

Sediment and Stormwater Regulatory Advisory Committee
 Meeting Notes
 7/13/16 Tidewater Utilities

RAC Members in attendance:

SAN 2015		
First	Last	Affiliation
Dirk	Durstein	Dept. of Justice
Doug	Hokuf	New Castle County
Bobby	Horsey	David G. Horsey & Sons
Frank	Kea	Secretary Designee - Land Development Consultant
Lew	Killmer	League of Local Governments
Hans	Medlarz	Sussex County
Paul	Morrill	Committee of 100
Robert	Palmer	DNREC
Michael	Riemann	Homebuilders Assn of Delaware
Preston	Schell	Secretary Designee - Land Developer

Interested Parties in attendance:

SAN 2015		
First	Last	Affiliation
Jared	Adkins	Kent Conservation District
Pamela	Bakerian	Delaware Farm Bureau
Vince	Davis	DelDOT
Jacob	Dorman	Contech Engineered Solutions
Jim	Elliott	Sussex Conservation District
Don	Esch	Karins Engineering
Sally	Ford	Land Design Inc.
Pat	Gleason	EPA
Maddy	Lauria	Cape Gazette
Chris	Pfeifer	GMB
Alison	Quimby	City of Wilmington - Public Works
Amy	Reed	Landmark Science & Engineering
Ethan	Robinson	City of Newark
Valerie	Thompson	Sussex Conservation District
Jennifer	Walls	DNREC Watershed Stewardship

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Staff Members in attendance:

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First	Last	Affiliation
David	Athey	AECOM
Mike	Falkowski	DNREC
Randy	Greer	DNREC
Jamie	Rutherford	DNREC
Matt	Watkins	DNREC
Elaine	Webb	DNREC
Stephen	Wright	DNREC

The meeting was called to order at 1:05pm by Bob Palmer. The agenda was approved by the RAC members. Bob Palmer provided a brief synopsis of the legislative actions taken related to the Sediment and Stormwater Regulations. Randy Greer provided an more in-depth discussion of the technical points of Senate Bill 253 which was signed by the Governor on 6/24/16 and House Bill 194 which passed both houses of legislature but has not yet been signed by the Governor.

The regulation revisions agreed upon at the June 1, 2016 RAC meeting and submitted to the State Registrar for publication in July 2016 as proposed regulations have been pulled. All of the BMP Standards and Specifications have been uploaded to a new "[Functional Equivalents](#)" webpage to allow designers to begin using them immediately since they have been referenced in SB253. The redevelopment language recommended by the RAC however was not referenced in SB253. Staff will continue to investigate a legal way to begin implementing the revised redevelopment standards as recommended by the RAC. In the current phase of RAC recommendations, all BMP standards and specifications are still up for editing. Specific discussion centered around maximum depth for wet ponds. In addition there was discussion about the term "exclusive of volume reduction" and managing 1" runoff as specified in SB253.

RAC members reviewed the status of the tracking document known as the "scorecard". Plan review checklists will be updated to reflect 5 years of plan life as per SB253. Discussion about road widening suggested the need for a separate discussion with DelDOT Subdivisions. Grandfathering of regional basins as a topic was discussed. DNREC staff is interested to know how many situations exist to determine if it is necessary to set a policy or if a small amount can be reviewed on a case-by-case basis as they come up. Hans Medlarz suggested that the pump station standard plan may fit under the residential standard plan except for the fact that the residential standard plan only applies to residential properties.

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Staff suggests that since SB253 has given us more time for review, all BMP standards and specifications are open in Phase 2 of the RAC review. Amy Reed suggested that more guidance be incorporated on drawdown time computations for infiltration, especially as this related to as-built checks. Sally Ford suggested that we query the full design community to get input on any needed changes to the standards and specifications.

The Technical Subcommittee will meet on Wednesday 7/27/16 and review the following BMP Specifications, to be followed by the full list of Standards and Specifications in numerical order at subsequent meetings until all BMP specifications have been reviewed and edited:

1. Soil Investigation Procedures
2. Wet Ponds
3. Afforestation (new specification previously approved by RAC)
4. Alternative RPv Methodology (new appendix previously approved by RAC)

The Residential Standard Plan has been split into two – disturbances less than one acre and disturbances between one and five acres – to address SB253. New Castle County may have an issue with the residential standard plan for disturbances less than one acre because of their minor subdivision requirements. New Castle County's issue was also a concern for City of Wilmington and City of Newark, but it is clear in SB253 that residential projects of less than one acre disturbed are only subject to erosion and sediment control, not stormwater management requirements.

Suggestions on the residential standard plan included adding the definition of residential construction to 3.01.1.1a Residential <1.0ac. Applicability item 4 will be moved under Applicability item 3a in 3.01.1.1b Residential >1.0ac. Mike Riemann suggested that a CN matrix be included in Applicability item 3b in 3.01.1.1b Residential >1.0ac to simplify the standard plan for non-designers.

For 3.01.1.3 Minor linear disturbances, the standard plan criteria have been revised to reflect HB194. It was suggested that the word "utility" be included in the title of this standard plan. The updated Utility Standard Plan will be shared with the utility company that was behind HB194 for review as well.

David Athey provided an overview of recent activity with the Offsets Subcommittee. Pat Gleason with EPA helped set up conference calls with both Virginia and Maryland. The next Offset Subcommittee meeting will be held August 3 in the morning of the same day as the next RAC meeting. Future RAC meetings have been scheduled for Wednesdays, August 3 and September 7. The October date of October 12 was discussed due to a conflict that staff had for October 5th. Staff will send RAC members an updated list of upcoming meetings.

Meeting adjourned at 3:45pm.