

September 24, 1998 Meeting Summary

A list of those in attendance at this meeting is attached. The August 12, 1998 meeting summary was approved with corrections. Kelly Cave provided copies of the USEPA Region V Comments on Working Draft - Urban Nonpoint Source Quantification Protocols and a REVISED: 23 September 98 Working Draft - Urban Nonpoint Source Quantification Protocols. Jim Ridgeway provided draft rule language for urban point source and nonpoint source baselines, reduced discharge level and calculation of discharge reduction credit generation. These documents are attached.

Kelly Cave walked the group through Region V's comments and the revisions made to address them in the revised urban nonpoint source quantification protocol. EPA agrees with the overall approach in the Working Draft - Urban Nonpoint Source Quantification Protocol. EPA raised a concern over the baseline for sites at which development occurs. Development of a forested area or well managed farm into a strip mall or subdivision could result in a net increase of loadings if the baseline is loadings after the implementation of urban best management practices (BMP's). If the baseline is the land use prior to development, it may not be possible for development site to generate credits. The workgroup was sensitive to not promoting urban sprawl and still providing incentives for developers to minimize soil erosion and nutrient loading during construction.

The group spent a lot of time discussing whether to use a typical event mean concentration approach for forest/open and agricultural/pasture land use categories. The group reached a consensus on the use of the event mean concentration quantification protocol for all land use categories, with the exception of agricultural land and individual sites during construction. For these two categories, the "rural" nonpoint source quantification protocol is being recommended. This strategy would provide a degree of consistency in how agricultural and rural nonpoint source loadings and reductions are quantified and how permitted stormwater sources are handled.

Kelly Cave and Chuck Cabbage agreed to do a comparison of using these two different protocols at a agricultural site. Chuck will coordinate this comparison with staff from NRCS. If the quantification protocols yield dissimilar results, the group will reconsider its recommendation.

Kelly Cave agreed to take the lead and work with others on the workgroup to determine if there is a need to break Tables 1 and 2 down into subcategories.

It was agreed the rules need language to clarify that the baseline for permitted stormwater sources should either be effluent limits or management practices specified in a permit or the loadings calculated by using the urban nonpoint source quantification protocol, whichever is specific and most protective.

Members of the workgroup agreed to provide comments to Kelly within a week or so. She will redraft the urban nonpoint source quantification protocol for discussion at our next meeting.

The agricultural nonpoint source subgroup did not meet in time to prepare recommendations for consideration by the full workgroup. The workgroup deferred discussion on the agricultural framework (compliance, a limited window of eligibility for substandard operations and whether publicly funded projects should be eligible to generate credits) until the next meeting. Mark Kieser agreed to take the lead in scheduling a meeting for this group in the next two weeks.

The group discussed discount factors to address distance between sources which generate and use credits and, in situations where a generator is located above an impoundment and the user is downstream of the impoundment. Most of those present felt that some additional discount is appropriate to address these situations. There was a concern about increasing administrative and transaction costs and removing the economic incentives for nonpoint source reductions to occur.

The group favored a simple, rather than prescriptive approach. One option discussed was to increase the point/nonpoint source trading ratio from 2:1 to 2.5:1 or 3:1 where an impoundment is located between the generator and user or credits or where a reduction is more than a given number of miles above the location where it is used. Fifty and 100 miles were discussed. A member of the workgroup pointed out that the issue is time and that consideration should be given to setting discount factors based on stream flow or time of travel.

Screedevi Yedavalli agreed to provide input regarding the use of retention times in setting discount factors for impoundments. The group agreed to continue discussion on this issue at the next meeting.

The workgroup should conclude discussions on the agricultural framework, urban stormwater protocols, and discount factors at the next meeting. This is important so that the group's recommendations can be presented to the Department and Steering Committee in late October or November.

The next meeting will be October 14, 1998. It will be held at Michigan Farm Bureau and will run from 9:30 a.m. - 4:00 p.m. The agenda is attached.