning BMP Update – Tom Schueler, CSN and Greg Busch, MDE

Norm and Tom presented the revised panel recommendations and the revised Response to Comments document that was developed after the public comment period. Greg Busch from MDE presented their concerns with the recommendations to the USWG.

#### **Discussion:**

- Goulet: Are there any other concerns with the report right now?
  - Antos: Not a concern, but I noticed in the report that parking restrictions were considered, but that once the final crediting options were considered, parking wasn't one of the factors. Why is that?
    - Schueler: Parking controls were factored in to the estimates because for each of the crediting options there were about five different modeled scenarios, which accounted for parking restrictions. We took the midpoint of those modeled scenarios to come up with the credit options.
  - Jaime Bauer (VA DEQ): Virginia has concerns with the elimination of the mass loading crediting approach. We feel that should be something that should still be allowed. Many localities are relying on street sweeping and this would reset a lot for them. Even though the reductions are explained sufficiently in the report, we don't have a good idea of where the impact would be.
    - Goulet: Is that a science concern or policy concern?
    - Bauer: It is a policy concern. The science is well explained. As presented, the report is ok. We just have concerns about changing something that has been allowed for many years even though we recognize the science has changed over many years. We have localities willing to take on street cleaning studies to investigate the street sweeping efficiencies further. I'm just afraid localities will abandon street sweeping entirely.
- Goulet: The expert panel was adamant that a mass loading approach was not going to work, from a science perspective, any longer.
  - Kate Bennett (Fairfax Co.): We are not questioning the science, but I just want consideration to the timing of the application of these changes.

- Bauer: We recognize that mass loading credit is available until 2017. But if we keep changing the endpoint, that is really frustrating from an implementation standpoint.
- Schueler: The original credit for this practice had a strict qualifying credit of 26 passes minimum. It was over concerns that those conditions were too restrictive that we put together a new panel to provide flexibility. If the report is rejected, the old credit would apply, but so would those stringent frequency requirements.
- Hurd: I think this report is a huge improvement because it better reflects reality and is much more verifiable.
  - Antos: I agree with Marty that this is a far superior report and EPA would support moving forward.
- Goulet: I am seeking recommendation from the USWG that we move the report forward to the Watershed Technical Workgroup (WTWG). At the WTWG, MDE would have the opportunity to raise the two concerns they identified.
  - Bauer: Virginia cannot recommend moving forward. In order to move this report forward, Virginia would need to see the mass balance crediting method included, even if the means of determining that credit were tweaked.
  - All other jurisdictions recommended moving forward.
- Goulet: Per the BMP Protocols, it is incumbent upon the dissenting party to come up with an alternative proposal that they can live with. Please work with your WTWG representative to develop this alternative and provide it in advance of the Watershed Technical Workgroup Meeting.

**ACTION:** The Street Sweeping and Storm Drain Cleaning BMP panel report will be sent to the WTWG, where MDE will raise their two remaining concerns, and Virginia will present their alternative proposal for a mass balance crediting methodology. All other jurisdictions, please update your WTWG representatives.

#### USWG Membership – Norm Goulet, NVRC

Norm presented the final membership list for the Urban Stormwater Workgroup.

#### **Discussion:**

- Goulet: I recommend having a 2 year term and a 1 year term for the local government representatives and a 2 year term for the at-large members. Any objections?
  - None raised.
- Goulet: We will contact the local government reps and let them determine which rep would like to serve 1 year and which would serve 2 years. That allows for the consistent ability to bring in new members.

**ACTION:** Cecilia will reach out to the elected local government representatives and ask if they would like to serve a one or two year term. Cecilia will also contact at large members to let them know about their 2-year terms.

**DECISION:** The Urban Stormwater Workgroup confirmed their official membership.

Urban BMP Interpretations – Tom Schueler, CSN, Gale Engles, Byron Madigon, Martin Covington, Carroll County, MD

Tom Schueler presented a draft crediting policy on how to incorporate “urban BMP interpretations” into the watershed model and how localities can account for them towards meeting their load reductions. Gale, Byron and Martin provided an overview of Carroll County’s innovative approach to providing nutrient reductions through streambank stabilization for consideration as an urban BMP interpretation.

**Discussion:**

ACTION: BY January 29, send Tom any comments or concerns with the Urban BMP Interpretations Memo. If no comments are received, it will be considered approved by the USWG. Tom will make any requested revisions and bring it back to the USWG for the February meeting.

**Carroll County Presentation:**

- Ray Bahr (MDE): How would you go about selecting the downstream location?
  - Engles: Martin has taken 8 location to see how far downstream we can go. You could visibly see the effect in about 6 of those sites. There seems to be a correlation between the amount of flow reduction and the stabilization downstream.
- Schueler: One piece of advice, and I think this is a great concept, is to get pollutant removal credit for sand filter, and combine it with additional credit for a stream restoration practice. So the challenge then is finding out how to place bounds around the stream restoration aspect of it. It would be important to define the distance of influence of the BMP in a more general way and a way that can be verified.
- Ted Brown (Biohabitats): Two things to be tracked or looked at, are receiving channel slope and the ability to control additional downstream inputs that could negate the benefits from the facility retrofits.
- Bahr: MDE is supporting this application and we have an ongoing dialogue with Carroll County. We have talked about possible ways of getting MS4 credits, but the big piece is getting the Bay model credit.
- Schueler: Do you feel the same principles for your theory would apply in flat coastal plains?
  - Covington: I would have to think about this. I would think it would work in the mountains and the Piedmont, but I don’t know about in the coastal plains.
  - Schueler: Maybe even having a slope restriction would be a way to handle that, but it should be a consideration.
- Schueler: If you put together a short memo/proposal and bring it back in 6-9 months. We can make an interim decision and speak to the CBP modelers.

ACTION: Carroll County will put together a short memo/proposal and bring it back to the USWG in 6-9 months. In the meantime, the USWG will begin discussing options with the CBP modeling team.

Overview of Urban Toxic Contaminant Removal by Stormwater BMPs in the Chesapeake Bay – Tom Schueler, CSN

Tom presented the key findings from the literature survey conducted by CSN on the ability of stormwater BMPs to remove “Urban Toxic Contaminants”.

**Discussion:**

- Bill Stack (CWP): Have you looked into the effectiveness of street sweepers specifically?

- Schueler: Our report didn't focus a lot on that, but the street cleaning panel looked at toxic enrichment of sweeper waste and the data showed that when you sweep the streets, they are generally enriched with toxics. It can be a good strategy for controlling those toxics.
- Karl Berger (MWCOC): D.C. has a very extensive toxics TMDL and when they did their action plan, they were looking at toxic reduction efficiencies of their BMPs. Do your assessments match up with their assessments?
  - Jonathan Champion (DOEE): I haven't done a direct comparison of the performance from this report versus the Limnotech report in our study, but the approach seems to be very consistent. The best approach is tracking and correlating with sediment performance. There may be some variability, but nothing was dramatically inconsistent.
- Bahr: Is there a method MS4s could use to help develop toxics TMDLs?
  - Schueler: I would think making use a sediment curve from the urban BMP panel reports to get sediment reduction rate, and then look at the toxics correlation in this report.

ACTION: USWG members should submit any comments on the Toxics Report by January 29.

#### New Method for Mapping Forests and Tree Canopy Land Uses – Renee Thompson, USGS

Renee, from the CBP Land Data Team, reviewed and solicited feedback on a proposed new method for mapping forests and tree canopy land uses for use in the Phase 6 model.

#### **Discussion:**

- Berger: I just want to clarify that there hasn't been a final WQGIT decision on these tree canopy land uses. If the decision is made not to have the land uses, we will default to underlying land uses. The reason the Land Use Workgroup is addressing this now, is because by the end of January they have to automate how they translate data into Land use/Land cover.
- Goulet: Is there any discomfort about this process?
  - No concerns were raised.

#### Adjourned

#### List of Call Participants

<b>Member</b>	<b>Affiliation</b>
Norm Goulet (Chair)	NVRC
Tom Schueler (Coordinator)	CSN
David Wood (Staff)	CRC
Nathan Forand	Balt. Co. DEPS
Ted Brown	Biohabitats
Gale Engles	Carroll Co.
Byron Madigan	Carroll Co.
Martin Covington	Carroll Co.
Ann Jennings	CBC
Bevin Buchheister	CBC
Jesse Maines	City of Alexandria

Ruth Hocker	City of Lancaster
Justin Shafer	City of Norfolk
Cecilia Lane	CSN
Randy Greer	DE DNREC
Julienne Bautista	DOEE
Marty Hurd	DOEE
Jeff Sweeney	EPA, CBPO
Katherine Antos	EPA, CBPO
Jenny Tribo	HRPDC
Ginny Snead	Louis Berger
Greg Busch	MDE
Ray Bahr	MDE
Christina Lyerly	MDE
Jeff White	MDE
Pam Parker	Montgomery Co.
Karl Berger	MWCOG
Mike Hickman	PA DEP
Jill Whitcomb	PA DEP
Renee Thompson	USGS
Jaime Bauer	VA DEQ
Kelsey Brooks	VA DEQ
Jeremy Hanson	VT, CBPO
Sebastian Donner	WV DEP
Alana Hartman	WV DEP