



Urban Stormwater Workgroup Meeting

Tuesday, November 17, 2015
10:00 AM to 12:00 PM

Minutes

Summary of Actions and Decisions

DECISION: October USWG minutes were approved as written.

ACTION: A formal call for nominations will be distributed via email to the USWG, as well as to other available distribution lists of local stormwater implementers. Please respond with any nominations, and a short bio/resume by December 18.

DECISION: The USWG supported the initial proposal to form a joint sub-workgroup between the Urban Stormwater Workgroup and the Stream Health Workgroup. Updates will be provided as the action is vetted through the work plan review process.

ACTION: USWG members should send comments on the draft BMP Interpretation Policy to Tom Schueler prior to the next USWG meeting.

Welcome and Review of October 20 Meeting Minutes. Norm Goulet, Attach A

DECISION: October USWG minutes were approved as written.

Announcements

- Shoreline management credit is now available for communities to use. The report dated July, 2015 is posted on the CBP website and the CSN website.
 - Bill Stack (CWP): At some point this winter or next summer, it would be good to have an amendment to the report to allow for credit for nutrients, since as of now, the credit is only for sediment. Lew Linker (EPA, CBPO) is the point of contact for the modeling team.
- Algal Flow Way Technology expert panel report was presented at WTWG in November. The Public comment period is open until December 5.
- Tree canopy land uses were accepted into Phase 6 Beta version of the Watershed Model and loading rates were set equal to those of the underlying land uses. The Forestry Workgroup and the expert panel are working on providing new information on loading rates, as well as BMP reduction efficiencies. They will come back to the USWG when the BMP report is ready.
- Street Sweeping expert panel response to comments document was distributed. It is scheduled to go to WTWG in December, unless there are substantial issues remaining. There will be an update by December.
- The first memo from the urban toxics project was presented to the Toxic Contaminants Workgroup on November 10. It is under review until November 30. A second memo will be developed by mid-December that will cover toxic contaminants from the agriculture

and wastewater sectors. Full results from the two memos will be presented to the USWG in January.

Call for Nominations. N. Goulet, NVRC. Attach B & C

Norm presented the accepted Governance Policy for the USWG (Attach B) and issued a call for nominations of Local Government Implementers and At Large Members, per the new policy. Selection of Local Government Implementers and At Large Members will be determined by USWG Signatory Members (Attach C).

ACTION: A formal call for nominations will be distributed via email to the USWG, as well as to other available distribution lists of local stormwater implementers. Please respond with any nominations, and a short bio/resume by December 18.

Biennial Work Plan for the Stream Health Work Group. Bill Stack & Neely Law, CWP (Attach D)

Bill and Neely presented the Stream Health Biennial Work Plan and discussed the idea of establishing a joint Stream Health Work Group (SHWG) and USWG sub workgroup as per STAC recommendation (from the Sustainable Stream Restoration Workshop) to develop guidance to optimize stream restoration projects to reduce nitrogen, phosphorus, and sediment loads delivered downstream as well as benefit instream aquatic life to improve Chesapeake Bay BIBI. The joint workgroup will also address other technical issues identified in STAC Workshop and by the Stream Restoration Expert Panel.

Discussion:

- Recommendation that USWG and SHWG form joint workgroup, per STAC recommendation, to develop guidance (e.g. Via expert panel) to optimize stream restoration projects to reduce excess nitrogen phosphorus and sediment loads delivered downstream, as well as benefit instream aquatic life to improve Chesapeake BIBI. They would also use workgroup to address other technical issues identified in STAC workshop on sustainable stream restoration
- Ted Brown (Biohabitats): I think that is a good idea, but it seems to me the new general permit almost requires this as a condition of getting the general permit. Is that not going to be sufficient motivation or regulatory condition to push this initiative? Maybe this isn't necessary.
 - Stack: I think it will help, but people will still approach the general permit individually. This would be a panel of experts to provide guidance that can help with the permitting process so that everyone applying isn't doing their own thing. It would greatly facilitate that process.
 - Brown: I would recommend someone from the Army Corps of Engineers being on the panel.
 - Kate Bennett (Fairfax Co.): I agree with both of you. I really support this idea.
- Goulet: Do you see this as a short term workgroup?
 - Stack: I think given the controversy around stream restoration in general, that it would be longer term. I would think some meaningful guidance could come over the course of a year or so and I suppose it could take longer.

- Jenny Tribo (HRPDC): I think it would be important to make sure the charge is very clear.
- Schueler: How do you anticipate the group to be staffed and supported?
 - Stack: I think that the makeup of the panel should be similar to the makeup of the stream restoration panel. Maybe adding a few more academic folks. In terms of staffing, that is a good question. I would look to the Bay Program for staff support. If they bring on board another stream coordinator, that would be the perfect person to facilitate this workgroup. I think it should be co-facilitated, so maybe Tom or Cecilia could also be on the group or have something to do with it because of your experience.
- Schueler: I agree it is a good idea and would be happy to help out, but it is certainly a big task and I think we need to make sure those resources are identified.
- Goulet: What is the next step?
 - Stack: We want to get buy in from the USWG, first. Then please feel free to take a look at the language we have in the workplan because we will finalize the language for the biennial workplan, and then go through the workplan review process.
 - Law: We will share any comments with you as we revise the language for this action over the next month or so. We can provide a monthly update at your meetings to ensure there is continued agreement and support of the USWG as we finalize the language for this specific action.
- Goulet: I think that sounds good. You do have buy in from the USWG at this point in time.

DECISION: The USWG supported the initial proposal to form a joint sub-workgroup between the Urban Stormwater Workgroup and the Stream Health Workgroup. Updates will be provided as the action is vetted through the workplan review process.

Chesapeake Bay Stakeholder Assessment. Frank Dukes, UVA (Attach E)

Frank presented the findings of the Stakeholder Assessment and discussed how they can inform the development process for the Phase III WIP expectations.

Discussion:

- Schueler: What is the role of the action plan development team, and what is their timeline?
 - Dukes: The action plan is intended to incorporate the lessons from the draft stakeholder assessment report, particularly with regards to engaging local stakeholders, and come up with an actionable plan for what needs to be improved and emphasized. A draft is currently being reviewed by the development team and they will have the action plan draft for the WQGIT's December face-to-face meeting.
 - Goulet: Yes, the action plan will recommend how the assessment findings can be used to inform the decisions made by the partnership that will go into the Phase III WIP expectations memo. We will be using Frank's findings to improve the

process for Phase III. I would suggest sending any comments you have to me, and I can bring them forward through this working group.

- Tribo: Sounds like there was a diverse group of answers from the stakeholders, is there enough information there to inform the next phase?
 - Dukes: I think one outcome of the action plan will be that the process will be more targeted by jurisdiction and sector, because the responses were so varied. Sentiments shared by everyone were concerns over the schedule, and that there needs to be more communications within and between the jurisdictions and sectors.

Addressing Credit for Urban BMP Interpretations. Tom Schueler, CSN

Tom led the workgroup in a discussion on how best to integrate newer technologies into the existing crediting schemes specifically in regards to the real-time Stormwater controls systems that were presented at the October meeting.

Discussion:

ACTION: USWG members should send comments on the draft BMP Interpretation Policy to Tom Schueler prior to the next USWG meeting.

- Sebastian Donner (WV DEP): The suggested process looks good, especially the need to provide documentation, the different options for accepting a proposal, and the states having the ability to individually opt out. Overall I think this proposal looks good.
- Randy Greer (DE DNREC): Maybe one possible way to vet some BMPs is to slot them into existing expert panels that have already convened and get their rough input?
 - Goulet: The problem is once the panel has been released, I don't necessarily want to keep going back to them since they already put their time in. I think the workgroup could maybe make that call if there is a situation where it would make sense.
 - Schueler: I don't think it is feasible to reconstitute a panel, but if the workgroup wants that expertise, there are usually a few panel members who are still available on some of the topics. As long as we treat the members as individual experts rather than a full expert panel, I think it works.
- Jeremy Hanson (VT): I think the proposal looks good. I think there may be instances where other sectors could learn from this.
- Jaime Bauer (VA DEQ): I think it is a good path forward.

December Meeting Agenda

- The December 15 USWG meeting will be cancelled due to a conflict with the WQGIT face-to-face meeting. The next USWG meeting will be on January 19.

Adjourned

List of Call Participants

Member	Affiliation
Norm Goulet (Chair)	NVRC
Tom Schueler (Coordinator)	CSN
David Wood (Staff)	CRC
Nathan Forand	Baltimore Co. DEPS
Ted Brown	Biohabitats
Cecilia Lane	CSN
Bill Stack	CWP
Neely Law	CWP
Randy Greer	DE DNREC
Julienne Bautista	DOEE
Kate Bennett	Fairfax Co.
Jenny Tribo	HRPD
Shannon McKendrick	MDE
Jill Witcomb	PA DEP
Frank Dukes	UVA IEN
Jaime Bauer	VA DEQ
Jeremy Hanson	VT, CBPO
Sebastian Donner	WV DEP
Alana Hartman	WV DEP