Stormwater Stakeholder Advisory Group
Implementation Work Group
Wednesday, June 3, 2015
Final Meeting Notes[2]

Location: DEQ Central Office
2nd Floor Conference Room A
629 E. Main Street
Richmond, VA

Start: 2:07 p.m.
End: 3:57 p.m.

SAG Implementation Work Group Members Present:
Melanie Davenport, DEQ
Peggy Sanner, Chesapeake Bay Foundation
Larry J. Land, VACO
M. Ann Neil Cosby, Sands Anderson
Elizabeth Andrews, DEQ
James Golden, DEQ
Austin R. Mitchell, Amherst County
Joe Lerch, VML
Jimmy Edmonds, Loudoun County
Adrienne Kotula, James River Association

Work Group Members Absent:
Douglas Beisch, Stantec
Michael Toalson, HBAV

Facilitator: Mark Rubin, VCU
Recorder: Debra Harris, DEQ

Guests and Public Attendees:
David Nunnally, Caroline County
Nick Bittner, Chesapeake Bay Foundation
Will Flory, Chesapeake Bay Foundation
Christine Watlington, VDOT
Joan Salvati, DEQ
Fred Cunningham, DEQ
Drew Hammond, DEQ

I. Agenda Item: Welcome and Overview of Handouts

Discussion: Mark Rubin welcomed all to the meeting and briefly went over the meeting purpose and the handouts (Attachment B). Mr. Rubin reminded the IWG[1] that the options as provided in the handout (Attachment B) will be reviewed at today's meeting and that any decisions on recommendations by the IWG will be made by the SAG.

II. Agenda Item: Options

Discussion: The IWG discussed two different options. These options were:

- *Option 1: "All In or All Out"* - All localities other than MS4s have the choice of operating a combined E&SC and SWM program (MS4s must operate the combined program); except that localities that opt out still must enter into BMP maintenance agreements and conduct BMP inspections because that is not something that DEQ can do as well at the local level.
- *Option 2: "Everyone Does It"* - All localities operate a combined E&SC and SWM program, except DEQ upon request will provide technical assistance to non-MS4s. Technical assistance means assistance with implementing the post-construction water quality and quantity requirements, but the actual plan approvals and disapprovals would be issued by the localities, not DEQ.

For both scenarios, localities would not be allowed to have more stringent ordinances concerning the technical criteria if they seek DEQ assistance with implementing the program (even if they have more stringent ordinances in place now – no grandfathering) because DEQ would be conducting stormwater plan reviews for multiple localities and it would be difficult for it to track and apply various localities' different requirements.

Based on the IWG discussions, the suggestion for the "who" does the program was that MS4s will continue to be required to implement a consolidated erosion and sediment control and stormwater program and other localities would be allowed to choose to: (i) opt-in where the locality will implement the consolidated program (these localities could obtain help from the PDCs or SWCDs); (ii) "opt-in lite" where the locality could obtain plan review assistance from DEQ; or (iii) opt-out where the DEQ would implement the consolidated program.

[1] See Attachment A for acronyms
[2] 7/28 IWG

Attachment A

List of Acronyms

CBPA – Chesapeake Bay Preservation Act
DEQ – Department of Environmental Quality
E&SC – erosion and sedimentation control
ESCL – Erosion and Sedimentation Control Law
MS4 – Municipal Separate Storm Sewer System
NWG – Nutrient Trading Work Group (a subgroup of the SAG)
RLD – Responsible Land Disturber
SAG – Stormwater Stakeholder Advisory Group
SWCDs – Soil and Water Conservation Districts
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

Options for IWG Discussion.docx