

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

SUMMARY OF STEERING COMMITTEE MEETING

DATE: March 21, 2003
TO: Project File
COPY: Steering Committee Members/ CBBEL
FROM: Siavash E. Beik, P.E., CBBEL
SUBJECT: Summary of Steering Committee Meeting
Tippecanoe County Building
March 20, 2003 10:00 a.m. – 12:00 a.m.

ATTENDEES

Steering Committee

| | |
|-------------------|----------------------------------|
| Dave Ayala - | Lafayette Citizen Representative |
| David Downey - | City of West Lafayette |
| Brian Keene - | Homebuilders Association |
| Opal Kuhl - | City of Lafayette |
| Linda Eastman - | Tippecanoe County SWCD |
| Ken Larson - | Ivy Tech State College |
| Roger McClellan - | Pheasants Forever |
| Steve Murray - | Tippecanoe County |
| Mike Spencer - | City of Lafayette |
| Rachele Baker - | CBBEL |
| Siavash Beik- | CBBEL |

MEETING AGENDA

- I. Review of Agenda
- II. Review of Minutes from February 20, 2003 Meeting
- III. Comments on Chapters 4 and 5 of Part C
- IV. Presentation of Potential MCM 6 BMPs
- V. Ordinance Update
- VI. Next Meeting Date

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MEETING MINUTES

1. Siavash started the meeting with a review of the agenda for this steering committee meeting and allotting time for each topic.
2. Rachele asked if everyone had received the meeting minutes from last month and if there were any corrections, omissions, or other comments. There were no changes other than the spelling of Dave Downey's last name.
3. Rachele noted that Rule 13, which we thought had passed the Water Pollution Control Board in February, actually did not formally pass until March 13 due to the Board Packet missing ONE PAGE during the February meeting.
4. The co-permittees briefly discussed the fact that all of Indiana missed the Phase II federal deadline of March 10th but that IDEM had circulated a form letter for all designated entities to sign and return to IDEM stating that they would comply as soon as Rule 13 was in place.
5. Steve Murray stated that he has continued to stay in contact with Shadeland, Battle Ground, and Dayton regarding their options to join the current project team. Dayton is interested in joining, Battle Ground has not responded and Shadeland has made no commitment either way.

Comment: Roger noted that if we really want Shadeland to join we should be very frank and clear with them as to their situation and options.

Comment: David Downey said he had been attending the Shadeland town meetings and that the feeling is they don't have a problem, meaning they don't think IDEM will make them include their entire corporate boundary area as their MS4 area.

Question: Roger asked how they could opt out.

Answer: Rachele stated that IDEM's response to that question was that Shadeland would have to prove that those areas don't contribute to water quality problems.
6. The group then began reviewing Chapter 4 (MCM 4) of the Part C working document. There were no comments on the Introduction section. There were no specific comments on the wording of Section 4.2.1 but some side discussions came up.

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Question: Steve asked how the new Rule 5 compared to the requirements of Rule 13's MCM 4 and 5.

Answer: Rachele replied that the requirements for development and redevelopment are the same for Rule 5 and Rule 13. The new Rule 5 requires the same Stormwater Pollution Prevention Plan and includes post construction BMPs just like Rule 13.

Comment: Siavash commented that this consistence between Rule 13 within MS4 areas and Rule 5 outside, favors a countywide ordinance regarding development and redevelopment.

Comment: Siavash also stated that our current approach to developing the ordinances required by Phase II is to take the technical jargon out of the ordinance and put it into a "handbook" incorporated by reference into the regulatory authority of the ordinance. He stated that government attorneys hate to see technical wording in an ordiance.

Comment: Rachele stated that it will also allow for changes to the handbook without changing the ordinance. These first five years of the Phase II permit will likely result in many changes and improvements to the technical end of things.

Comment: Brian Keene was concerned that this would lead to changes in the handbook with notification to or input from the developers and builders affected.

7. The group then moved on to Section 4.2.2

Question: Brian Keene inquired about procedures and fees associated with this new permit.

Answer: Steve Murray said there would be fees involved due to the need for intense review and for on-site inspections.

Comment: Rachele stated that those thing are included in the ordinance language which the Steering Committee will be reviewing after we are finished with Part C.

Comment: Opal noted that each co-permittee will likely want to customize the ordinance for their jurisdiction.



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Comment: Mike Spencer asked if the 14 day SWCD review period included in Section 4.2.2 was enough time for SWCD to really look plans over, especially considering the volume of reviews there will be with 1 acre and larger sites. If possible, they should be given more time.

Note: *The timing of the entire permitting process has not been worked out yet, but SWCD review time will be maximized.*

Discussion: There was some general discussion regarding requirements for individual lots within a larger development. Individual lots will have to comply with the requirements of MCM 4 even if they are smaller than 1 acre if they are part of a larger development. Brian felt it was very important to be clear on who is liable for non-compliance since developers have no control over builders and builders seem to be the worst offenders. Rachele noted that weekly inspections of construction sites have to be conducted by a “qualified” person. Hopefully those inspections will identify the true offenders. Both Brian and Mike Ayala would like to see certification for homebuilders.

8. The group then moved on to comment on Section 4.2.3.

Comment: Brian and others were concerned that the Certification course in Section 4.2.3 was to be offered to developers and reviewers and inspectors. Builders and contractors also need to be included.

Comment: Dave Ayala was concerned about the course only being offered in the spring under the measurable goals. Everyone agreed that “spring of the” should be stricken.

Comment: Rachele noted that the requirement for training is annual and so some new people can be trained every year with most attending a refresher course each year. This element is missing and needs to be added.

Comment: Many people agreed that training requirements should be kept at a bare minimum.

9. There were no comments on Section 4.2.4, for obvious reasons, and the group moved on to Section 4.2.5.

Comment: Someone stated that “or equivalent” should be inserted into the first sentence after the word brochure.



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Comment: Steve and Brian felt attaching an educational brochure to plan review responses was a little too late. Simply stating that brochures would be distributed to applicants would be sufficient.

10. Regarding Section 4.3, Linda Eastman noted that IDNR offers erosion and sediment control training upon request.
11. Regarding Section 4.4, Siavash noted that annual refresher training courses need to be added to the timeline.
12. Regarding Section 4.5, Opal noted that the number of people certified would be a good programmatic indicator to include in the list.
13. There were no other comments on Chapter 4, and there was no time left for Chapter 5 so it will be reviewed next month along with Chapter 6.
14. Rachele asked everyone to please look over the menu of BMPs for MCM6 on the EPA website. She also stated that ordinance update had pretty much been covered in the course of Chapter 4 comments.
15. Siavash then closed the meeting with a reminder that the next meeting would be April 17th.

NEXT MEETING:

Thursday, April 17, 2003
Chamber of Commerce Building, Board Room
10:00 am – 12:00 pm

file: Minutes03-20-03.doc