

**Chesapeake Bay Program
Urban/Suburban Stormwater Workgroup
February 7th, 2012 Meeting**

Key Action Items

ACTION: Workgroup members should contact Cecilia Lane (watershedgal@hotmail.com) if they have any suggestions for getting better sources for BMP cost estimates.

ACTION: Workgroup members should review the [Proposal for Urban Stormwater BMP Reporting, Tracking and Verification](#) and provide comments to Lucinda Power (power.lucinda@epa.gov) by March 8th.

ACTION: State stormwater agencies should send their current or planned urban BMP reporting documentation to Tom Schueler so that it can be integrated into the verification proposal (watershedguy@hotmail.com).

ACTION: USWG will look into the issue of how CAST handles street sweeping and how to incorporate new BMP rates into future editions of these tools. CSN will invite them to next meeting.

Minutes

Welcome, Introductions, and Review of Meeting Minutes – Norm Goulet, Chair

DECISION: The October, 2011 meeting minutes and the 2012 USWG meeting calendar were approved.

2012 Workgroup Agenda Topics – Norm Goulet, Chair

The following topics were proposed for discussion on 2012 workgroup calls or meetings:

- Get a Synopsis from each state on their BMP tracking and reporting system, and how it might impact verification issues.
- Peter Claggett and the Urban Sprawl/Land Use BMPs
- Have Greg Allen of Federal Facility Team provide an update on federal BMP implementation under the WIP
- Devote a meeting to 2017 Model Update Session (Land Use and BMP modeling). Look at prospects for modifying land use for 2017 watershed model updates?
- EPA stormwater rule and ELG for construction
- Update on expert panels for forestry BMPs

- Set up a mini-workshop on floating islands/harvested vegetation/wetland harvesting rule

Brief Update on Milestones and Watershed Implementation Plan Review Process – Lucinda Power, Coordinator

Lucinda gave a brief update on draft Phase 2 WIP submissions and milestones. EPA had provided comments to each state and final versions are due March 30, 2012.

- Review of phase II WIPs will include local submissions if it is submitted as part of state plan.
- When final plans come in as a group we should look at practices that are the cornerstone of future implementation (like UNM and street sweeping) to ensure local government understand what these practices are, what the requirements are and how to implement them.

Interim Rate for Stream Restoration – Tom Schueler, CBP Technical Expert

- Virginia requested an interim rate from EPA in December which was granted
- The interim rate is higher than the previous rate by an order of magnitude.
- The new interim rate is available for use in WIP planning by all Bay states and localities. The final rate will be developed through the expert panel process, and will be used in milestone model runs.

| Removal rate per Linear foot of Qualifying Stream Restoration | | | |
|--|--|-----------|------------|
| Source | TN | TP | TSS |
| Original CBP Approved Rate | 0.02 lbs | 0.0035 | 2.55 lbs |
| New Interim CBP Rate | 0.20 lbs | 0.068 lbs | 310 lbs |
| Final CBP Approved Rate | To be developed by Urban Stream Restoration Expert Panel later in 2012 | | |

Status Updates from Urban BMP Panels – Tom Schueler, CBP Technical Expert

- **Urban stormwater retrofit:** Panel reached verbal consensus on removal rate protocol that applies to a wide range of new retrofit facilities and existing BMP facilities at January, 2012. CSN drafted a review draft of the Panel recommendation for internal review in Feb. A final Panel call may be scheduled prior to report out at March 20 USWG meeting.

- **State stormwater performance standards.** Panel reached verbal consensus on removal rate protocol that apply to both new development and redevelopment on January, 2012. CSN drafted a review draft of the Panel recommendation for internal review in Feb. A final Panel call may be scheduled prior to report out at March 20 USWG meeting. Some issues related to verification need to be resolved to obtain final consensus.
- **Urban stream restoration.** Panel held a day long research review workshop in February, and concluded the literature review phase. More than 75 research studies were incorporated in a database, and CSN drafted a memo on possible areas of concurrence. The next Panel meeting is scheduled in early March, and several additional meetings will be needed to get to consensus. Tom noted that EPA and the Corps have a separate ad-hoc group looking at regulatory /permitting issues associated with restoration in the stream corridor associated with Regenerative Conveyance Systems. Tom will keep the Panel and the USWG abreast of any outcomes from this group.
- **Urban fertilizer management.** This BMP is applied to 1.5 million acres, or half of the turf in the model, which is the largest land use in the model. Panel has a large, 5 part charge to consider definitions and credits for the following:
 1. Automatic Credit for State-wide P Ban in Lawn Fertilizer
 2. Credit for jurisdictions without a P Ban, but all available lawn fertilizers comply with standards set by surrounding jurisdictions with P Bans
 3. Proper Fertilizer Application on Privately Owned Turf (Urban Nutrient Management)
 4. Fertilizer Reductions on Publicly Owned Turf
 5. Local Campaigns to Reduce Fertilization Frequency on Privately Owned Turf

Industry, trade and environmental interest groups have until end of Feb to make comments for panel consideration.

The Panel held a day long research review workshop in February, and concluded the literature review phase. More than 100 research studies were incorporated in a database. The initial focus of the Panel has been defining the benefit of state-wide P fertilizer bans, and coming up with a tighter definition of what constitutes urban nitrogen fertilizer management. Panel will discuss possible areas of concurrence at its next meeting scheduled for early March. Given the broad charge of the Panel, it is anticipated that several additional meetings will be needed to get to consensus.

CSN Cost Database Update – Cecilia Lane, CSN

Cecilia presented the framework for conducting the BMP cost analysis, asked for input on what BMPs are the highest priority, and solicited recommendations for contacts and sources to acquire recent cost estimates.

The Workgroup provided numerous contact recommendations. The Workgroup also decided on four priority BMPs to gather cost data during 2012. They are:

- Bioretention
- Stream Restoration
- Urban Fertilizer Management
- Street Sweeping

ACTION: Workgroup members should contact Cecilia Lane (watershedgal@hotmail.com) if they have questions or suggestions.

Update on Effluence Guidelines – Jenny Molloy, EPA

- On January 3rd there was a federal register notice published to get additional performance data for the effluence guidelines.
- This data then has to be processed, etc. so likely won't be through until the end of 2012 at the earliest.

Prioritizing Urban BMPs for Review – Norm Goulet, Chair

The following BMPs, in order of priority, were selected by the workgroup as the subjects for future expert panels to determine pollutant removal rates:

1. Erosion and Sediment Control as proposed by West Virginia
2. Illicit Discharge Elimination in conjunction with the Wastewater Treatment Workgroup
3. Impervious Disconnect
4. Soil amendments/Sub-soiling
5. Urban Filter Strips and Upgraded Stream Buffers in conjunction with the Forestry Workgroup
6. Floating Wetlands
7. MS4 Minimum Management Measures
8. Urban Shoreline Erosion Control
9. Catch Basin Cleanout

Norm noted that the priority list would be re-evaluated every six months or so to ensure that most critical BMPs are being evaluated

Tom noted that CSN has the capacity to support from 2 to 4 Expert BMP Panels each year.

Discussion:

- Enhanced erosion and sediment control has higher priority because it was requested as interim BMP by West Virginia.
- Wetland/floodplain restoration request from Pennsylvania appears to be subsumed into the ongoing stream restoration panel, so it does not need to be considered separately.
- Urban tree planting has a workgroup through the forestry side that Tom Schueler will be attending, so this group does not need to consider it.
- Several localities requested that panels be formed to derive rates for each of the six minimum management measures in their MS4 stormwater permits, since it would be a useful way to continue financial support for these permit driven programs. Other noted that defining removal rates for several of them was difficult, given the scarce science to support them.
- Virginia requested harvested wetland as an interim BMP and a preliminary literature review has been done by CBP staff.
- Catch basin cleanout was considered 2011 and the panel decided there was not enough existing data. To develop an efficiency nutrient data is need from multiple sources and it cannot be a onetime clean out. Bulk removal versus regular removal and qualifying conditions need to be considered.
- Other BMPs proposed for future consideration included: yard waste collection/recycling, harvested wetlands and urban sprawl/impervious area reduction

ACTION: CSN will work with Tetrattech support contractor to get the literature review phase initiated for the two highest priority panels in the next two months: nutrient reductions associated with enhanced erosion and sediment controls and elimination of illicit discharges.

ACTION: Norm Requested that USWG members should provide CSN with nominations of individuals who are qualified to serve on both panels, and stressed the need to expand the number of individuals serving on the expert panel process.

ACTION: Rachel Streusand will distribute the revised BMP prioritization list as part of the meeting notes.

Urban BMP Verification – Lucinda Power, Coordinator

Lucinda briefed the workgroup on the process for developing BMP verification principles and protocols among the many different nutrient source sectors. She then walked through the key principles in the memo which had been provided in advance to the USWG. There was considerable discussion on the topic from state agencies. Some of the highlights were:

Robin Pellicano, MDE, inquired how this information on verification will be reported now that we only report new installation through NEIEN. It was proposed that a unique indentified could be used for each practice and when a verification is done the BMP could remain for a longer time or be removed from the model. This would require adding a field to NEIEN. Ray Bahr (MDE) also noted that any additional BMP reporting requirements be provided

Ken Murin, PADEP, was concerned that many non-MS4 communities in PA (as the Phase 2 MS4s that rely on PADEP for stormwater review) do not have the staff capacity to perform initial or ongoing BMP verification as recommended in the memo. WVDEP also indicated that this was an issue for non-MS4s in their state as well.

Steve Stewart (Baltimore County) expressed concern that the proposed verification requirements will be too labor intensive to be practical. The cost/benefits of verification depend on the importance of the load reduction.

Tom noted that simple visual indicators have been developed by CWP that can be piggybacked on routine inspections required under Phase 1 and 2 MS4 Permits, and that they should not greatly increase the burden for local governments. Several work group members suggested a sub-sampling approach, whereby only a fraction of the BMPs in a locality would be inspected in any given cycle, and that data would be applied to the locality as a whole. Other work group members suggested that the protocol should distinguish between new BMPs moving forward, versus the legacy urban BMPs installed over the past few decades.

The sense of the group was that they were not satisfied with the current proposal, and wanted time to provide more comments to CSN to incorporate into a revised memo, and discuss at greater length at next USWG call.

ACTION: Workgroup members should review the [Proposal for Urban Stormwater BMP Reporting, Tracking and Verification](#) and provide comments to Lucinda Power (power.lucinda@epa.gov) and Tom Schueler (watershedguy@hotmail.com) by March 8th.

ACTION: State stormwater agencies should send their current or planned urban BMP reporting documentation to Tom Schueler so that it can be integrated into the verification proposal (watershedguy@hotmail.com).

Participants (partial list)

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