

Economic Impacts Subcommittee

1. Economic Impact Study (Regulatory Flexibility Act/Regulatory Impact Study)
 - a. Cost of Engineering and Design
 - b. Cost of 3-Step plan review and approval process including review fees
 - c. Cost of Construction
 - i. Cost of biosoil including importing compost
 - d. Cost of Maintenance
 - e. Cost of retrofits, repairs, and replacement
 - f. Effect on Delaware economy
 - i. Property values for sites that have difficulty complying
 - ii. Lost revenue from pond view lot premiums
 - iii. Extra costs on developers and HOAs due to additional BMP construction and maintenance costs
 - g. Cost of compliance inhibits redevelopment
 - h. Relative cost of nitrogen and phosphorous removal
2. Fee-in-lieu
 - a. Is the fee-in-lieu too high or too low? More research needed on the dollar amount.
 - b. Separate requirements for redevelopment in an urban setting
 - c. Utilization of fees collected
 - d. Create incentives to manage, process, use and facilitate funds collected
 - e. Fee should go to General Fund and expenses put in the budget
 - f. Small to medium church sites cannot afford fee-in-lieu
3. Offsets
 - a. Guidance needs to be expanded for offsets other than fee-in-lieu
 - b. Less expensive offset opportunities
 - c. Banking/credits on a basin wide level (HUC 12 too difficult)
 - d. Stream restoration / nutrient trading

Policies and Procedures Subcommittee

1. Plan Review Process
 - a. Less process for simple sites – not all sites need 3-step process
 - b. Re-evaluate plan set criteria and simplify
 - c. Condense checklists
 - d. Modifications to SAS/SAR
 - e. SAS ineffective within municipalities
 - f. Address inconsistencies between Regs, Tech Doc and watershed plans
 - g. Tax Ditch easement process
2. Redevelopment
 - a. Needs to be encouraged
 - b. Credit for existing impervious
 - c. Re-calculate benefits of redevelopment vs. new sites
 - d. Different requirements for redevelopment in urban setting
3. Flexibility
 - a. More options needed to address challenging sites – BMPs, offsets, fee-in-lieu credit
 - b. Build flexibility into process
 - c. Will flexibility be lost if Technical Document becomes regulatory?
 - d. Delegated agencies need flexibility to oversee construction
4. Better define how Tech Doc specs are applied to enforce the regs in terms of practices that are "functionally equivalent" to Tech Doc
5. Create programs to inform the public regarding how they impact clean water in Delaware
6. Provide incentives to non-residential properties to do retrofits to meet WQIP

Technical Subcommittee

1. BMP Standard and Specs
 - a. More/New BMP options needed to address challenging sites such as those with high water table, poor soils, low permeability, wooded sites
 - b. Easier BMP compliance
 - c. Constructability of BMPs in residential communities
 - d. Soil Investigation Standards are critical to BMP success
 - e. Clearcutting of lots – requirements to reestablish & maintain landscaping (afforestation spec)
 - f. Unknown life of BMPs prior to needing replacement
 - g. Testing on biosoil spec for longevity and effectiveness
 - h. Address inconsistencies between regs, Tech Doc, watershed plans and between standards and specs
2. Difficult Sites
 - a. Allow use of new and old regs with a bias toward infiltration
 - b. If site can meet “quality” control similar to previous regulation then infiltration and fee-in-lieu should not be needed
 - c. Sites with limiting zone close to surface but have low static water table
3. Drainage
 - a. Urban area drainage problems
 - b. Flood Damage Prevention
4. Standard Plan for projects that include little or no impervious, either existing or proposed (e.g. stream restoration, retrofits, etc.)
5. Long term fate of nitrogen and phosphorous on groundwater/streams; Is primary goal N&P reduction?
6. Increase from 2” to 2.7” and increase in CN has a significant increase in amt of water that needs treatment
7. Redevelopment 30% reduction is too difficult to achieve.

Subcommittee working topics Jan 2016

Maintenance Subcommittee

1. Cost considerations for long-term maintenance/replacement by HOAs , municipalities, etc.
2. Concerns with whether HOAs are equipped to maintain BMPs (technical and cost requirements)
3. Lack of maintenance training
4. Couple maintenance with performance monitoring

Urban Considerations Subcommittee

1. Requirements cannot be “one size fits all”; develop regulations for urban settings
2. Redevelopment requirements need to be different for urban settings
3. Drainage problems in municipalities