

Ontario-Wayne Stormwater Coalition Meeting

~MINUTES~ Tuesday, June 17th, 2008 – 9:30AM, Victor Village Hall

Attendees:

Brian Slack
Dave Zorn
Kevin Rooney (Wayne Co. HW Dept)
Thomas Corrigan (Sniedze)
Al Benedict (Town of Victor)
Dixon Rollins (NYSDEC)
Colleen Donovan (NYSDEC)
Bob Wykle (Town of Ontario)

Rob Williams (Wayne SWCD)
Jim Peet (MRB Group)
Dan Cornwall (Vil of Macedon)
John Turner (Vil of Victor)
Norman Druschel (Town of Walworth)
Edith Davey (Ontario SWCD)

Action Items

- BS to follow up with Monroe County to see if we can use various types of Ed/Outreach material; also, follow-up with lawn care person.
- New report form needs to be sent to BS to be forwarded to the coalition
- Colleen needs to give BS the dates for approval to be forwarded to the Coalition...reimbursement for past expenses must fall within these dates but must be documented and within the scope of work.

Agenda (times will likely vary):

Scheduling of Joint Permit Training (PJ)

PJ absent; item deferred to July

Future Pollution Prevention Training (Slack) 9:40

P2 workshop announced

DEC strategy for transitioning const.-related responsibilities in MS4s (Dixon Rollins)... 9:45

NYS DEC Region 8 covers 11 counties with approximately 1100 sites with construction permit coverage...looking at 60 day permits as they come in; 5 day permits aren't looked at due to resources. Complaints are looked in to as necessary. Some enforcement has been looked at by Env. Cons. Officers for water quality violations at several Monroe county subdivisions. Generally speaking \$5-10k in penalties are found when inspections take place.

Permits have been issued for a two year period; they will be reviewed over that two year period in a series of meetings in Albany [see pdf of schedule under the Resources list on the Ontario-Wayne website]. So some changes may be likely. September 30th is the date when MS4s are supposed to take over the construction permit. Albany has been getting some of the SWPPP acceptance forms; if municipi's would like to begin to take the lead sooner than that, feel free.

Any projects after 9/30...60 day period will go away for those projects...any new projects coming up, DEC would appreciate the proactive assistance from municipalities.

DEC is always available for technical assistance on the construction stormwater program. Water quality violations can be handled by DEC and should be reported. DEC would like to begin to transition to the MS4s for complaint responses. This is an area where the DEC can readily step in to assist municipalities as needed.

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Acknowledgement letters...DEC will make copies and forward to MS4s after about a 30 day lag period. The permit database will somehow be distributed to MS4s; DEC wants to be able to eventually send all information that they have to the MS4s within a timely period. Counties can be tricky because the sites can cross municipal boundaries...this will require some more refinement on the DEC's part.

???Have any municipalities taken the lead on any of these projects yet? A: NO...since the permit wasn't 'approved', most are questioning what their responsibilities actually are at this point. Right now the expectation from DEC is for SWPPPs that require more than a 5 day period can now be reviewed and approved by the MS4. SWPPP acceptance forms are the forms that should be sent to Albany office. These are not received at the regional office in 'real time'...the information is going to be significantly old by the time it is corresponded between the regional office and the municipality.

DEC acknowledges that this lag is a problem; Reg. 8 officials are trying to get communication transferred from Albany to MS4s within a reasonable time period.

Starting 9/30 the local level will have to handle things regardless, so MS4s should get used to being the primary. In the case of the paper work, if this isn't straightened out within a reasonable period of time, DEC will be here to provide assistance.

MS4s need to review all SWPPPs...5 day and 60 day. 60 day reviews essentially go away after 9/30. DEC wants to know about any difficulties that you might be having.

Questions—Esther Leadly on behalf of PJ: How the SWCDs will be involved with the MS4 permits? What about the shared services subcontract for site inspections and SWPPP review where it is required. It is going to vary between districts...

IN house design work done by counties...what about a project done in-house that requires SWPPP review: we shouldn't be reviewing our own work, should we?

DEC Update (Colleen Donovan)..... 10:00

List of meetings on issues revolving around the news permit that will be scheduled in Albany [see pdf of schedule under the Resources list on the Ontario-Wayne website]. Schedule of monthly meetings – circulate to coalition members.

Concerning Round 9 funds...Jim Peet and CD have been sharing emails regarding the implementation of a special development standard on-site which is not necessarily in the Design Manual. Funding for water quality improvement funds will be ok for this one and other similar projects.

Educational efforts in our communities...stormwater ponds...after a pond is constructed, a community might want to publish what was done and why in a local newsletter. This would count as a public education/public participation effort. That in conjunction with other educ. efforts such as reducing pesticides and fertilizers would be a great effort. Lawn care combined with stormwater ponds seems to dovetail nicely.

Would the DEC like the lawn care person follow up with us at a later point in time? Monroe County has a "living next to stormwater ponds"...**Action Item:** BS to follow up with Monroe county to see if we can use this material; also, follow-up with lawn care person.

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- **Report form needs to be sent to bs to be forwarded to the coalition**

Nonconforming uses of post-construction structures...the DEC does not want MS4s to make that determination; there isn't language in the permit on this, however. **PLEASE CONTACT THE DEC REGIONAL OFFICE FOR ADVICE ON THE USE AND IMPLEMENTATION OF NONCONFORMING STORMWATER CONTROL STRUCTURES THAT ARE NOT IN THE BLUE BOOK.**

PJ wants a more official-looking complaint form. Colleen is looking into that

Funding to apply for again? The package is still under review...and there may be something in the future...round 10 for new projects. **ROUND 9: What about reimbursement to municipalities for work already completed, included design. Colleen needs to give BS the dates for approval to be forwarded to the Coalition...reimbursement for past expenses must fall within these dates but must be documented and within the scope of work.**

G/FLRPC Updates (Slack)..... 10:20

- **Update on GP-0-08-002 requirements (Zorn)**

See handout – “Cliff Notes on GP-0-08-002. **Major item: local laws require municipal attorney certification.**

See the following link for this document:

<http://www.gflrpc.org/ProgramAreas/Planning/WaterResources/OntarioWayneMS4/GP0208CliffNotes.pdf>

- **Development of Coalition education materials**

PJ and Scott Allen have been named to the Education and Outreach Subcommittee. Their tasks, along with BS, are to develop education and outreach materials for use by the Coalition

- **MS4 software demo meeting**

Attended by BS; software explained.

FINAL Logo Selection (All) 10:45

Final logo has been selected and is currently up on the website. The logo is available to coalition members in several formats, included .jpeg and .pdf. Other dynamic digital formats are available for special projects as needed.

Adjourn..... 11:00

Training Announced:

Pollution Prevention ('P2') Workshop ~ Thursday, June 26, 2008

Penfield Town Hall Auditorium

3100 Atlantic Ave.

9:00 a.m. – 10:30 a.m.

~or~

Town of Ogden Highway Dept.

2432 S. Union St.

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1:00 p.m. – 2:30 p.m.

Further details TBA and circulated to MS4s

See the NYS DEC Stormwater Training Calendar for the latest postings of statewide training opportunities at <http://www.dec.ny.gov/chemical/8699.html>

~ Date for Next Meeting: Tuesday, July 15th ~Village of Victor Village Hall

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G/FLRPC Update

New permit differences...

A1: Impaired waters without TMDLs. By January 2013 ensure no net increase in impaired waters (PWL)

- BS will provide list of impaired waters to membersn (see permit appendix)
- Emphasize this document in the minutes

G: Reliance upon third parties: provide assurance that third parties will provide certification

Shared annual reporting: Part VC2...we know this already.

Pages 2-3: specific information on minimum control measures 1-6.

Bottom of page 3 part seven: minimum control measures: IMA public education and outreach...id the pollutants of concern these are in the permit.

Blind Sodus and Port Bay in Wayne: TMDL for Port Bay is being developed. This will make post construction control necessary in this location. Honeoye Lake, Hemlock and tribs in Ontario...

No 2. on top of page 4: a-h public involvement and participation list. This is all basic, obvious stuff...

Item no G however: beginning in 2009, SWMP must be available for inspection.

No. 3: IDDE A-J: first 5 years was mapping and id; now it's implementation: develop a program to detect and eliminate; sewer shed and system mapping; field verification of locations...etc. etc. etc.

- **F: idde law (and construction laws) must be attorney certified**

G: develop a program to develop non-stormwater discharges...

4: construction site controls: see a – n. read each one

...and so on...

FACT SHEET

RE: *Cooperation between permittees should be encouraged.* Perinton is delivering millings to the dan cornwall's village...why is this material coming and why does he require approval...nobody's tracking where the material is going. Property is on the bank of the

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gonanda creek...vacant property. In the town of victor, excess spoil permit should be incorporated into the design and construction specs

- **Brian can be the keeper of comment on new permit, as to how well the new permit language has captured....**

SWPPP plan 2009 by 2009 or the time of an audit...

EPAs goal is to audit all MS4s over the 7 year period.

- Theater slide purchase for public education and outreach?

Ed Mc...

Coalition Newsletter? Brochure might be a possibility...

Edith Davey...PJ Emerick and Scott

MS4 software demo...

Serine