

Meeting Minutes

Date: **January 10, 2018**
Time: From 10:30 AM to 11:30 AM
Location: Utah State DEQ Multi Agency Office Building, Room 1015
Address: 195 N 1950 W, 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 sign in.

ACTION ITEMS

3. Review and approval of the minutes from the **Nov 8, 2017** meeting. *Motion to approve by George B. Seconded by: Greg Baptist. Minutes and Agenda Approved.*
4. Discussion: Uniform implementation of Minimum Control Measure 4 Construction Site Storm Water Runoff Control. The construction industry has expressed frustration that the SWPPP is implemented differently in every MS4? As Stormwater Managers shouldn't we foster uniformity where possible?

Tom B. The tools to facilitate uniformity are available, these are the State CGP and CPoD Templates, and RSI, RSW training. Even when MS4's use the templates, the varying level at which MS4s implement the SWPPP, such as reviewing SWPPPs, expectation of SWPPP content, BMP detail, use of appendices, expectation of inspection and correction log detail, and so on can all send the perception that the SWPPP implementation is very different across MS4's.

Some MS4's, consultants and SWPPP vendors have chosen not to use the State templates or use variants that are different enough that make it more challenging to achieve uniformity.

Don: Glad to see this item, I recommend that there is a committee formed to investigate and come up with ideas. I would offer to be chair if a committee is formed.

Halversen: Question what are specific issue's that contractors are frustrated about?

Jeanne Riley: met with home builders they have expressed two main issue's, one is enforcement and one is interpretation. Enforcement is up to cities, but interpretation is something the State can

discuss and provide clarification on. Erosion Control plans that are prepared by engineers and not implemented in the field, because the engineers have never been to the site, so when the contractor tries to correct the issue, there have been disagreements between approved swppp and city officials . SWPPPs are living documents, but Cities are expecting to see what was planned implemented in the field. Examples; Concrete wash out, what constitutes one? Dirt being used as a ramp, for temp measures over curb. Staking port-a-poties, Cities writing up for muddy boots on the road. Issue's with fee's. This information came from an informal request of the Home Builders Community.

Paul Taylor: Are all these legitimate complaints or could some of their concerns be related to resistance to the permit requirements, in addition to the varying MS4 permit management.

George B. Agreed with Paul.

Jeanne R. Did invite home builders to the meeting today, have outreach planned in next few months.

George B It would be best to invite homebuilders to get involved in individual coalitions.

Don R. We are dealing with permit that is confusing for contractors. They apply for State permit, but from one city to the next, they aren't agreeing how to implement. Restated need for committee, and provide help with consistency.

Harry Campbell: When you have two inspectors, you will never have exact same response, always have variability, but can be limited by educating everyone more about what is in permit. Need more classes, state reps coming to coalitions, simplify the permit and make it more clear. Was a big proponent of common plan, but not sure that it is turning out the way it was supposed to. Would like to simplify permit. I think there would be more uniformity. Each MS4 has own program that is more than just the permit, never going to get uniformity on those issues. If all MS4's get programs up to speed, so that no matter the city, they will face a the stormwater inspector and his inspections. Some City inspectors are not out there.

Jeanne. {With respect to CPoD}. Not required to be RSI, but most operators are. Should it be required?

Paul T. Has been given feedback, to go beyond the class room, and to go out into field and train. As is, they are required to go into field with someone who is certified. Contractors get certified, but don't have ability to go out with someone. Agreed with forming a committee, and agreed that there are some issue's that can be worked through.

Tom B. I don't think that the program material is broken, we should be implementing the State programs we have. When stating the SWPPP is living document, we should be careful not to imply that the BMP's selected by designer don't really matter. Often the Operator will ignore the SWPPP and install different BMPs or no BMPs. SWPPPs should be changed when failures are noticed by operator's and MS4 inspections. If the SWPPP Template is expected to be followed the

way it was written there would be less perception that expectations are different from one city to another. I acknowledge this is influenced by enforcement which does vary from City to City.

Harry: There are some MS4's where changes are required to be approved by city. If we have living document, should put goals in there so they know what the goals are.

Tom B: Do we really need goals or should we be asking if the BMP performs the way it's been design to or not?

Ken B.: Been at this for 12 years, I disagree with everyone. Don't need any of it, what we need is backing from City Council. Until we can overcome the political overplay as a community, we are always going to have non-compliance. Some companies have more political clout than others. Big companies get away with more while the little companies go broke to stay compliant. Nothing else can happen until communities get on board. Nothing has, and nothing will change to amount to anything until MS4's get city council to know what they are talking about and get on board.

Have Harry come out and do some inspections with coalitions.

Greg B. Understand Jeanne's position. Home builders are a powerful political body, and we should listen and work with.

Blane F: Enforcement seems to still be the biggest issue. Getting compliance is difficult. I see growing pains, but we are making slow but positive progress.

Lee W: In speaking with Operators, it is expressed the construction programs are implemented differently. Being more uniform would make them happy. Would like to be on committee if created.

Anthony G: People are obtaining the State permit, and the municipality says what they want. Engineers are putting down generic plan, then cities are not allowing a fluid document. We need to help contractors with ideas and solutions. Having a good relationship with contractors will help situation.

Tom B: There should be a reason to change the BMPs, not that changes shouldn't be made. There has been talk about a committee to evaluate inconsistency and onsite inspections. We already have RSI and RSW committee, is there really a need for committed for onsite training?

Don, Don't think RSI and RSW addresses issues

Tom B. Maybe there could be flaws with RSI and RSW. If we aren't following the RSI program, maybe that's where some of the problems are.

Gerg B: Going to be difficult to get uniformity. Need city councils on board.

Dan D. SL County follows enforcement SOP. Maybe we need a State standard enforcement SOP?

Jeanne, MS4's required to have an ordinance equal to general permit. Don't think that we will get to standardize enforcement policy.

Dan: but it will help

Tom B. It would be really hard, and not really necessary to have a State standard enforcement SOP. Uniformity is following State program with tools we have been given, and if we follow them as intended, enforcement should be less of an issue. Unfortunately the varying enforcement can influence perception that MS4s don't follow the same construction programs.

Jeanne: ms4's required to have enforce policy and review swppp. Is this really what will work. Problem with out of state engineer that designs the swppp, and then it is reviewed by a city engineer. Should include inspectors and operators in that, and don't approve if not applicable.

REPORT ITEMS

5. State of Utah Updates:

- a. Municipal Program by Jeanne: *LID manual scope of work RFP there is a draft in review. If interested in reviewing please let Jeanne let you know, or she will reach out. Would like RFP to be out the end of this month.*
- b. Industrial Program by Mike George: *Group 5 out for public comment. Lisa working on the modification of the MSGP permit. Trying to make it more user friendly, please give comments.*
- c. Construction Program by Harry Campbell: *Planning to have first draft of CGP by March 1st. ESO is been through Water Quality Board and is effective January 1st.*
- d. Storm Water Program by Trisha DiPaola: *Jordan Valley expires Sep 4th of this year. You will need to submit an online NOI, six months in advance. 1. The Application is found in form section of website. Starting to work on the permit, hope to have new one out before expiration. The intent is to keep the county co permitting in place.*
- e. Storm Water Program by Lisa Stevens: *Reminder that grant funding is available for Jordan Valley and South Davis for LID projects, deadline is Feb 4th. Will consider applications from out of the target area, but they will have lower priority.*
- f. Storm Water Program Monique Bridges: *Reminder to coalitions that she is available for data base training.*
- g. Groundwater Protection by Brianna Ariotti: *Recently redid information forms and are more user friendly. Should be up on website tomorrow. Please start using new forms.*

6. USWAC Subcommittees Updates:

- a. Industrial: *Meeting next Wed at SLCo 9:30*
 - b. Long Term Storm Water Management: *No updates*
 - c. R.S.I. Program: Paul Taylor: *Have calendar together for coming year. Registration should be available on APWA website. APWA will only activate a couple of months prior to event.*
 - d. R.S.W. Program: *Another class on March 6 and 7, registration is open and available on apwa website. Will be in Riverton.*
7. APWA News and Updates: *None*
 8. Stormwater Coalitions News and Updates: *None*
 9. Other topics/ business: *None*
 10. Public comments or questions: *None*
 11. Adjourn to advisement/ subcommittees and collaborative business:
 12. Next meeting: Wednesday **14 Feb** at 10:30 AM.

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



RSI and RSW 2018 Training Schedule

Go to <http://utah.apwa.net/> for RSI and RSW class schedules. The links are on the front page under Upcoming Events.

Registration to attend the RSI and RSW training classes are available online only and the APWA webpage only shows class schedules 2 months in advance.