

## Meeting Agenda & Minutes

Date: **June 8<sup>th</sup> 2016**  
Time: From 10:30 AM to Noon  
Location: Utah State DEQ Multi Agency Office Building, Room 1020  
Address: 195 North 1950 West, Salt Lake City, Utah

Mission Statement: The Utah Storm Water Advisory Committee will coordinate efforts to reduce storm water pollution and provide adequate flood control. The committee will jointly review governing regulations, disseminate information to enhance compliance with those regulated, promote effective storm water management training, and assist local municipalities and other interested parties to implement best management practices, consistent with their individual needs and resources. The committee will also review any proposed storm water regulations to assess potential impacts on the regulated community.

1. Welcome to the USWAC members and introductions:
2. USWAC membership roster:
  - a. The roster sheets are organized by County Coalitions, DWQ representatives, consultants, contractors, and members of the public.  
*Ashley welcomed all the members and remind them to sign up on the roster sheets organized by county, state and consultants categories. If some of the members' email addresses changed please make a note so it can be updated.*
  - b. Presentation of Award: *Ashley presented an award to Nestor Gallo who was the previous chairman.*

### ACTION ITEMS

3. Review and approval of the minutes from the **May 11<sup>th</sup> 2016** meeting: *Ashley requested to amend the minutes and show Jeanne and Mike as the individuals who represented the Industrial Subcommittee. A motion for approval was made by Dr. George Burbidge, the motion was seconded by Clay Bodily; the minutes from the May 11<sup>th</sup> 2016 with the amendments listed above were approved unanimously.*

### REPORT ITEMS

4. State of Utah Updates:
  - a. DWQ Programs and EPA by Jeff Studenka: Jeff will be asking for input regarding your efforts in moving forward on the newly renewed Small MS4 General Permit

requirement to prevent the off-site discharge of precipitation from rainfall events less than or equal to the 90th percentile rainfall event on sites that disturb greater than or equal to one acre, including those that are part of a common plan of development: *Jeff provided background on the development of the new post construction storm water retention requirements that were a result of a 2014 EPA audit of DWQ's permits. The 90<sup>th</sup> percentile storm event was eventually settled on after input from members and permit stakeholders and by researching other agencies and assuming that this benchmark is close to the 0.50 inch storm event, which is a conservative approach as compared to other states. Jeff asked the members to comment about the interaction with developers, contractors and consultants. A representative from Davis County commented that they provided a training class and invited legislators, developers and elected officials. Only one developer attended the meeting and one of the concerns was the cost. Trace commented that Riverton City is already implementing the new requirement and they are retrofitting some of the existing detention ponds to retain 0.50 inch or more storm drain runoff. Salt Lake County commented that the owners and developers can charge more for rent or sell of the property because the lot value was increased. The new requirements apply to new development as part of the previous permit considering that the storm drain runoff had to match the pre-development conditions. The Post Construction Subcommittee did not have any comments to add to the new requirements. Are existing sites required to meet this retention requirement? Not until they are redeveloped but they should have some measures in place under the old permit that required sites to mimic pre-development hydrology. Chuck Gillette commented that in Washington County there are concerns about the 90<sup>th</sup> percentile retention for areas with clay soils and that if retention is not possible, the development had to look into other options for water treatment. Chuck requested that the implementation of this requirement be postponed. DWQ acknowledged the comment and request to delay of the implementation of this requirement and that treatment is an option to consider if retention was not feasible. Riverton City is offering an incentive on adopting retention in exchange of some form of credit on the impact fees. Casey commented that Provo City has invited a group of attorneys and members of the Accena Group to discuss the geology and geotechnical concerns of the city regarding the groundwater table depth. Some of the requirements include the installation of land drains, no basements allowed and dewatering trenches or sites. The logic behind the sensitive land map is to identify locations where injecting water is not allowed by city ordinance. There was also a concern regarding the well protection zones in which the percolation of storm drain runoff is restricted. After mapping the well zones and sensitive land areas, there is not a lot of land left for implementing the low impact development. Casey has asked about any other agencies researching the water source protection zones. Jeanne commented that most of the cities should have some form of well protection zone ordinance adopted in compliance with the Utah State Division of Drinking Water. She added that if there are limitations within a City's for infiltrating storm water runoff, this must be documented with the project files. Ashley asked for a definition of "Technical Infeasibility" which was left to each city. Financial constraints can't be used as a technical infeasibility for not implementing the 90<sup>th</sup>*

percentile storm drain runoff. Nestor commented that the design and construction of the retention/ detention pond is the proof of compliance with this requirement. Harry commented that the implementation of this requirement is based on the geography of the sites and considerations should be given to the composition of the soil and that evaporation and reuse are alternatives to infiltration. Comments were made about templates for a Low Impact Development ordinance. Most of the templates were written by agencies from California which does not reflect the geography and weather conditions of the state of Utah. Juan commented that Springville City has adopted an ordinance with regulations intended to capture the first 0.60 inch of rain within the detention pond. Rhonda commented that the Low Impact Development ordinance should be tailored for each case and each location and that it is a good idea for the ordinance to reference an LID handbook which can be more easily updated instead of changing the ordinance. Jeanne added that the ordinance should be kept simple and easy to implement. One of the members asked about retaining storm drain runoff off site and used for water reclamation. Jeanne said that could be an option but the primary goal is retention (reuse, infiltration, evapotranspiration) on site at the source. Nikolai had a question about what BMPs should be used for TMDLs treatment. Jeff stated that the DWQ is not there yet with TMDLs and storm water waste load allocations, but that some additional requirements may be included in the future, as the Jordan River TMDL is developed further. Harry commented that some considerations should be given to treatment of nutrients. Ashley asked if the July 1<sup>st</sup> 2016 deadline be pushed to a later date due to the fact that some agencies do not completely understand how to implement this new requirement. Jeff responded to the request by reminding everybody that the SWMP is a living document and could and should be amended as needed by the implementation of this new requirement. A city attorney asked Jeff if these new requirements were discussed with developers, or if that was left up to the MS4s to reach out to developers in their jurisdictions. Jeff responded that DWQ has recently been in contact with some developer and builder representatives and that outreach is ongoing through this summer and also that the process for this permit development included USWAC members and other permit stakeholders, which are mostly the small MS4s permittees, and the official public notice was provided as appropriate in which comments were received by stakeholders and incorporated into the final draft permit.

- a. Municipal Program by Rhonda Thiele: Rhonda reminded the group of the July 1<sup>st</sup> 2016 deadline for submitting a revised SWMP that reflects the newly renewed Small MS4 General Permit. She also requested that the USWAC members mail their SWMP to the DWQ office. If mailing a paper copy, please also provide the document on CD as well. It is acceptable to submit the SWMP on CD without a hard copy. The document must also be posted on the City's website with a contact person for questions and comments for the entire permit term. Rhonda further stated that SWMPs should include measurable goals with implementation dates and interim milestones for each minimum control measure. Changes can be made to the SWMP following the procedures of Permit Part 4.4. These changes may be submitted to Rhonda via email for approval.

- b. Industrial Program by Mike George: *Jeanne commented about the Industrial Permit and what the MS4s have to do to comply with this section of the permit. Jeanne presented a PowerPoint entitled “MS4s Role in Industrial Permitting.” UDOT, Salt Lake City and Salt Lake County are Phase I Permittees and must inventory and inspect industrial facilities. Industrial Facilities are considered a “customer” to the MS4 agency as MS4s must know who is discharging to their system and provide education and outreach regarding storm water to all of their customers. If a MS4 thinks a facility needs an Industrial permit, they should notify the DWQ. Jeanne explained that the DWQ has a database at the website where an MS4 may be able to check if the industrial facility has an NOI for an Industrial Activity. Jeanne showed the webpage where the Standard Industrial Codes (SIC) are listed for each sector. The search can be done by sector or permit status similar to the construction permits. Mike George went over how an industrial site may be identified by SIC code, “No Exposure” and “No Discharge.” The Industrial Subcommittee has developed a flow chart showing the path for concluding if an Industrial Activity NOI is required or not. A handout was shared with the USWAC members. Mike reminded everybody that groundwater discharge is a form of discharge to waters of the state. One of the reasons why a facility may have filed a “no discharge” form is to reduce the cost of the insurance coverage. If the no discharge permit does not apply to the site, it could constitute a violation and consequently be exposed to a fine by the DWQ. Mike shared a case where the AD-Non Classified Facilities applied but based on location and proximity to the waters of the state it triggered the need to submit an Industrial Activity NOI. Mike shared some examples such as a dumpster full of toxic waste exposed to the weather. One of the biggest concerns is the concrete manufacturing plants with the concrete washout causing most of the pollution. Manufacturing facilities using chemicals are also required to submit an NOI for Industrial Activities. Food preparation and vehicles maintenance facilities are also sites that may pollute the storm drain runoff. Recommendations include knowing our customers, educate, identify priority areas and communicate with the DWQ regarding the permit status. Nestor commented if the flow chart could be added to the plan review process to which Jeanne responded that may be very helpful to the DWQ.*
- c. Construction Program by Harry Campbell: *Harry did not have any comments.*
- d. Storm Water Program by Jeanne Riley: *She presented with Mike about the Industrial Activity NOI.*
- e. Storm Water Program by Monique Rodriguez: *No comments.*
- f. Groundwater Protection by Candace Cade or Brianna Ariotti: *Could not attend the meeting.*
- g. Facility Visits by Frances Bernards: *Frances could not attend the meeting but Jeff asked the USWAC members to contact her if they have not already been schedule for a P2 site visit*

*and would like to have that done and also to provide her with any examples that she could use on the DWQ's new LID webpage to be developed.*

5. USWAC Subcommittees Updates:

- a. Industrial (Nestor Gallo): *The subcommittee meets the Friday before the USWAC meeting at the Salt Lake County and all the members are invited to attend and participate. Most of the updates were presented by Mike George and Jeanne Riley.*
- b. Post Construction (Tom Beesley): *Tom commented that on behalf of the Post Construction Committee, they now have a template for review by the USWAC and encourage the MS4s to use so we all operate at the same level. The template correlates directly with the MS4 Permit and scaled down the permit without compromising compliance with the MS4 permit. The template includes an agreement that needs to be reviewed by the each agency's legal counselor. The Storm Drainage Maintenance Agreement is a template intended to address the maintenance of privately owned storm drainage systems.*
- c. R.S.I. Program (Paul Taylor): *Paul could not attend the meeting. Trace commented on the upcoming RSI classes being scheduled by the APWA Utah Chapter. Weber County is planning to have an RSI training class on August 19<sup>th</sup> 2016. Salt Lake County is planning to host an RSI training class on October 10, 2016. Utah County had a class scheduled for October but it was canceled due to the Fall Conference schedule.*
- d. R.S.R. Program (Trace Robinson): *Trace explained that the R.S.R. acronym is going to change and all the materials have been prepared and updated. The next stage includes preparing a Powerpoint about how to write a SWPPP and updating the training manuals. The template and presentation will be sent for review in August.*
- e. Education and Training Program (State): *No comments.*
- f. APWA News and Updates by Trace Robinson: *APWA Utah Chapter has recently hosted a golf tournament and some lunch training classes. The chapter is also considering awarding two scholarships to students focusing on storm water pollution prevention. The Stormwater Inspector of the Year was awarded to Ray Herrera from Sandy City and the Stormwater Project of the Year was awarded to Saratoga Spring City and PEPG Engineering.*

6. Stormwater Coalitions News and Updates: *Due to the lack of time, Coalition reports were withheld*

- a. Cache County: *No comments.*

- b. Davis County: *No comments.*
  - c. Salt Lake County: *No comments.*
  - d. Utah County: *No comments.*
  - e. Washington County: *No comments.*
  - f. Weber County: *No comments.*
  - g. Utah Department Of Transportation: *No comments.*
7. Other topics/ business: SWMPs are due to the DEQ by July 1, 2016. Please mail your SWMPs to:
- Department of Environmental Quality, Division of  
WaterQuality 195 North 1950 West  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870
8. Public comments or questions: *No public comments.*
9. Adjourn to advisement/ subcommittees and collaborative business:
10. Next meeting: Wednesday **August 10<sup>th</sup> 2016** at 10:30 AM.

**Note:** Copies of the USWAC meeting agendas, minutes, presentations, forms and RSI information are available at the following link: [www.uswac.org](http://www.uswac.org)

RSI 2016 Training Calendar

| Coalition         | Max. Capacity | Date          | Location   | Instructor     |
|-------------------|---------------|---------------|--|----------------|
| Washington County | 25            | 6/22-23/2016  | AGC of Utah, 230 North 1680 East #B1, St. George | Ken Bricker    |
| Weber County      | 50            | 8/19/2016     | 2380 Washington Blvd., Ogden                     | Blane Frandsen |
| Washington County | 25            | 9/21-22/2016  | AGC of Utah, 230 North 1680 East #B1, St. George | Ken Bricker    |
| Sandy City        | 70            | 10/3/2016     | 10000 Centennial Parkway, Sandy                  | Dan Woodbury   |
| Utah County       | 50            | 10/12/2016    | Utah County Court House                          | Ryan Taylor    |
| Cache County      | 50            | 11/16/2016    | 450 North 1000 West, Logan                       | Bill Young     |
| Washington County | 25            | 12/14-15/2016 | AGC of Utah, 230 North 1680 East #B1, St. George | Ken Bricker    |

The first SWPPP Writing Class, formerly known as the RSR class, will be held on October 10, 2016. The location and time will be announced and posted on the LTAP website as soon as the details are

Registration to attend the RSI Training Classes are available online only. This is the link:  
<http://utah.apwa.net/AllEventList>

Check [www.utah.apwa.net](http://www.utah.apwa.net) for updates and additional classes.