



MEETING SUMMARY

PROJECT: Sustainable Stormwater Funding for Upper Charles River – Steering Committee Meeting

MEETING DATE: February 9, 2011

LOCATION: Franklin Municipal Building

Regular Steering Committee Attendees:

Town of Bellingham	Denis Fraine, Town Administrator; Donald DiMartino, DPW Director
Town of Milford	Michael Santora, Town Engineer; Rosalie Starvish, GZA GeoEnvironmental, Inc.
Town of Franklin	Brutus Cantoreggi, DPW Director; James Esterbrook, DPW
495/MetroWest Partnership	Jessica Strunkin
MADEP	Fred Civian
U.S. EPA	Ray Cody; Ken Moraff; Gina Snyder; Josh Secunda
MAPC	Martin Pillsbury
Horsley Witten Group(HW)	Rich Claytor, Michelle West, Anne Kitchell
AMEC	Rich Niles

Other Attendees: Chris Parker (Clark Capital II), Rick Kaplan (Bellingham Plaza), Todd Schively (Cedar Shopping Centers), Gerry Preble (Beals & Thomas), Paul Hogan (Woodward & Curran), Rick Morton (DoubleTree Hotel, Milford), Jack Lank (United Regional Chamber of Commerce), Charles Degnim (Dunkin Donuts), Brian Kelly (Dean College), Hamilton Hackney (Greenberg Traurig LLP/NAIOP), Bethany Eisenberg (VHB), Barry Feingold (Milford Area Chamber of Commerce), & David Dorrer (Scandia Kitchens).

The following is a brief meeting summary of the Steering Committee Meeting on February 9, 2011, organized by agenda item and including action items requiring follow up.

1) Review of on-going assessment of cost of existing stormwater services in each Town

- HW prepared and presented a PowerPoint slideshow describing the preliminary costs of existing stormwater services for each town and how these were determined. Bellingham has reviewed their cost estimates and responded with comments.

Action item: HW to finalize the cost of existing services by the end of February, if possible.

2) Review of methods and approach to quantify future stormwater service costs associated with compliance with the draft General Permits

- HW prepared and presented a PowerPoint slideshow describing the preliminary costs range of future stormwater services for each town to comply with the draft General Permits. These include programmatic costs as well as the costs of retrofitting existing developed

areas to meet the total maximum daily load (TMDL). Rich Claytor reviewed the cost data and approaches that HW will be using to estimate these future costs.

3) Presentation (HW): Examples of possible approach and costs for Total Phosphorus (TP) reduction

- Rich Claytor and Anne Kitchell from HW presented three retrofitting concept case studies, one in each of the three towns that will be used to help evaluate overall cost assumptions, using real-world scenarios. More challenging sites were selected that represent the likely upper end of the cost bracket. The suggested retrofits present one approach to meeting the phosphorus reduction requirements. The sites were the following: 15 North Main Street, Bellingham (Designated Discharge (DD) property with a target of 65% TP reduction); Milford Public Library and vicinity (municipal separated storm sewer system (MS4) with a target 57% TP reduction); and Spruce Pond Brook Subwatershed in Franklin (MS4 with a target of 52% TP reduction). Full size plans of the Bellingham and Milford retrofit concepts were provided to each town and to the property owner.
- The preliminary cost estimates per impervious acre for these case studies varies widely depending on the site (as a function of age, density, scale and underlying soils, among other factors). Final cost estimates will apply multipliers based on land use, drainage area, and physical constraints. Non-structural measures can bring down the total cost of compliance, and will be incorporated into these estimates.
- Fred Civian (MassDEP) made an important point that not every impervious area needs to be treated if the practices implemented have very high removal rates (e.g., infiltration practices).
- A comment was made that zoning may impact the ability to install measures in parking areas, followed by the comment that the General Permit requires an assessment of parking lot guidelines to determine if changes are needed to support low impact designs.
- Michael Santora (Milford Town Engineer) raised the question about access to private land with regards to the Milford retrofit case study. Since the properties are too small to be included in the Residual Designation Authority (RDA) General Permit (i.e., less than 2 acres of impervious cover), they are not required to retrofit on their own. The MS4 would need to get their cooperation to retrofit their land. Rich Claytor responded that this could be most appropriately addressed within the context of stormwater utility administration. The project will consider these and other matters as the project develops.

4) Open discussion to solicit input from potentially regulated DD property owners

- Rick Morton (Double Tree Hotel, Milford) was concerned about the fact that his whole site is impervious and wondered if that constraint was taken into account with regards to what would ultimately be required at that site. The answer was that it would not be taken into account for his site, if Double Tree sought an individual permit. However, under a general permit, if the towns opt for creating a Certified Municipal Phosphorus Program (CMPP), site constraints such as Double Tree's could be taken into account in terms of prioritizing over time those retrofit locations that provide the most benefit for the least cost; thus, reducing the overall cost of implementation.

- It was pointed out that by treating approximately one (1) acre of impervious area, approximately one (1) pound of phosphorus is removed. This can be used for rapid, planning level cost estimates.
- There was a concern about how existing stormwater best management practices (BMPs) would be counted towards compliance. This is currently something that needs to be clarified as EPA develops responses to comments on the draft permit. Many BMPs constructed before 2000 may not have been built to current standards but it could be relatively easy and cost effective improve their performance. Bethany Eisenberg (VHB) stated that the EPA should specifically state the parameters needed to reach certain removal rates for existing practices built before and after 2000. Bethany stressed this could have significant cost implications, and owners of well-performing practices (such as well-maintained infiltration practices) might already be meeting their phosphorus reduction requirements.
- A representative from Dean College wanted clarification on contiguous impervious area with respect to coverage under the RDA. Under the draft RDA permit, a site is covered if there are two or more acres of impervious cover on a single lot, or on two or more contiguous lots under common ownership (or sharing a common structure or stormwater management system). In brief, a “lot” is defined to mean a property with defined boundaries in a recorded deed or in a land registration and lots are considered contiguous if, for instance, they are separated by a privately owned road. DD property owners are encouraged to call Bill Walsh-Rogalski at EPA Region 1 (617/918-1035) if they have a specific question about the draft RDA permit, including questions about permit applicability.
- A question was raised on how phosphorus loads and removals would be calculated and if different engineers would be using different methods. The answer is that the TMDL lists specific phosphorus loading rates for defined land use categories, and the EPA has issued specific guidance on performance of different acceptable BMPs. HW has recommended that the EPA expand this list of acceptable BMPs to include as many proven practices as possible (both structural and non-structural) so that the towns and DDs have many options to choose from.
- A question was raised about the preliminary costs presented. HW’s estimated costs for the examples included implementation costs (design, permitting and construction) – would operation and maintenance (O&M) costs also be included? Annual O&M costs will be included in the final cost estimates, as well as other costs for municipal services.
- Bethany Eisenberg stated that there should, at this time, be non-structural credit estimates provided for more non-structural methods - even considering that there may be little data at this time to support specific phosphorus removal rates. This could help the towns move forward promoting these measures, which would help meet the phosphorus removal targets in the more urban areas.
- Rick Kaplan (Bellingham Plaza) wondered if any federal/state funds would be available for these projects. Ken Moraff (EPA) responded that towns with stormwater utilities may be eligible for state revolving fund (SRF) zero interest loans. He also pointed out that all towns in the Charles River Watershed have TP removals to meet, not just the three towns, and that the private property owners really need to be included in order for the towns to

meet the TMDL reduction requirements due to the large percentage of the loading that is coming from private properties.

5) Review of data gaps

- HW requests that private properties with existing BMPs provide information on type of practice, year built, location, and any current non-structural control measures implemented. This could greatly affect the estimated cost of retrofitting these areas.

Action item: DD property owners are invited to provide HW with any available information on BMPs that may already exist on their sites.

6) Next Meetings

- April, Steering Committee #4 (TBA)
 - Action item: Possible follow-up one-on-one meetings with Towns to review cost assumptions before April meeting.
 - Action item: As time approaches, HW will coordinate with Towns and EPA on time/place for mid-April steering committee meeting.
 - Action item: HW will continue working on the draft Program Cost Report and start on the draft Funding Options Report, which will outline an evaluation of various funding mechanisms, including but not limited to a stormwater utility.