

MEETING SUMMARY NOTES  
EVALUATION OF STORMWATER GENERAL PERMIT AND LID  
(Contract # PS2010-10172)  
WORKSHOP 3—AUGUST 31, 2010; PHOENIX AUDITORIUM

DISTRIBUTION: Attendees and Other Project Partners  
DATE: October 12, 2010

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The following discussion summarizes the August 31, 2010 Workshop for the Evaluation of Stormwater General Permit and Low-Impact Development held at the Department of Environmental Protection Offices (79 Elm Street, Hartford, CT) in the Phoenix Auditorium.

A list of workshop attendees is provided at the end of this summary.

## INTRODUCTIONS

### *Opening Remarks*

MaryAnn Nusom Haverstock opened the meeting. She then turned the agenda over to Fuss & O'Neill.

### *Introductions around the Table*

Jim Riordan of Fuss & O'Neill gave a PowerPoint Presentation, entitled "Introductions, Meetings, and the Web Page."

### *Future Meeting Dates and Locations*

Jim reconfirmed the next two meetings and meeting dates, which were set during Workshop 1 (May 26). The dates are as follows:

#### Project Meeting Dates

Workshop Title	Date to be Held
Partner Workshop 4	Wednesday, October 20, 2010
Partner Workshop 5	Wednesday, December 15, 2010

### Note:

*All meetings will be held from 9:15 a.m. – 11:45 a.m. in the Phoenix Auditorium at the Hartford, CT DEP Offices.*

### *Web Page*

Jim reintroduced the project web page on DEP's website:

[http://www.ct.gov/dep/cwp/view.asp?a=2719&q=459488&depNav\\_GID=1654](http://www.ct.gov/dep/cwp/view.asp?a=2719&q=459488&depNav_GID=1654)

The web page continues to be used to provide project partners and other interested parties with general project information, schedules, and deliverables.

## REVIEW OF TECHNICAL MEMORANDA (TM) 1 AND 2

Jim led a review of TM 1 and 2, entitled respectively as follows:

- *Identification of Approaches for Including Low Impact Development and Pollution Prevention in General Permits*
- *Evaluating the Role of Stormwater Utility Districts in the Implementation of Low Impact Development*

This was followed by an open discussion of the two technical memoranda. Participants made the following comments during the open discussion:

- Federal Department of Defense has developed a LID guidance [*Unified Facilities Criteria (UFC) Low Impact Development Manual*] that may be helpful in determining accomplishment of water quality/quantity goals.
  - We should provide performance goals and then give development flexibility to make applications to achieve the goals.
  - Pollution prevention should be used to minimize volume of runoff at the source because prevention will reduce pollution and the amount of runoff to manage.
  - Legislation has been proposed to issue bonds for stormwater utility operation and maintenance.
  - Reimbursing a public utility when a roadway project presents a disturbance to a utility could impose a big expense on the state Department of Transportation.
  - Municipalities have the ability to impose utility fees on sanitary sewers. This would be the same for stormwater utilities [if they were implemented]. Municipalities can install LID now and don't need a stormwater utility to do so. However, stormwater utilities could provide funding which will ensure ongoing maintenance, repairs and upgrades.

## RATIONALE FOR THE SELECTION OF TWO ALTERNATIVES

Jim provided an overview of *Summary 4 Rationale for Selection of Two Alternative Scenarios for Implementation*. The overview was followed by an open discussion of the summary document. Participants made the following comments:

- Question: Has DEP decided what regulatory approaches will be included?
  - Answer: Yes, to an extent. As part of the current project scope of work, DEP has decided to:
    - (a) develop LID standards that update the *Soil Erosion and Sediment Control Guidelines* and the *Stormwater Quality Manual*;
    - (b) include LID standards in the stormwater general permits.

The process for how this happens will be decided by the Partners. Other implementation elements, which may include regulatory approaches or nonregulatory approaches, will be determined by the Partners through the Partner Workshops.

- The LID standards in the stormwater manual should allow flexibility.
- If the standards are not mandatory, this could create conflict between towns.
- If percent impervious coverage of a watershed is regulated, there should be flexibility at the local level to decide where those impervious surfaces are located within the watershed.
  - Standards should be defined, but use of LID on a specific site should be voluntary.
  - Uniformity across communities in Connecticut is valuable and desirable.

## EXPLORING ALTERNATIVES—CAFÉ WORKSHOP

Jim introduced the café workshop with a PowerPoint presentation. The purpose of the workshop was to:

- Examine ideas about how alternatives work together
  - Have an open dialog about alternatives
  - Leverage collective knowledge
  - Elicit innovation and good decision making

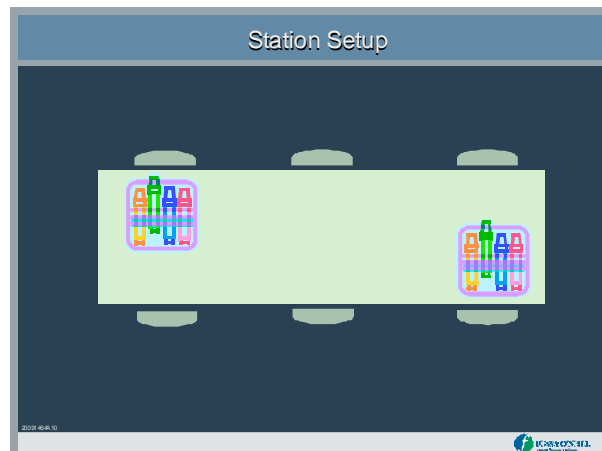


Photograph 1—Café workshop in process.

The café workshop included the following steps:

- Split into groups (about 4 to 6 people per group) and pick a “reporter.”
- Open café i.e., discussion about alternatives (20 minutes).
- Document results (10 minutes).
- Reporter presents findings and notes any new alternatives (2 minutes for each reporter).

Setup of each café workshop station (i.e., table) is diagramed in *figure 1* (right) and included multicolor markers, a paper “table cloth” for brainstorming and documentation, six seats.



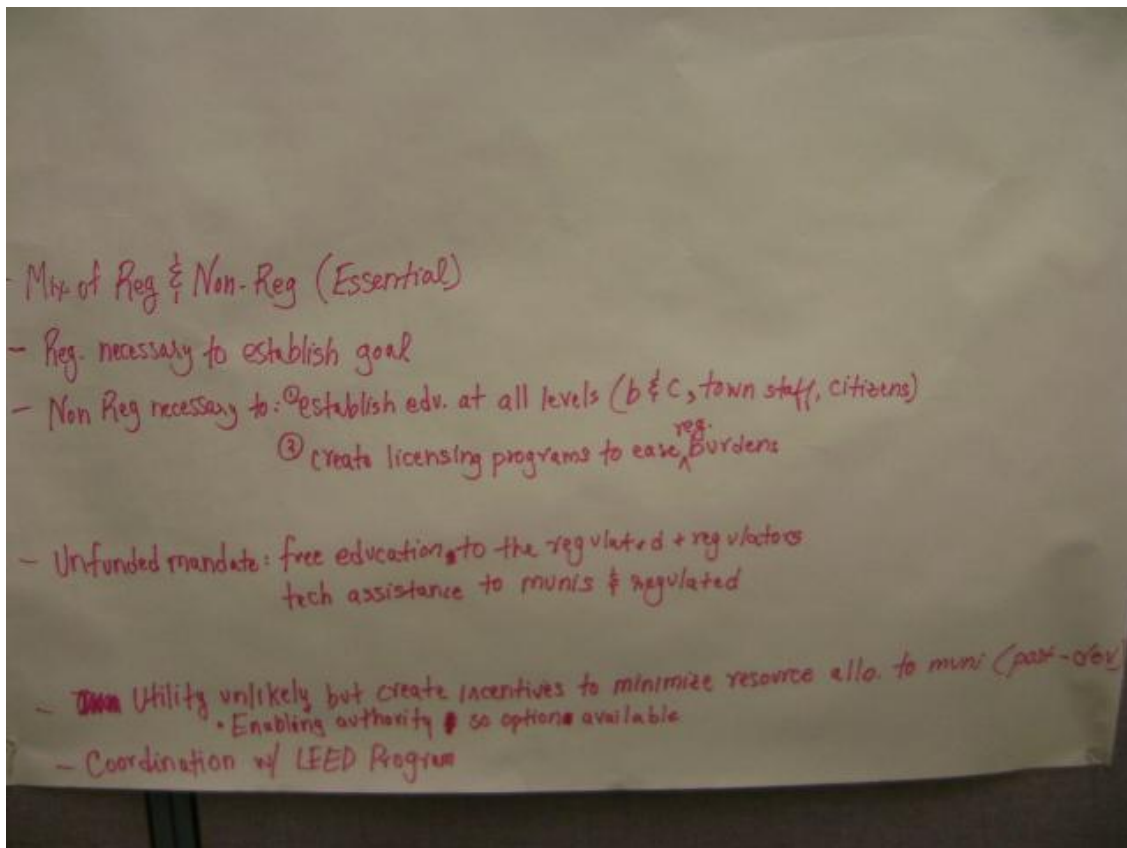
At the end of the café workshop, reporters reported results by group.<sup>1</sup> The

<sup>1</sup> Groups were not actually named or numbered during the exercise. Group numbers are provided in this summary for the sole purpose of

written results on each "table cloth" are provided below:

*Group 1*

- Mix of reg & non-reg (essential)
  - Reg. necessary to establish goal
  - Non-reg necessary to establish education at all levels (b& c, town staff, citizens) and to create licensing programs to ease regulatory burdens
  - Unfunded mandate – free education to the regulated and regulators; tech assistance to municipalities and regulated
- Utility [politically] unlikely; but [would] create incentives to minimize resource allo[cation] to municipalities (post-development)
  - [Adopt] enabling authority so [that the utility] option [is] available
- Coordination with LEED program.



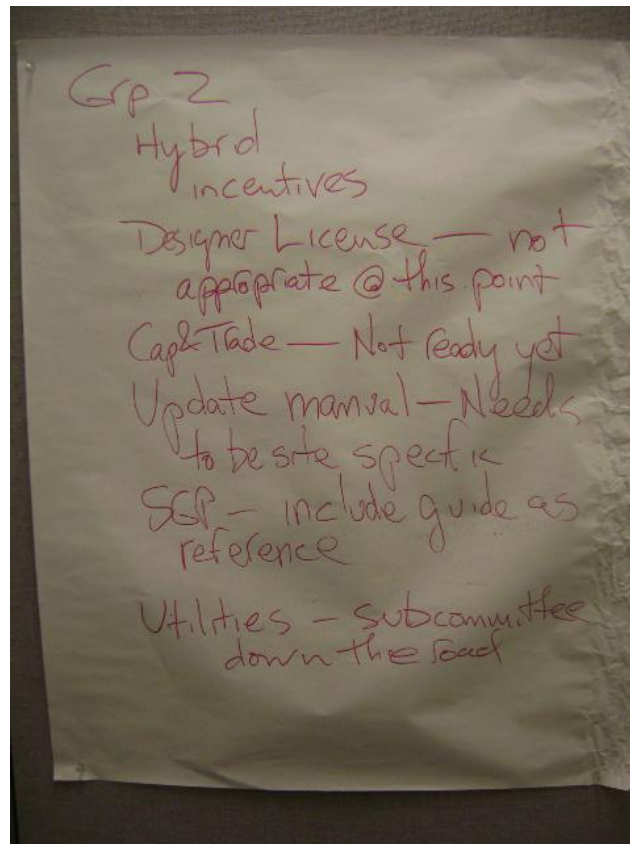
*Group 2*

- Hybrid of Incentives
- Designer License – Not appropriate at this point
- Cap & Trade - Not ready yet
- Update Manual – Needs to be site specific
- SGP – Include guide as reference

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differentiating the reports from each group.

- Utilities – subcommittee down the road



### Group 3

- Regulatory Permit Process – with manual – BMPs, leaving design with site design
- Non-regulatory
  - Municipal certification and designer certification
  - Municipal training (I/W [inland wetlands] and P&Z [planning and zoning]-stormwater)
- Stormwater Utility (Parking Lot)
  - Potential future planning option – not a place to start
  - Political acceptance difficult
  - Geography
  - Success depends on area
  - ??
- Cap & Trade
  - How administered? How to set value of tradeable commodity/credits
  - Setting % of impervious surface – politically difficult
  - One size doesn't fit all – diff. sites even within watershed, have diff. needs
  - Façade for NIMBYism/controlling development.
  - Sending and receiving areas may have different environmental value

MANUAL

Regulatory  
Permit Process

- financial review, design review, design of site design
- Non-regulatory
- municipal contribution
- designer certification
- municipal training  
EPA  
P&Z (common)

Stormwater utility  
(parking lots)

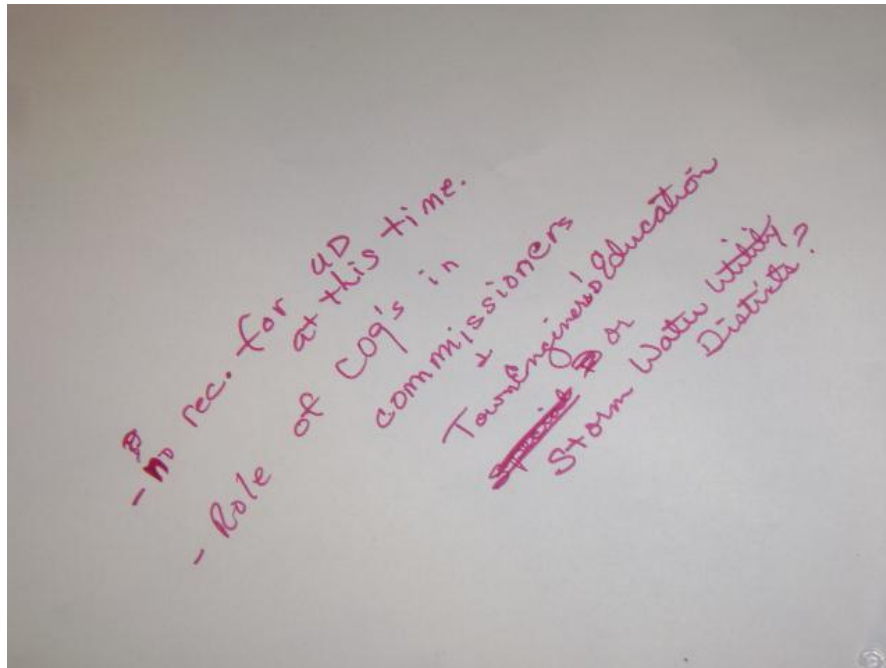
- Potential future planning option  
no place to go
- Political acceptance difficult
- Geography
- Success depends on area

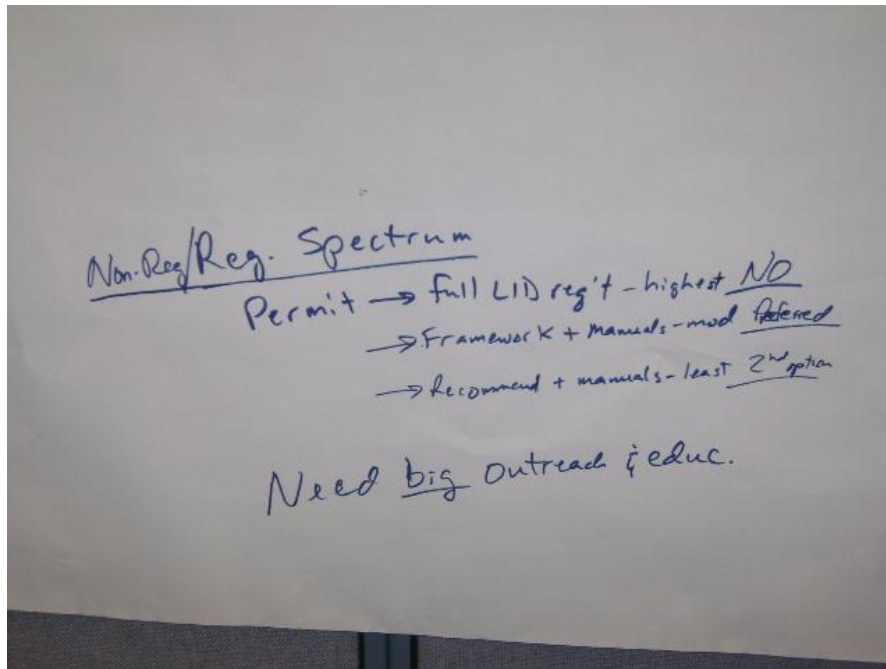
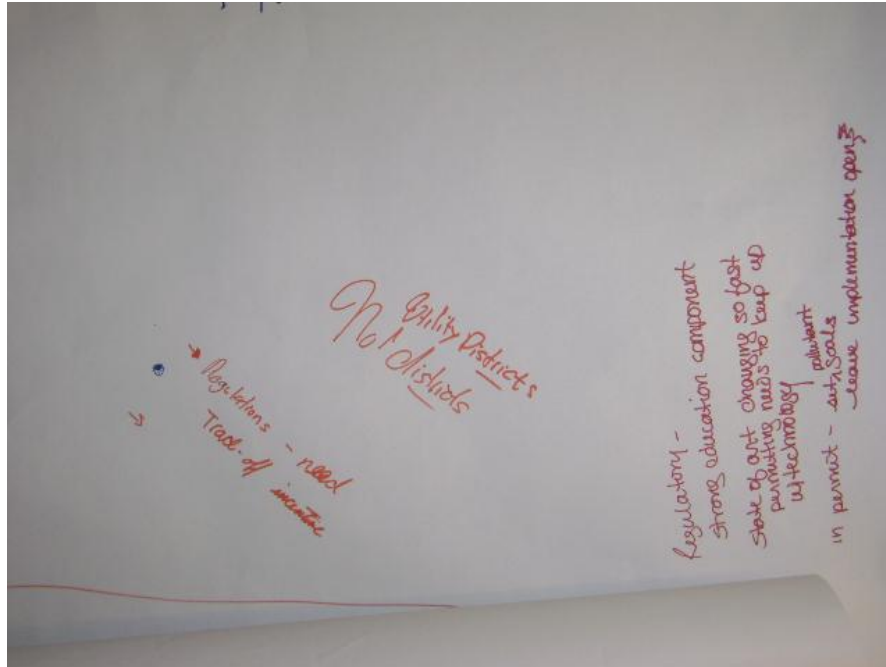
Cap + Trade

- How administered? How to set value of tradeable commodity/credits
- Setting % of Impervious Surface - Politically Difficult
- One size doesn't fit all - Diff. sites - even w/in watershed, have diff. needs.
- Facade for NIMBYism/Controlling Dv/pt.
- Sending + Receiving Areas May Have Diff. Env'tl. Value

Group 4

- No rec. for UD at this time.
- Role of COG's in commissioners and town engineers' education or storm water utility districts?
- Regulatory – strong education component
- State of art changing so fast permitting needs to keep up with technology
- In permit – set pollutant goals and leave implementation open
- No utility districts
- Regulations need trade-off incentive
- Non Reg/reg spectrum
  - Permit – full LID requirement – Highest NO
  - Framework and manuals – mod Preferred
  - Recommend and manuals – least 2<sup>nd</sup> option
- Need big outreach and education



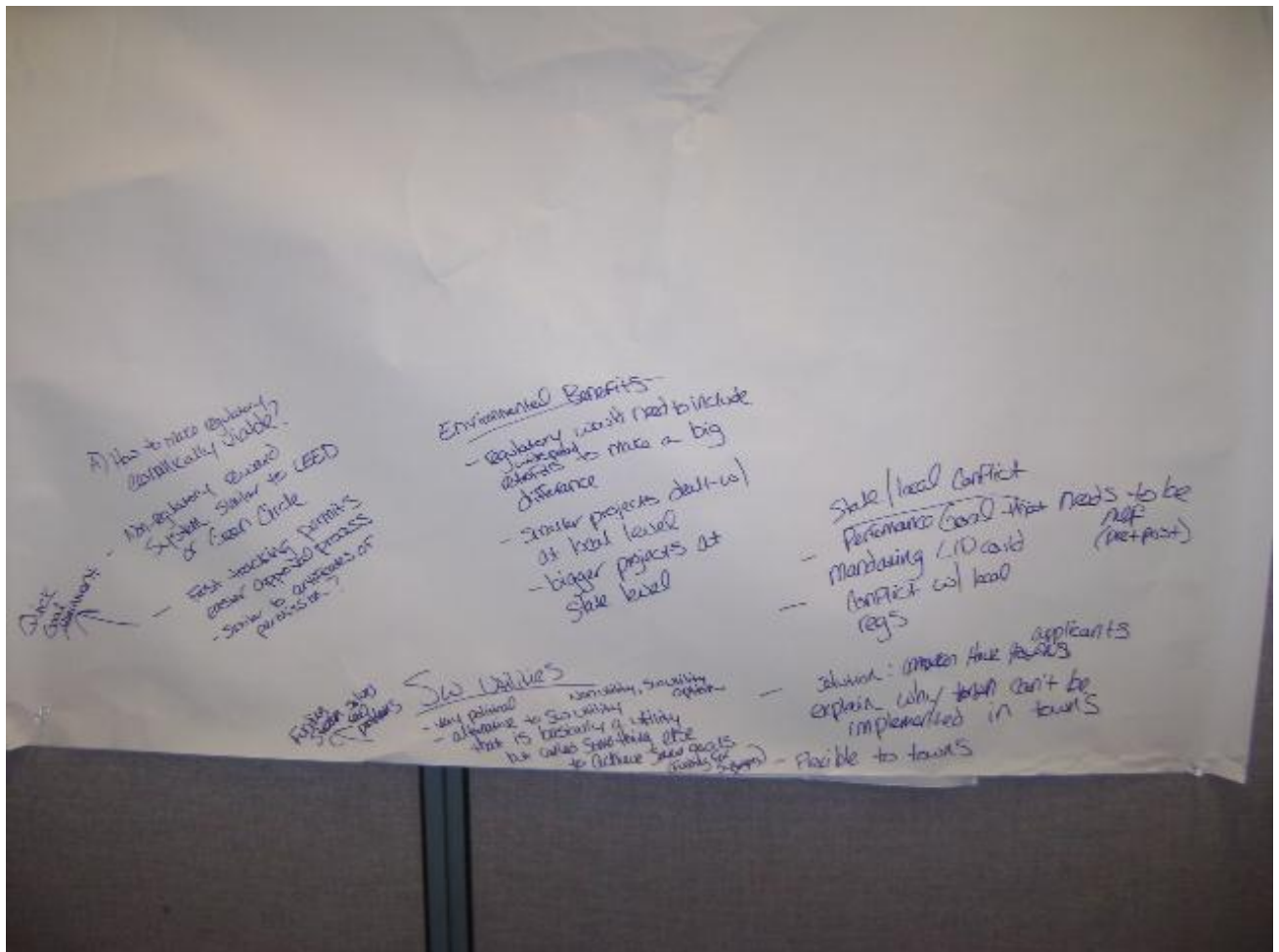


Group 5

- How to make regulatory economically viable?
  - Non-regulatory reward system similar to LEED or Green Circle
  - Fast tracking permits easier approval process (quick goal attainment)
  - Similar to certificates of permission?
- Environmental Benefits



- Regulatory would need to include widespread retrofits to make a big difference
- Smaller projects dealt with at local level
- Bigger projects at state level
- State/local conflict
  - Performance goal that needs to be met (pre & post)
  - Mandating LID could conflict with local regs
  - Solution: Have applicants explain why can't be implemented in towns.
- SW Utilities
  - Very political
  - Non-utility, stormwater utility option
  - Alternative to stormwater utility that is basically a utility but called something else to achieve same goals (funding for stormwater projects)
  - Funding stream solves real problems.
  - Flexible to towns



## IDENTIFYING PREFERRED ALTERNATIVES BASED ON CRITERIA—DOT VOTING USING A CRITERIA MATRIX

Jim gave a PowerPoint presentation introducing the dot-voting workshop using a criteria matrix. The purpose of the dot-voting workshop was to:

- Identify alternatives for immediate development
- Determine how alternatives compare with criteria
- Determine how alternatives fit best together when considering criteria



Photograph 2—Dot-voting workshop in process.


Dot voting included the following steps:

- Participants were each given 15 dots.
- Participants then identified which alternatives should be implemented first and which criteria they match by placing dots (5 minutes).
- Discuss results (10 minutes).

Dots were placed on a large paper sheet, which was set up as follows with alternatives on the vertical axis and criteria on the horizontal axis:

Dot-Voting Setup						
Alternative	Economically Viable	Knowledge-Based, Behavioral Change	Clear and Understandable	Practicable and Flexible	Administrable	Environmentally Beneficial
Update the Manual Guidelines						
Incorporating Standards into the SQP						
Designer licensing						
Imperious surface cap and trade		•••				
Adjusted standards for areas of special concern			••			
Training program	•					
Financial incentives						
Technical assistance						
Public education		••				
Stormwater Utility Subcommittee						
Guidance document						
Technical and financial assistance program						••
Public outreach and awareness toolbox						
Delegation of regulatory authority						
Idea 1						
Idea 2						
Idea 3						

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KEEP THE PLAN

The results of the dot voting are shown below:



Tally of the dot votes by alternative and criteria is as follows:

**Tally from Dot Voting**

<b>Alternative</b>	<b>Economically Viable</b>	<b>Knowledge-Based, Behavioral Change</b>	<b>Clear and Understandable</b>	<b>Practicable and Flexible</b>	<b>Administrable</b>	<b>Environmentally Beneficial</b>
Update the Manual/Guidelines						
Incorporating Standards into the SGP						
Designer licensing	3	9		1	4	
Impervious surface cap and trade						2
Adjusted standards for areas of special concern	6	3		14	3	5
Training program	4	11	7	5	2	6
Financial incentives	18			2		6
Technical assistance	6	2	2	17	2	8
Public education	4	15	10	2		4
Stormwater Utility Subcommittee	15	1				6
Guidance document	1	3	14	3	2	8
Technical and financial assistance program	6	4			2	6
Public outreach and awareness toolbox	2	9	6	7		2
Delegation of regulatory authority	1			4	1	
LID Cert./Award	3	8		2	2	
Municipal Cert.	3	11	4			1
	72	76	43	57	18	54

17  
2  
31  
35  
26  
37  
35  
22  
31  
18  
26  
6  
15  
19

## NEXT STEPS

The next workshop will be held on October 20 in the Phoenix Auditorium from 9:15 to 11:45 a.m. This meeting will focus on LID standards and development of a LID guidance. In preparation for the meeting Fuss & O'Neill will develop a technical memorandum regarding alternatives for LID implementation and selection based on workshops 1 - 3. Fuss & O'Neill will also develop a summary document of LID standards.

## ATTENDEES

Attendees of the August 31 workshop are listed below in alphabetical order by affiliation.

Attendee	Affiliation
John Pagini	CCAPA [Connecticut Chapter of the American Planning Association]
Matthew Hallssey	Connecticut Construction Industries
Jessica Morgan	Connecticut Department of Environmental Protection
Mary-Beth Hart	Connecticut Department of Environmental Protection OLISP
Chris Malik	Connecticut Department of Environmental Protection/NPS Program
MaryAnn Nusom Haverstock	Connecticut Department of Environmental Protection/NPS Program
Rob Hust	Connecticut Department of Environmental Protection-Water & Permitting
Chris Stone	Connecticut Department of Environmental Protection-Water Permitting
Nisha Patel	Connecticut Department of Environmental Protection-Water Permitting
Eric McPhee	Connecticut Department of Public Health
Paul Corrente	Connecticut Department of Transportation—Environmental Planning
John Carrier	Connecticut Home Builders
Virginia Mason	Council of Governments Central Naugatuck Valley
Judy Rondeau	Eastern Connecticut Conservation District
Jim Riordan	Fuss & O'Neill

Phil Moreschi	Fuss & O'Neill
Bill Ethier	Home Builders Association of Connecticut
Terrance Gallagher	Luchs
Greg Sharp	Murtha Cullina, LLP
Nicole Davis	South Western Regional Planning Agency