

TOWG Vision and Process

Branosky/Rhoderick

- Proposed strategy- call workgroup members, w priority on state leads
- Ask to identify projects, challenges and suggestions for wg activities
- Work to develop list of topics and then work plan
- DeBell- is there an opportunity for us to participate on these calls? It might be helpful to hear them first hand
- Branosky- will alert the group of when these calls will occur for those interested to join.

Updates from jurisdictions

Jurisdiction leads

a. VA Senate Bill No. 77 – Baxter

- See links shared previously for history
- Framework for expansion of trading in VA developed within report
- Legislation completely implements suggestions in section of report
- We have had a program in place, running since 2005
- Good deal of language in new section of Nutrient Trading Act, DCR will of through process to establish regulation
- How it is expanding
 - By introduction it is proactive, not responsive. When non-sig etc have to meet their allocation they will be able to use credits to achieve compliance
 - Offsetting stormwater during construction requirements, can only use permanent credits
 - MS4's, CAFOS's, Industrial Stormwater, New or Expanding WWTP required to offset all of new load. Any type of credit can be used, as long as it is in always in place
- Bills have passed each origination house unanimously, willing to bet these would pass and be signed. Active as of July 1, 2012
- Kelly- anything related to baseline?
- Baxter- addressed by regulation process established, statutory process established. Established WIP as document to base this on

b. MD Senate Bills 118 and 428 – Payne

- Working to repeal and amend legislation that had passed in 2010. Basically the same, plus inclusion of sediment. Currently no way in legislation to regulate sediment and this would allow it
- There is a bill we hope to see dropped that would duplicate the Ag Committee.
- Another opposed by Dept of Ag- bill establishing ban on regulations intended to get Ag closer to TMDL until all other jurisdictions have met their allocations

- Baxter- any thought to connection of P and sediment? When one buys P reduction, they get sediment to sell?
- Payne- they are set up in separate markets, bought and sold separately.

c. Jurisdiction Updates

- NY- way behind, have yet to submit Draft WIP II. Thinking of trading generically as part of MS4 permits and other, allows for aggregates
- PA- hope to have a statewide framework out this spring
- MD- have not yet completed Phase III yet. Still in process of offsets for new development. Looking at different tiers, but plan to complete process during the year
- WV- WIP II includes Sect. 11 which portrays position to offsets/trading. No need for formal program at this time. Need to establish policy relative to offsets, included in WIP II. Use WIP to establish baseline for TMDL. Very different approach.
- VA- we've got a lot going on with organization

Other Updates

Workgroup

- Batiuk asked if we could draft response to BMP Verification questions, will work on this
- EPA program reviews recently released, web link will be sent around.

Meeting Adjourned

Participants-

Rick Parrish
 Evan Branosky
 Victoria Kilbert
 Pat Gleason
 Ron Entringer
 Teresa Koon
 Dave Montali
 Marya Levelev
 Jay Prager
 Josh Flately
 George Kelly
 Susan Payne
 George Onyullo
 Allan Brockenbrough
 Russ Baxter
 Eric Aschenbach
 Bob Rose
 Jeff Potent
 Kelly Gable

Audra Lew
Beth McGee
Marel Raub
Joe Maroon
Olivia Devereux
Bill Angstandt
Mark Robato
Glynn Rountree
Kevin Schneider
Kevin DeBell
Jeremy Hampton