

**TIPPECANOE COUNTY STEERING COMMITTEE  
NPDES Phase II SWQMP**

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**SUMMARY OF STEERING COMMITTEE MEETING**

DATE: May 19, 2004  
TO: Project File  
COPY: Steering Committee Members/ CBBEL  
FROM: Rachele Baker, CBBEL  
SUBJECT: Summary of Steering Committee Meeting  
Tippecanoe County Building  
March 18, 2004 10:00 a.m. – 12:00 p.m.

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**ATTENDEES**

Steering Committee

David Ayala -	Lafayette Citizen Representative
Bob Bowman -	Dayton Town Board Member
David Downey -	City of West Lafayette
Sue Gerlach -	IDNR, Div. of Soil Conservation
Brian Keene	Builders Association
Opal Kuhl -	City of Lafayette
Ken Larson -	Ivy Tech
Steve Murray -	Tippecanoe County
Chris Remley -	Soil and Water Conservation District
David Renicker -	Contractor Representative
Dana Smith -	Chamber of Commerce
Mike Spencer -	City of Lafayette
Robin Ridgway -	Purdue University (for Jim Knapp)
Rachele Baker -	CBBEL

Additional Attendees

Bob McCormick -	Purdue Planning with Power
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**MEETING AGENDA**

- I. Review of Agenda
- II. Review of Minutes from January 15, 2004 Meeting
- III. Summary of February Revisions to Ordinance
- IV. Discussion on Chapters 5 and 6 of Model Ordinance
- V. Preparation for Next Meeting



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**MEETING MINUTES**

1. Steve Murray opened the meeting with a project update. He noted that the ordinance we are currently reviewing must be in place by November. He stated that the project team is working on an interlocal agreement to cover implementation responsibilities. He also noted that the technical sub-committee has reviewed the ordinance and is now going through the technical standards document. Finally, Steve informed everyone that the county now had the ability to form a utility thanks to recently passed legislation.
2. Rachele then asked if anyone had any comments or corrections to the minutes from last week. Steve noted that he was mis-quoted in item 13 as saying most golf courses in the MS4 area are municipally owned since most are private.
3. Rachele then reviewed changes made to the ordinance since the last meeting. The ordinance has been updated to include all committee comments received to date and to include language for individual lot developer responsibilities.
4. Rachele then quickly reviewed the subject and intent of Chapter 5 and noted that the language is very similar to Chapter 4. She then began asking for comments by section.

Section 1: Steve noted that although Agricultural land disturbing activities are listed as an exemption in this chapter, agricultural property is not necessarily exempt from the utility.

Section 2: Rachele noted that the last paragraph contains what appears to be a random blurb regarding gas stations. This language is taken directly from the rule requirements where it also appears as a seemingly random note. She went on to say that perhaps special standard BMPs can be developed for gas stations.

Section 3: No one had any comments on this section.

Section 4: Rachele noted that the sub-committee felt the 30-foot easement was more than currently required. CBBEL is looking into this. Otherwise there were no comments from the steering committee on this section.

Section 5: There was some general discussion about who would be responsible for inspections, the property owner or the local government jurisdiction.



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Rachele stated that Indianapolis currently conducts the inspections for the first three years. The cost for this service is included in the permit application fee. After three years, inspections are turned over to the owner.

Brian asked when those inspections would start. Would it be following installation or following stabilization. He recommended that an inspection should be made to check proper installation and that annual inspections begin one year from installation approval.

Q. - As a side note, Brian asked when the weekly construction inspections would end.

A. - Rachele replied that the Notice of Termination would signal the end of construction inspections.

Q. - Brian asked if a form would be provided for conducting these inspections.

A. - Steve Murray said forms would be developed and provided.

Q. - Dave Ayala asked what would happen if a Homeowners Association dissolved? (*This issue has come up several times during review of the ordinance.*)

A. - Steve agreed that this is an ongoing problem that will need to be resolved.

Q. - Brian asked if existing stormwater structure need to be inspected.

A. - Opal noted that inspections are already a requirement in the existing ordinance but hasn't been enforced. These inspections are for quantity purposes, not quality.

In the last sentence of this section, there was some question as to what an allowable time period for correcting deficiency would be. The sentence before states 180 days but the group felt some flexibility should be allowed and that the severity of the deficiency should be taken into consideration. Opal suggested that the timeframe be included in a violation letter. Everyone agreed this was a good solution.

Steve Murray also noted that "county" should be replaced with "jurisdictional entity" in the last sentence of the chapter.

5. There were no other comments on Chapter 5 so the committee began review of Chapter 6. Rachele again, quickly, reviewed the subject and intent of the chapter and asked for comments on Section 1.



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Section 1: Steve Murray noted that submittal of the quantity portions of a stormwater permit application would still be allowed for preliminary approval, as is currently the case. He noted that this does occasionally happen for unique sites and will still be an option.

Section 2: Rachele noted that section 2 refers individual lot developers to section 4 for their requirements.

Rachele pointed out that the location of a project dictates who a developer must submit information to. Inside the MS4 area, quantity and quality information must be sent to the jurisdictional entity. Outside the MS4, Rule 5 must be submitted to IDNR/IDEM and quantity information must still be submitted to the County. If a project straddles the line, Rule 5 goes to IDNR/IDEM plus quantity and quality information goes to the jurisdictional entity.

Rachele also pointed out that the Technical Sub-committee has questions about the review period allow for SWCD to comment on projects inside the MS4 area. The rule does not specify a time. Some discussion ensued regarding city and county review times and the end result was that the SWCD review should be narrowed down.

Sue asked if the requirements in this chapter would make developers/engineers have to purchase new software. Steve felt that discussion could be handled in the sub-committee.

Opal noted that the city is still in discussions regarding GIS software formats. General discussion showed that some developers are in favor of electronic submittal and some are not.

Rachele stated that the technical sub-committee had raised the question of an expiration date for NOIs. Currently, Rule 5 permits are good for 5 years with extensions allowed.

Q. - Brian and Steve wondered what would happen if the Rule changed during that 5 year period.

A. - Opal noted that projects that are ongoing when standards are changed are currently grandfathered in under the standards they were approved with. Everyone agreed this was a good procedure and should be continued.

Section 3: In item B(iii)(d), Sue felt the word certified should be inserted before soil scientist.



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Sue asked if required topographic information should be required as 1 or 2-foot contours instead of at an interval appropriate to indicate drainage patterns. The group felt the current wording worked and that if the 10-foot contours on a quadrangle map indicated drainage patterns, it could be used.

- Q. - Dave Ayala noted an inconsistency in item B(vi)(a) in the rainfall requirements between Rule 5 language and ordinance language. He wondered if the information required for stormwater quantity design and BMP design could be made consistent.
- A. - Rachele stated that 10 year storm event would be replaced with 10 year , 24 hour, storm event.
  
- Q. - In item D(vi), Brian wondered if an inspection form would be provided and felt the form currently used by IDNR would be too involved for weekly site owner inspections.
- A. - Rachele felt two forms could be developed – one for governmental inspectors and a less complex one for site owners.
  
- Q. - Dave Ayala asked if a narrative discussion of maintenance would be required for BMPs not identified on the pre-approved list.
- A. - Rachele stated that BMPs not included on the pre-approved list would need to have an Operation and Maintenance manual submitted by the applicant with the stormwater application or request for BMP approval.

Section 4: Rachele noted that section 4 is a new section added as a result of previous steering committee discussions. This section details the responsibilities of individual lot developers which include signing a certification that states they will abide by the erosion and sediment control and the drainage plans detailed in the overall development plan. Enforcement of these new requirements will likely be through building permit inspections.

There were no steering committee comments on this section.

Section 5: There were no comments on this section.

Section 6: Brian Keene asked if the addition of water quality features to plans would increase review times and also wondered if a list of standard comments could be generated to speed review.

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Section 7: Brian Keene noted that the wording in this section is not consistent with current practices and needs to be looked into further. He felt the bonding requirements need to be consistent with other bonding requirements for developments.

Section 8: Rachele noted that the first sentence under item A might need to be changed from erodible soils to erodible land.

Sue noted that the regulatory determinations for erodible land are complex and subjective.

Several people felt the items identified as Sensitive Areas should be more clearly defined.

Q. - Sue wondered if “cultural resources” should be added to the list of sensitive areas.

A. - Steve Murray answered that this could be discussed but is not required by Rule 13 which serves as a template for this ordinance.

Section 9: Rachele noted that the last paragraph of this section should be stricken since it was written for a different county and does not apply here.

6. Due to the time, the meeting was concluded after reviewing Section 9. Rachele reminded everyone that the next meeting would be on May 20<sup>th</sup> and we would review the Permit Approval flowchart as Chapter 7 of the ordinance.

**NEXT MEETING:**

Thursday, May 20, 2004  
County Building  
10:00 am – 12:00 pm

file: Minutes03-18-04

