**Watershed-Based MS4 Pilot Permit Stakeholder Meeting**

**Village of Corrales Council/Court Chambers ● August 4, 2011 ● 9:00 a.m.-Noon**

**Summary of Agreements/Actions**

The August 4, 2011 meeting was attended by 36 representatives of local federal, tribal, state, county, municipal, flood control authority, and private consulting agencies. Agenda items included:

1. EPA Region VI Update
2. Report of Conversation with Milwaukee Area Region V Pilot representative
3. Development of Ideas for Menu-Based Framework Activities
4. Discussion of Draft Cost-Sharing Frameworks

***Discussion Points/Agreements/Actions***

1. **Re: EPA Region VI Update**
	1. Nelly Smith informed the group that the Pueblo of Sandia has requested government-to-government consultation re: this permit. She is also working with the Pueblo of Santa Ana. She plans to meet with these tribes the week after Labor Day and may be able to attend the next meeting of the Stakeholder Group, suggesting a September 8 date, although travel has not yet been approved. [NOTE: The next meeting of the Stakeholder Group now looks as if it will be September 16, not September 8.]
	2. EPA plans to issue letter of designation to MRGCD, ESCAFCA, Sandia National Laboratories, Expo New Mexico, and the Village of Tijeras. These letters should be sent out in the next couple of weeks.
2. **Re: Region V Pilot**
	1. Tim Karpoff reported on a conversation with Kevin Shafer, Executive Director of the Milwaukee Metropolitan Sewerage District (kshafer@mmsd.com). Highlights:
		1. The MMSD acts as a wholesaler of wastewater treatment and water reclamation services for 28 Greater Milwaukee communities. It bills each of the 28 communities for O&M services and has taxing/bonding authority for capital projects. It was set up in the late 70s.
		2. Many of the communities have set up their own stormwater utilities to pay for the MMSD billings. A typical household assessment is $4.59 per month.
		3. A range of public, private and non-profit organizations have been working together for several years on stormwater and green infrastructure issues. In 2008, these organizations set up the Southeast Wisconsin Watersheds Trust, or “Sweet Water” ([www.swwtwater.org](http://www.swwtwater.org)). Sweet Water received a planning grant and then, in 2009, a three-year, $1.9 million operations grant from the Joyce Foundation.
		4. The range of organizations has been working with the Wisconsin Department of Natural Resources and EPA Region V in Chicago. Their EPA contact is Bob Newport (newport.bob@epa.gov). The organizations in the area applied to become one of the pilot projects.
		5. On August 31, 2011, EPA will hand over a check to Sweet Water for $100,000 to support the work of putting together a watershed-based permit. They will contract with the Southeast Wisconsin Regional Planning Commission (the RPO/MPO) for $70,000 of that money to do modeling for developing TMDLs for bacteria and phosphorus.
3. **Re: Development of Menu-Based Framework Activities**
	1. To explore the practicality of a menu-based framework for the permit, participants at the August 4 meeting developed potential ideas for activities under the six minimum measures required by any Stormwater Management Plan (SWMP) to be approved under the proposed permit.
	2. (The menu-based approach proposes a set of “mandatory” activities that all permittees must adhere to, as well as a set of EPA-approved “elective” activities appropriate for specific permittees. At this point, it has not been determined whether activities would be coordinated across jurisdictions or administered by individual jurisdictions.)
	3. A rough matrix was sketched on a wall, with each of the six minimum measures listed, and a seventh category, “Monitoring”. Two categories of ideas were suggested for each measure: “Global,” or those activities appropriate for all permittees, and “Local,” or those activities appropriate for some or specific permittees.
	4. Several small working groups were formed to propose ideas in some or all categories. Ideas were transferred to large post-it notes, posted, and reported out to the whole group.
	5. The results of this discussion are included as an appendix to these notes.
4. **Re: Draft Cost-Sharing Frameworks**
	1. Steve Glass presented a draft set of alternative frameworks to fairly allocate costs for future activities to implement SWMPs under the proposed permit. The three frameworks, roughly, are:
		1. Individual, independent jurisdiction administration
		2. Individual jurisdiction administration, coordinated by an informal, represented “board” not unlike the group meeting presently; and
		3. A regional stormwater authority.
	2. All three approaches depend on assessing costs, probably on a per-household or per-property basis, using a set of criteria that takes into account population, flows, impervious surfaces, etc. All three approaches suggested using a trusted, well-known modeling method.
	3. There are three, possibly more of these methods. However, few of the prospective permittees are familiar with them, and the group requested a demonstration of at least two methods.
5. **Next Meeting**
	1. The next meeting was scheduled for Thursday, September 8, 2011 from 1-4 p.m.
	2. Discussion on cost-sharing will continue: Specific agenda items:
		1. Kevin Daggett and Brad Sumrall will demonstrate the HMS and AHYMO modeling methods/software for the group.
		2. Roland Penttila will present an estimate of the magnitude of activities and associated human and financial resources that will be required.
		3. Nelly Smith will provide guidance on the menu-based framework.

**Watershed-Based MS4 Permit Stakeholder Meeting ● August 4, 2011**

**Meeting Participants**

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| --- | --- | --- |
| **Name** | **Organization** | **E-mail** |
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| Nelly Smith | EPA Region VI | nelly.smith@epa.gov |
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| Matt Zidovsky | Rep. Martin Heinrich’s Office | matthew.zidovsky@mail.house.gov |

**APPENDIX**

**IDEAS FOR BMPs FOR**

**RIO GRANDE WATERSHED BASED PERMIT**

**August 4, 2011 ● MS4 Stakeholder Meeting**

**Notes compiled by Linda Seebach**

**Explanatory Note *(from Linda)*:**

* The list below was composed exactly as pasted to the board in the front of the room. There may be some areas which would be better as “Global” rather than “Local” or vice versa. However, this is a good start.
* The additional suggestions offered are from the Village of Los Ranchos SWMP and/or Stormwater Management Ordinance and are offered as potential ideas.
* Any Stormwater Management Ordinance [that a jurisdiction may adopt] should be all inclusive, cover all the areas, include mechanisms and the process for enforcement and provide for penalties.
* Many of the additional suggestions are verbatim from the requirements Nelly furnished because they are Phase II MS4 requirements.

**1.1 PUBLIC EDUCATION AND OUTREACH ON STORMWATER IMPACTS**

 ***Global Activities:***

Build on Stormwater Quality Team

 Media – TV, Radio, Newspaper, Movie Theatres pre show ads

 Utilize Newsletters

 TV – Public Service Announcements (PSAs)

 “Blow-ins” - inserts in magazines and newspapers

 Public Awareness materials – flyers, brochures, handouts

 Events – State Fair and Balloon Fiesta

 Work Force Education

 School Programs

 Industry Groups

 Pet Specific Involvement – pet stores, shelters

 ***Local Activities:***

Public Awareness – local events

 Events at State Fair (individual)

 Local newsletters (HOA, local areas)

 Public Meetings

 Website and e-mails

***ADDITIONAL SUGGESTIONS:***

* + Targeted audiences and target pollutants and sources include restaurants which are required to install grease traps. This target audience will be advised during the building or licensing process of how wastes (grease and oil) dumped into dumpsters and on the ground impact storm water.
	+ Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.
	+ Public education for pet owners and land owners concerning fecal coliform contamination.
	+ Make the SWMP and Ordinance available to the public and all other agencies/tribes/municipalities on group and individual websites, or upon request by any agency.
	+ Make available “household hazardous waste wheels” that provide information on reducing the use of hazardous materials in the home and a reminder that this reduction also impacts storm water. [The Stormwater Quality team has been handing these out at events for years]

**2.1 PUBLIC INVOLVEMENT AND PARTICIPATION**

 ***Global Activities:***

Clean up events

 Meetings

 Surveys

 Workshops

 Use Social Media – Facebook, Twitter, etc.

 ***Local Activities:***

Watershed Watch Group (neighborhood watch)

 Enforcement reporting

 Citizen call in number

 Community Volunteer (clean ups and watershed watch)

***ADDITIONAL SUGGESTIONS:***

Contact listings on websites for all involved shareholders including telephone and e-mail.

 Contact listing for 24 hour on-call emergency reporting

**3.1** **Construction Site Storm Water Runoff Control**

 ***Global Activities:***

Website – information for contractors

Create a new super authority (?)

 Use existing SWPPP/NOI systems w/ inspections

 ***Local Activities:***

Develop Permit Review – General Construction Permit

 Delegate to Regional Authority (?) AMAFCA, ESCAFCA, SSCAFCA

***ADDITIONAL SUGGESTIONS:***

* + Require all builders/ developers disturbing 1 acre or more to provide a copy of their SWPPP and a post-construction on-site water retention plan prior to issuance of building permit.
	+ Provide training for plan review, construction inspection and construction observation for all appropriate personnel within one year of assumption of these duties.
		- Review all site plans for potential water quality impacts, including erosion and sediment control, control of other wastes, and any other impacts that must be examined according to the requirements of the law, ordinance, or other enforceable mechanism. Before ground is broken at the construction site, the permittee must review the plans and verify that the BMPs proposed for the site are or would generally be expected to be appropriate for site conditions if properly installed and maintained. The permittee is not required to guarantee that BMPs selected by the construction site operator will prove effective in practice. Responsibility for replacing BMPs that prove ineffective in practice remains with the construction site operator.
	+ Using an ordinance or other regulatory mechanism available under the legal authority, require construction site operators to practice erosion and sediment control and require construction site operators to control waste and properly dispose of wastes, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.

**4.1 Post-Construction Storm Water Management in New Development and Redevelopment – LID**

 ***Global Activities:***

Establish Rule – Develop Review Policies

 Ordinance requiring LID in Construction General Permits

 Code Enforcement

 Bonding (?)

 ***Local Activities:***

Permit Review

 LID Standards [it might be better to have regional LID standards so that developers in the watershed have the same rules to follow. I think Standards should be under the Global title.]

 Ordinance

 Code Enforcement

***ADDITIONAL SUGGESTIONS:***

* + Each builder or developer must provide an on-site water retention plan which utilizes LID practices utilizing any number of measures -berms, swales, ponding areas, underground storage/holding tanks (French drains), etc..
	+ Sanctions and enforcement mechanisms, Ordinance and coordinate with surrounding Agencies

**5.1** **ILLICIT DISCHARGE DETECTION AND ELIMINATION**

 ***Global Activities:***

Identify and list Industrial facilities and issues

 Conduct inspections of IDD facilities periodically (suspected or convicted)

 Tracking contamination back to source

 ***Local Activities:***

Develop and deliver a pollution prevention program

 Code Enforcement

 Adopt an IDDE Ordinance (enforceable)

 Field Surveys and observation

***ADDITIONAL SUGGESTIONS:***

* + Replace existing on-site septic systems with a sanitary sewer collection system discharging to the City wastewater plant.
	+ Inspect Drains for dry and wet weather flows. Trace any identified outfalls to source and determine if illicit. If Illicit, rectify.
	+ Review and, if required, modify existing animal ordinances to minimize animal waste discharge to drains, acequias, ditches. Animal Control Officers, Public Work Department Personnel and other employees can monitor and report.
	+ Train all city personnel for “spotting” illicit discharge.
	+ Develop, if not already completed, a storm sewer system map, showing the location of all outfalls and mark with markers saying this system flows to the Rio Grande.
	+ To the maximum extent allowable under State, Tribal or local law, effectively prohibit through ordinance or other regulatory mechanism, non-storm water discharges into the storm sewer system, ditches and acequias and implement appropriate enforcement procedures and actions (including enforcement escalation procedures for recalcitrant or repeat offenders);
	+ Develop and implement a plan to detect, identify the source of, and address non-storm water discharges, including illegal dumping of trash, garbage, yard waste, etc. to any system which discharges to the Rio Grande.
	+ Seek through the public education program, voluntary reporting of incidents of illegal discharge and illegal dumping.
	+ Address the following categories of non-storm water discharges or flows (i.e. illicit discharges):
1. Automotive oils, gasoline, grease, fluids, or other waste products;
2. Floatables – such as plastic bags, fast food wrappers, Styrofoam cups, soft drink cans, or cups, etc.;
3. Plant refuse – weeds, tree trimmings, leaves, etc.;
4. Water line flushing;
5. Landscape irrigation or sprinkler run off;
6. Fertilizers, pesticides, or poisons;
7. Diverted stream or ditch flows;
8. Uncontaminated pumped groundwater;
9. Discharges from potable water sources;
10. Foundation drains;
11. Open space or agricultural irrigation water;
12. Car washing where water flows into storm sewer outlets;
13. Flows from riparian habitats and wetlands;
14. De-chlorinated swimming pool discharges;
15. Toxic spills;
16. Street wash water;
17. Animal waste;
18. Grease from cooking, commercial and residential;
19. Household cleaning products.
	* Address illegal on-site sewage disposal systems (i.e. cesspools) – Report to NMED
	* Address potential sources of fecal coliform bacteria by domestic animal waste reduction program and wet and dry weather screening.
	* Include in Ordinance prohibiting landowners from burying animal waste, dead animals, garbage or toxic chemicals.

**6.1 Pollution Prevention/Good Housekeeping for Municipal Operators**

 ***Global Activities:***

Periodic employee education

 Solutions equal to challenge

 Periodic in-house audits

 ***Local Activities:***

Street sweeping

 Litter patrols; floatable debris

 Standards for good housekeeping – Employee training/handbook

***ADDITIONAL SUGGESTIONS:***

* + Schedule road maintenance and storm drainage maintenance. Recycle hazardous materials in municipal shops, as well as maintaining any shops in an environmentally sound manner.
	+ Develop and implement employee training material based on the Storm Water Management Fact Sheet, EPA 832-F-99-010 and any future training guidance that EPA publishes.
	+ Perform an audit of municipal activities such as park maintenance, fueling areas, fire department operations, etc. to identify activities which may impact stormwater quality. Include controls to reduce or eliminate the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, and salt and sand storage locations and snow disposal areas.
	+ Develop procedures to properly dispose of waste removal from the small MS4 and municipal operations, including dredge spoil, accumulated sediments, floatables, and other debris.
	+ Developprocedures to ensure that new flood management projects with a city, municipality or tribal area are assessed for impacts on water quality and existing projects are assessed for incorporation of additional water quality protection devices or practices.

**7.1 MONITORING**

 ***Global Activities:***

Watershed monitoring locations and frequency

 Reporting of results