

## Stormwater Stakeholder Advisory Group (SAG)

June 8, 2015

Final Meeting Notes<sup>2</sup>

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**Location:** DEQ Piedmont Regional Office  
Training Room  
4949-A Cox Road, Glen Allen, VA

**Start:** 10:08 a.m.  
**End:** 4:35 p.m.

### **SAG Members Present:**

Michael L. Toalson, HBAV  
Bart Thrasher, VDOT (PM)  
Adrienne Kotula, James River Association  
Rick Parrish, Private Citizen (formerly SELC)  
L. Eldon James, Jr., Rappahannock River  
Chris Pomeroy, Aqua Law  
Katie Frazier, Va. Agribusiness Council  
Austin R. Mitchell, Amherst County

Larry J. Land, VACO  
Jimmy Edmonds, Loudoun County  
Elizabeth A. Andrews, DEQ  
Melanie Davenport, DEQ  
James Golden, DEQ  
M. Ann Neil Cosby, Sands Anderson  
Peggy F. Sanner, Chesapeake Bay Foundation  
Douglas Beisch, Stantec

### **SAG Members Absent:**

Glenn Telfer, Draper Aden  
Whitney Katchmark, HRPDC  
Peter J. Rigby, Paciulli Simmons

Joe Lerch, VML  
Philip F. Abraham, VACRE

**Facilitator:** Mark Rubin, VCU

**Recorder:** Debra Harris, DEQ

### **Guests and Public Attendees:**

Drew Hammond, DEQ  
Fred Cunningham, DEQ  
Joan Salvati, DEQ  
Will Flory, Chesapeake Bay Foundation  
Jim Flison, Dewberry  
Christine Watlington, VDOT  
Nick Bittner, Chesapeake Bay Foundation  
Caleb Hurst, Clark Nexsen

Joe Wood, Chesapeake Bay Foundation  
William Salomone, Clark Nexsen  
Emily Russell, VCN  
Chris French, Contech  
Lee Hill, Joyce Engineering  
Barbara Brumbaugh, City of Chesapeake  
Malcolm Boswell, Applied Sciences & Info Systems

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### **I. Agenda Item: Welcome & Review Minutes and Developments**

**Discussion:** Mr. Rubin welcomed everyone to the meeting of the SAG<sup>1</sup> and asked each attendee to introduce themselves. Mr. Rubin explained that there is an open chair at the table for members of the public to use during a discussion and all attendees were reminded to sign-in. The agenda for the day (Attachment B) was reviewed and the SAG was then asked if there were any new developments and none were noted.

### **II. Agenda Item: Minutes**

**Discussion:** The SAG had no comments on the minutes (Attachment B) from their May 11<sup>th</sup> meeting.

### **III. Agenda Item: Brief report on status of work group efforts**

**Discussion:** The SAG was provided an overview/update on the work group efforts.

### **IV. Agenda Item: IWG - "Who does What"**

**Discussion:** A recommendation from the IWG was presented to the SAG for discussion. In the IWG's recommendation, the erosion and sediment control program and stormwater program will be consolidated into one program. The proposal presented for discussion was reviewed (Attachment B –Proposed ESC&SWM Program). The SAG spent a considerable time discussing the pros and cons of the consolidated program especially in regards to the opt-in lite and opt-out options.

*The SAG broke for lunch at 11:50 a.m. and reconvened at 1:01 p.m.*

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<sup>1</sup> See List of Acronyms in Attachment A

<sup>2</sup> 7/13/15 SAG Meeting

The SAG continued to discuss the proposed consolidated program and requested that DEQ begin to work on the language consolidating the ESCL and SWMA programs. The goal is that under the consolidated program, as proposed, the duplicative efforts and requirements will be eliminated so that there is only one program. The SAG requested that the DEQ continue to draft the strawmen incorporating the concept of a consolidated program.

**V. Agenda Item:** Discussion of Fees and Penalties

**Discussion:** The fee revision (Attachment B) was reviewed and the SAG discussed the revised language. The SAG deferred the penalties discussion (into what fund the penalties from DEQ's stormwater compliance and enforcement would be deposited) to the EWG and the effect of the consolidated program on fees to the IWG. The work groups will discuss and provide a recommendation to the SAG.

*The SAG took a break from 2:33 p.m. until 2:47 p.m.*

**VI. Agenda Item:** DEQ Strawman

**Discussion:** The SAG discussed five proposed strawmen and agreed to the revisions for entities other than localities serving as authorities and for review of multijurisdictional projects. The program compliance review revisions will be discussed in the EWG and the DEQ will continue to work on the strawmen for the other two issues (Training & Certification, and Annual Standards and Specifications) incorporating the SAG's comments/concerns.

The meeting was then adjourned.

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## **Attachment A List of Acronyms**

### **Acronyms:**

ACOE – Army Corps of Engineers

CBPA – Chesapeake Bay Preservation Act

DEQ – Department of Environmental Quality

DPOR - Department of Professional and Occupational Regulation

E&SC – erosion and sedimentation control

ESCL – Erosion and Sedimentation Control Law

EWG – Enforcement Work Group (a subgroup of the SAG)

RLD – Responsible Land Disturber

SAG – Stormwater Stakeholder Advisory Group

SWCL – State Water Control Law (in this context the term normally refers to the general provisions)

SWMA – Stormwater Management Act

VSMP – Virginia Stormwater Management Program

WWG – Wordsmithing Work Group (a subgroup of the SAG)

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## Attachment B Handouts



STORMWATER SAG  
AGENDA 6-8-15.docx



Proposed E&SC\_SWM  
Program.docx



Fee Provisions.docx



SWMA, ESCL, CBPA -  
DEQ edits for SAG mtg



**VSMP Map V2  
6-1-15.pdf**



**VSMP Map V4  
4-9-15.pdf**