

DRAFT MINUTES
Stormwater Manual Oversight Committee
10/10/03

I Introduction of Committee Members & Consultant

Ken Reisinger chaired/facilitated the meeting and introduced PADEP staff and consultants; all OC members introduced themselves.

II Review/Discuss Bylaws and other Administrative items

Role of OC was addressed. DEP will facilitate the meetings. Structure is to be reasonably loose. No votes will be taken per se, with the intent being to achieve consensus on major points. Draft Bylaws have been distributed electronically. No comments or proposed modifications were received on these Draft Bylaws; Bylaws were accepted. PADEP can reimburse OC members for expenses; expense forms were passed out.

III Discussion of meeting dates for 2004

In addition to December 8 at 10 AM for the next meeting, the following meeting dates were set for 2004:

January 27, 2004
March 2, 2004
May 4, 2004
July 27, 2004
September 28, 2004
December 8, 2004

IV Cahill Associates Presentation

Tom Cahill, Michele Adams, and Wes Horner gave powerpoint presentations. Tom spoke primarily to a statewide overview of stormwater management, a brief history of stormwater management in the state, a natural systems overview, an explanation on how the manual should be a living document and so forth. Michele highlighted major objectives of the new Manual, including aspects of the Manual which are intended to distinguish it from other similar state efforts (full treatment of both nonstructural and structural practices, full treatment of stormwater in already developed areas, treatment of methodologies to unify and facilitate peak rate control, volume control, water quality). Some significant issues that the OC must address were identified such as standardization of BMP performance quantification. Wes distributed a detailed outline of the Manual, reviewed the different sections (Section 3 issues focusing on the question of explicit stormwater standards vs. more generalized and less regulatory goals was especially important), and requested that OC members review that Draft Outline carefully and provide comments in writing by November 17. All of these presentation are being posted on the PADEP stormwater website (as well as the Cahill proposal for the Manual).

VI Comments/Discussion from OC Members

Comments and questions from OC members followed immediately and reflected many different concerns and points of view. We will try to do justice to them. What was discussed is probably more critical than who said it, although we will clarify/correct at your direction. Comments/questions continued before and after Lunch.

Based on these comments plus those received by November 17, we will modify the detailed outline for the Manual and distribute prior to the December 8 meeting. We trust that there will be additional discussion on several of these points at the start of the December 8 meeting.

Rebecca Burns: Make sure there is a section on lineal/transportation corridor practices; PennDOT is doing a new manual on S&E and stormwater at the present time (coordination?); is our timeline (6 mos.) too short?

Paul White: Municipal level drives stormwater management; goals are probably a better approach than regulatory standards.

Rob Traver: Implementation is critical; don't limit ability to expand/refine methodologies.

Dan Greig: Don't treat Manual as a be-all, end-all for all stormwater applications; do the best we can but allow for more refinement and evolution; importance of proper installation; Manual as primer; flexibility is needed but at same time, who decides what is acceptable?

Larry Fennessey: Don't copy other manuals; make this a national model; trees are great but protect natural drainageways!

Mike Stadulis: development community needs to understand what is required/expected of them (NJ RSIS standards)

Rob Traver: Better use of small groups in the OC.

Al Brulo: Manual must evoke adequate confidence if it is to be embraced and used by engineers statewide; some cookie cutter probably necessary; developers/applicants need to be confident that they can achieve municipal approval; 167 where extant as default.

Paul Zeigler: many barriers for LID at the municipal level, including municipal ordinances; this Manual can make progress but more actions need to be taken by state; perhaps a model ordinance for overall site design, going beyond traditional stormwater; provide case studies/models including cost; we will have to work with DCED and municipalities.

Tim Murphy: PADEP must take a stand on regulatory nature of the Manual; guidelines for size; maintenance issues are important; do we address utilities.

Ken Reisinger: The regulatory goal of Chapter 93 is the bottom line. The manual should provide options so that we maximize ways to meet regulations that exist; alternative techniques acceptable; Chapter 93 and standards/criteria/uses already established. This Manual must feature "technology."

Larry Fennessey: Show how it's to be done but don't set forth exact standards

Jim Pillsbury: Need standards and regulatory clout; many municipalities don't even have existing stormwater regulations; something to be said for Chinese menu so that

you can rate and assign BMP's; detention basin approach has been simple and easy; how are we going to say what is enough?

Maya vanRossum: Great potential effort; good comprehensive outline; use NJ process as example and borrow from it; BMP's rated for performance; various responsibilities placed on developers; keep in mind importance of watershed protection and community benefits; a need to identify a mechanism for maintenance.

Dan Flint: Wants regulatory hammer, not guidelines; black and white so that everyone understands what must be done, how it must be done, why it must be done.

Ken Reisinger: Act 167 program is key in the overall state program.

Paul Zeigler: Importance of retrofit practices (Section 6?); be careful because there are so many different forms of the same BMP.

Scott Brown: Add discussion of "why" in the Manual: water cycle and volume issues, how water moves thru soil (plus peak rate and flooding plus water quality); differences between watershed processes and site processes.

Mark Bahnick: Manual must provide specific and useful guidance so that it's not shelved away like so many others; bottom line though is what's required for regulatory approval; Make sure Section 7 methodologies amply reviews limitations of methodologies.

V Lunch

VII Comments/Discussion from the OC and the public

Maya vanRossum: Adjust timeline; we need to tell municipalities what they need to do; MS4 model ordinance is lacking and is supposed to be updated after this Manual emerges, though there must be some flexibility for local variability.

Dan Flint: Regulatory significance is important here; municipal groups like PSATS should be included on committee for buy-in; design guidelines that make clear "what do I have to do" are important; BMP's are built and perfected in the field; allow for flexibility; having a limited universe of BMP's make correct installation more likely.

Paul Zeigler: include PSATS; Villanova/Traver provides useful inputs

Tim Edinger: Importance of scientific rigor; terms like "pre-development hydrologic balance" get used and abused.

Tim Schaeffer: PEC assisting in variety of ways.

Tracy Carluccio: good to maximize public participation and promote education which will be critical in this process; task is ambitious but can succeed

Terry Bentley: OC needs to be focused; maximize new technologies in the Manual; great weight put on municipal engineers in the overall process, in addition to evolving 167 requirements; consider providing a menu of options for achieving performance standards; a checklist; importance of maintenance.

Rob Traver: Need better quantification of volume and quality performance;

Tom Cahill: Concerning cost/benefit he has observed that you get the most benefit from preventative measures; NJ has removal rates for BMP's, O&M costs have to be factored in;

Jim Pillsbury: As a reviewer, we have to have a way to evaluate when the applicant is doing enough.

Committee members were encouraged to use the next few weeks to reflect on what was presented at the meeting and to send their comments to Cahill where they will be assembled and presented at the next meeting.