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

**NMED District 1 Offices ● September 16, 2011 ● 9:00 a.m.-Noon**

**Summary of Agreements/Actions**

The September 16, 2011 meeting was attended by 42 representatives of local federal, tribal, state, county, municipal, flood control authority, and private consulting agencies. Agenda items included:

1. Demonstration of Tracking/Modeling Software
2. Comparative Review of SWMP Implementation Approaches
3. EPA Updates
4. Draft Cost-Sharing Framework: Introduction of Sector Concept

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

1. **Re: Demonstration of Tracking/Modeling Software**
   1. Brad Sumrall and Kevin Daggett demonstrated Arid Lands Hydrological Modeling (AHYMO) software, and offered specific examples of its application. This or another modeling program can support development of a framework to fairly allocate costs of Stormwater Management Plan (SWMP) implementation activities under the proposed permit.
   2. From the questions and discussion, the program’s level of specificity, flexibility and usefulness seemed to raise the group’s confidence that it can be used to develop a fair cost-sharing framework.
2. **Re: Comparative Review of SWMP Implementation Approaches**
   1. Roland Penttila referred the group to a memo prepared by CH2MHill for the City of Albuquerque comparing ways different cities have implemented their respective SWMPs. (Please see the email attachment accompanying these notes.)
   2. Roland noted that other cities have taken a variety of approaches, and that there is no best answer that automatically applies to this area.
   3. The memo does highlight themes of successful approaches. These primarily relate to assuring that a broad range of stakeholders are involved; developing a master plan with estimates of capital and operational costs; and designing a rate structure that is locally appropriate.
3. **Re: EPA Updates**
   1. Nelly Smith provided the group with a review and updates. These included:
      1. A review of the minimum measures required in each jurisdiction’s SWMP.
      2. Support for the “menu” approach that the group is recommending. This will consist of “basic” activities under each measure that all jurisdictions, individually or jointly, will conduct; and “additional” activities under each measure that individual jurisdictions will conduct based on their population, level of impervious surface, etc.
      3. Introduction of an addition to the framework, where jurisdictions would be placed into “sectors” to determine the level of “additional” activities would be required of them.
      4. Encouragement of all permittees to introduce the permit framework to their respective governing bodies.
   2. Nelly also reported that she will be setting up a webinar, probably in late October, to assist the pilot permittees to get acquainted and exchange information about their respective planning processes. More information will be forthcoming regarding the date and the agenda.
4. **Re: Draft Cost-Sharing Framework—Introduction of Sector Concept**
   1. Permittees and prospective permittees have shown growing agreement for the “menu” concept of allocating “basic” and “additional” activities to individual jurisdictions and SWMPs. The “menu” concept seems to balance the benefits of a watershed-based permit (cost-effectiveness of joint activities, addressing the geo-hydrology of the area comprehensively) with the need to acknowledge local differences (administrative capacity, technical experience/capacity, contribution to the pollutant load). To move this conceptual framework to the next level, a way to determine levels of “additional” activities is needed. This is leading to developing “permittee sectors” to which a jurisdiction would be placed, and which Nelly Smith referred to in her report (noted in 3(a)(iii) above).
   2. Steve Glass presented a draft set of alternatives for determining which “permittee sector” a jurisdiction would fall into. (Please see the appendix following the participant list below.)
   3. The discussion revealed clear support for the concept and the outlines of the initial draft, although it was recognized that more work was needed. Several participants volunteered to develop a second draft of the sector framework:
      * Sarah Holcombe
      * Steve Glass
      * Kelly Collins
      * Vern Hershberger
      * Trevor Alsop
      * Doug Dailey
      * Tim Karpoff
5. **Next Meeting**
   1. The next meeting was scheduled for Wednesday, November 16, 2011 from 8:30-noon.
   2. Agenda topics will center on refining the “menu” and “sector” frameworks and reflecting on the webinar.

**Watershed-Based MS4 Permit Stakeholder Meeting ● September 16, 2011**

**Meeting Participants**

|  |  |  |
| --- | --- | --- |
| **Name** | **Organization** | **E-mail** |
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| Chris Segura | Kirtland AFB | christopher.segura@kirtland.af.mil |
| Nelly Smith | EPA Region VI | nelly.smith@epa.gov |
| Brad Sumrall | Bohannan Huston | bsumrall@bhinc.com |
| Kathy Trujillo | NMDOT-District 3 | kathy.trujillo@state.nm.us |
| Tim Trujillo | NMDOT-Drainage | timothyr.trujillo@state.nm.us |
| Bart Vanden Plas | Pueblo of Santa Ana | bart.vandenplas@santaana-nsn.gov |
| Kathy Verhage | City of Albuquerque | kverhage@cabq.gov |
| Cody Walker | Pueblo of Isleta | poi36004@isletapueblo.com |
| Susan Woods | BOR | swoods@usbr.gov |
| Wayne Wormhood | Town of Bernalillo | wwormhood@townofbernalillo.org |
| Matt Zidovsky | Rep. Martin Heinrich’s Office | matthew.zidovsky@mail.house.gov |

**APPENDIX: Middle Rio Grande Watershed-Based MS4 Permit**

**Permittee Sectors and Menu-Based SWMP Alternatives**

**September 16, 2011**

* ***Alternatives for establishing permittee sectors (“categories”)***
  + **Capacity-based sectors**
    - *Capacity* ≅ MS4 experience x Rulemaking authority
    - EPA Region 6 determines capacity ratings
    - Any jurisdiction can negotiate capacity rating with EPA Region 6

|  |  |  |  |
| --- | --- | --- | --- |
| Capacity | MS4 experience | Rulemaking authority | Examples |
| High | High | Yes | COA, KAFB |
| Mod-High | Moderate | Yes | BC, RR, Corrales |
| Mod-Low | Low | Yes | ESCAFCA, Tijeras, MRGCD, Tribes |
| Low | Low | No | NMDOT, UNM, SNL |

* + **Impact-based sectors**
    - *Impact* ≅ Discharge area x Impervious percentage x Population density (with LID/GI adjustment?)
    - Factors derived from GIS and census data
    - Stakeholders and EPA Region 6 agree on modeling approach
    - Final sector definitions based on numerical impact ratings (task for CRADA?)

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| --- | --- | --- | --- | --- |
| Impact | Discharge area | Impervious percent | Population density | Example |
| High | Large | High | High | COA |
| Mod-High | Large | Low | Low | Sandoval Cty |
| Small | High | High | SNL |
| Mod-Low | Small | Low | High | Corrales |
| Small | High | High | Bernalillo |
| Low | Small | Low | Low | Tijeras |

* ***Possible Sector-Based SWMP Requirements***

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Compliance Strategies | | | Monitoring | | |
| Rating | Basic | Enhanced | Advanced | River | Outfalls | Industries |
| High | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Mod-High | ✓ | ✓ |  | ✓ | ✓ |  |
| Mod-Low | ✓ | ✓ |  | ✓ |  |  |
| Low | ✓ |  |  | ✓ |  |  |

* + **Compliance strategies examples**
    - Basic: Small resource commitment
      * 6 minimum measures only
      * 1-3 [?] strategies per measure (defined in permit)
    - Enhanced: Moderate resource commitment
      * “Basic” + 1-3 [?] additional strategies per measure
      * Additional strategies chosen from menu (or proposed to/approved by EPA Regions 6)
    - Advanced: High resource commitment
      * “Enhanced” + 1-3 [?] additional strategies per measure
      * Additional strategies chosen from menu (or proposed to/approved by EPA Regions 6)
      * Additional measures (defined in permit) and strategies (e.g. industry outreach program)