Stormwater Stakeholder Advisory Group (SAG)
May 11, 2015
Draft Meeting Notes

Location: DEQ Piedmont Regional Office
Training Room
4949-A Cox Road, Glen Allen, VA

Start: 10:15 a.m.
End: 3:35 p.m.

SAG Members Present:
Michael L. Toalson, HBAV
Bart Thrasher, VDOT
Adrienne Kotula, James River Association
Rick Parrish, Private Citizen (formerly SELC)
Whitney Katchmark, HRPDC
L. Eldon James, Jr., Rappahannock River
Chris Pomeroy, Aqua Law
Katie Frazier, Va. Agribusiness Council
Austin R. Mitchell, Amherst County
Philip F. Abraham, VACRE
Larry J. Land, VACO
Joe Lerch, VML
Jimmy Edmonds, Loudoun County
Elizabeth A. Andrews, DEQ
Melanie Davenport, DEQ
James Golden, DEQ

SAG Members Absent:
M. Ann Neil Cosby, Sands Anderson
Glenn Telfer, Draper Aden
Peggy F. Sanner, Chesapeake Bay Foundation
Peter J. Rigby, Paciulli Simmons
Douglas Beisch, Stantec

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

Guests and Public Attendees:
Drew Hammond, DEQ
Fred Cunningham, DEQ
Joan Salvati, DEQ
Joe Wood, CBF
Christine Watlington, VDOT
Lee Hill, Joyce Engineering
John McCutcheon, DEQ
Chris French, Contech
June Whitehurst, Norfolk
Barbara Brumbaugh, City of Chesapeake
Cindy Berndt, DEQ

I. Agenda Item: Welcome & Review Minutes and Developments

Discussion Leader: Mark Rubin, Facilitator
Discussion: Mr. Rubin welcomed everyone to the fourth meeting of the SAG[1] and asked each attendee to introduce themselves. Mr. Rubin explained that there is an open chair at the table for members of the public to use during a discussion and all attendees were reminded to sign-in. The agenda for the day (see Attachment B) was reviewed and the SAG was then asked if there were any new developments and none were noted.

II. Agenda Item: Workgroup reports and other small group matters

Discussion Leader: Elizabeth Andrews, DEQ
Discussion: The SAG was reminded that the work groups were tasked with going through their matrix assignments and would work on harmonizing the SWMA, ESCL, and the CBPA provisions. The work groups that had met are the WWG and the EWG. The SAG was reminded that the information presented is not a final recommendation. The work groups will submit their final recommendations for the SAG's consideration once their tasks are completed. Ms. Andrews provided an overview of the EWG and WWG draft documents that were handed out to the SAG (see Attachment B) and summarized the discussions of the work groups for the SAG.

III. Agenda Item: Work Group Meetings

Discussion Leader: Mark Rubin, Facilitator
Discussion: The work groups selected meeting dates: (i) the NWG will meet on May 26th at 1:00 pm; (ii) the WWG will meet on May 21st at 2:00 pm; (iii) the EWG will meet on May 22nd at 9:00 am; and, (iv) the IWG will meet on June 3rd at 2:00 pm. All meetings will be at DEQ Central Office in Richmond.

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[1] See List of Acronyms in Attachment A

During the discussion it was noted that the IWG which does not have an assignment from the matrix assignment list and will concentrate on how the laws are implemented and identify where there are conflicts including some discussions on the opt in and opt out issues.

The SAG broke for lunch at 11:45 a.m. and reconvened at 12:54 p.m.

IV. Agenda Item: Review draft proposals from DEQ that group requested

Discussion Leader: Elizabeth Andrews, DEQ
Discussion: Ms. Andrews lead the SAG through a review and explanation of the strawman document (see Attachment B) that DEQ staff were asked to develop for the SAG's consideration. The SAG discussed the proposed changes to the provisions concerning training and multijurisdictional projects under the SWMA and the ESCL.

Based on the discussions, the DEQ will provide a harmonizing revision to the training provisions of the SWMA and the ESCL.

V. Agenda Item: April 17th Minutes

Discussion Leader: Mark Rubin, Facilitator
Discussion: The SAG was asked if there were any comments on the draft minutes for their April 17, 2015 meeting. There were no comments or revisions suggested; therefore, these minutes will be finalized and posted on Town Hall.

VI. Agenda Item: Discussion of Matrix Issues Left to the Large Group

Discussion Leader: Mark Rubin, Facilitator and Elizabeth Andrews, DEQ
Discussion: Mr. Rubin asked the SAG to review go to the agenda under IV. B for discussion the annual standards and specifications provisions for state and federal agencies. These provisions are found in § 62.1-44.15:31 of the SWMA. Should these be "may" or "shall"? Should the inspections be annual or have other timeframe for periodic inspections? Melanie Davenport provided the background on the concept of annual standards and specifications. The SAG discussed the questions.

For state entities, the provision requires that they submit annual standards and specifications while federal entities "may" submit. The SAG agreed that "may" was appropriate for state entities; however, VDOT prefers to keep the provision a "shall" submit for them. Regarding the second question, the SAG agrees that the submittal should be an annual one.

Attachment A
List of Acronyms

Acronyms:

ACOE – Army Corps of Engineers
CBPA – Chesapeake Bay Preservation Act
DEQ – Department of Environmental Quality
E&SC – erosion and sedimentation control
ESCL – Erosion and Sedimentation Control Law
EWG – Enforcement Work Group (a subgroup of the SAG)
RLD – Responsible Land Disturber
SAG – Stormwater Stakeholder Advisory Group
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
WWG – Wordsmithing Work Group (a subgroup of the SAG)

Attachment B
Handouts

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