



# Group Memory

## Clean Water Program Task Force

Facilitated Meeting #1 January 17, 2012  
Requirements for Municipal Post Construction Standards  
11:30 am to 1:30 pm  
At the Lower Platte South Natural Resources District Meeting Room

This is a draft Group Memory of a facilitated meeting held Tuesday, 1-17-2012, in Lincoln, Nebraska. Note that this is the first draft of the Group Memory and is based on notes taken at the meeting, flip chart pages, comments made, and information shared with the group by presenters as part of the following agenda. The intent of creating a collective group memory is to capture the essence of the information shared, comments made, and questions presented at the facilitated meeting and it is not meant as a transcript of the meeting. This draft is subject to correction by contacting The Mediation Center at [info@themediationcenter.org](mailto:info@themediationcenter.org) by 2-21-2012.

<b>Task Force Members present:</b>
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<b>Bud Dasenbrock</b> <b>Dave Potter</b> <b>Bob Caldwell</b> <b>Don Linscott</b> <b>Rick Onnen</b> <b>Brock Peters</b> <b>Tom Franti</b> <b>Carl Eskridge</b> <b>Tim Texel</b> <b>DaNay Kalkowski</b> <b>Milo Mumgaard</b> <b>Jim Wathen</b> <b>Jeff Emanuel</b> <b>Reba Schafer</b> <b>Dennis Scheer</b> <b>Pam Dingman</b> <b>Peter Katt</b>
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<b>Members of the Public present:</b>
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<b>Vicki Twerdochlib</b>
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Support Staff and Resources present:
Ed Kouma, Ben Higgins, Roger Tiedeman, Devin Biesecker, Nicole Fleck-Tooze, JJ Yost, Paul Zillig, JB Dixon, John Chess, Jocelyn Golden, Mike Benker, Ellen Wright, Rock Krzycki, Jared Nelson, Blayne Renner, Wynn Hjermsstad, Glenn Johnson
Facilitators:
Lorrie Benson, Dave Hubbard

**AGENDA**

- |    |   |        |
|----|---|--------|
| 1. | Welcome, Introductions & Overview<br>- Introduction of Mayor Chris Beutler<br>- Introductions of Task Force Members<br>- Introductions of Staff and Support Resources<br>- Discussion of ground rules and consensus process | 30 min |
| 2. | Clean Water Program Presentations<br>- Overview for Task Force<br>- Informational PowerPoint Presentation<br>- NDEQ/EPA Requirements  | 30 min |
| 3. | Exploration and discussion in small group<br>- Break into small groups to discuss worksheet<br>- Facilitated large group de-brief   | 30 min |
| 4. | Proposed Post Construction BMP Standards Presentation<br>-What is needed (required)<br>- Federal – Proposed design performance Standards  | 15 min |
| 5. | Next steps, action plan and time line   | 15 min |

*Reminder: this and other material is available at Lincoln.ne.gov, keyword 'clean water program'*

**Mayor Chris Beutler:**

- Provided thanks for agreeing to serve on the Clean Water Program Task Force, which is important and critical for the City of Lincoln
- The Task Force is charged with proposing recommendations for guidelines, policies, procedures, ordinances, and regulations to address post-construction best management practices to reduce stormwater runoff and enhance water quality

**Mutually Agreed Upon Ground Rules:** (Aspirations and Enforced as Appropriate)

- Keep in mind the Overall Goal of Clean Water Task Force: Formulate recommendations for post-construction stormwater best management practices (BMPs) for new development and redevelopment projects for sustainable clean quality water
- Agenda will go out via email prior to each meeting. Please follow and stick to the Agenda
- A hard copy of applicable documents will be handed out at each meeting
- Documents handed out at the meeting will be available prior to each meeting at the Clean Water Task Force website: [lincoln.ne.gov](http://lincoln.ne.gov) keyword: *clean water program*
- Meeting starts at 11:30am and ends not later than 1:30pm
- Please set mobile phones, pagers, radios & computers to vibrate or silent during the meeting
- Any & all process concerns should be raised ahead of time or immediately when they occur
- A written group memory, capturing the essence of the meeting will be provided to the Task Force prior to the next meeting by the facilitators for Task Force review and comment
- Listen first to understand before seeking to be understood
- Be curious and open to learn. Speak for yourself. Communicate your own truth
- Engage in one conversation at a time; keeping to agreed upon agenda, tasks and topics
- Allow for one person talking at a time in a respectful manner to all present
- Participate in and commit yourself to the process of being open and gathering information
- Share ownership of comments, ideas, options, proposals, thoughts and any recommendations
- Be fully present and of the moment. Freedom to express ideas openly is preferred
- Act with professional courtesy and respect towards others with no personal attacks on others
- Have a balanced conversation: Inquire with a curious mind open to new ideas; Acknowledge the other; and Kindly & Respectfully Advocate your ideas with "I Messages"
- Focus is on the future
- Participants can preserve the opportunity to revisit a consensus vote
- The written Group Memory can be amended and added to
- The "Agenda" can be amended, changed, and added to by The Mediation Center (TMC) and comments can be sent to TMC before each meeting for consideration for future meetings

## **OVERVIEW for the Task Force:**

- Clean Water Program – Development of Recommended Ordinances for Water Quality presentation
- See PowerPoint Presentation and associated Video on the website (Lincoln.ne.gov, keyword ‘clean water program)
- Highlights of the Development of Recommended Ordinances for Water Quality presentation are listed below
  - Lincoln has 100’s of miles of underground pipes for drainage system, thousands of inlets all of which are permitted through the City’s state and federal required stormwater permit known as the National Pollutant Discharge Elimination System for Municipal Separate Storm Sewer Systems (NPDES – MS4)
  - When rainfall occurs on impervious areas it typically has a direct connection to streets, gutters and storm drain systems that drain directly to local streams and lakes
  - Unlike wastewater systems there is no treatment of storm drainage
  - Increased urbanization leads to increased runoff and pollutants due to more impervious areas from streets, driveways, rooftops and sidewalks and quicker conveyance
  - With urbanization, pollutants don’t have as much of a chance to be treated as under natural systems
  - All of us contribute to the runoff of rainfall and everyone is affected by drainage (even if you live upstream and your home is not directly impacted by runoff)
  - Current thinking is to look at stormwater in a more holistic manner through the use of Best Management Practices to slow rain water runoff and to treat it in a more natural and sustainable manner
  - Benefits of a Post Construction Program besides the federal requirement for reducing pollutants include:
    - reduction in localized flooding
    - reduction in stream bank erosion
    - an increase in base flows to streams
    - provides for more walk able and bike able areas
    - improvement in health & overall quality of life for Lincoln citizens
    - promotion of sustainability concepts
    - supports aquatic and riparian habitats, provides more biodiversity
    - less maintenance and more sustainable landscapes

## **NDEQ/EPA Requirements:**

- Presentation by NDEQ, Blayne Renner
  - With the Clean Water Act, a commitment was made to the interim goals of Fishable/Swimmable waters
  - Low hanging fruit (wastewater streams) were the first to be addressed, with impairments continuing, additional sources were brought under scrutiny (stormwater sources)
  - Reducing pollutants from stormwater sources is not as straightforward as wastewater which can be treated or minimized with a greater level of ease

- The Post Construction requirement in the City of Lincoln’s Municipal Separate Storm Sewer System (MS4) permit is not unique to the City of Lincoln, but is a standard requirement of MS4 permits
- The Post Construction requirement of the City of Lincoln’s MS4 permit will continue to be a requirement from the NDEQ in the next permit cycle
- This requirement has also been one of the requirements with the least amount of guidance from EPA regarding standards and implementation
- This may be changing as the EPA considers a rulemaking effort which could address Post-Construction control standards
- It is possible that communities who develop and implement a local standard prior to the implementation of a nationwide standard would be allowed to maintain the local standard if it could be justified as substantially equivalent

**Questions/Concerns from Discussion in Small Groups**

- 1: What is the purpose of the requirements, are we going to recommend minimum EPA requirements or go to a higher level?
  - Response: This is part of what the task force will be considering
  - Follow up note: The current requirements are to have a post construction program. EPA is in the process of drafting requirements for post construction programs that are expected to include treatment of a set percentage of rain storm events for new developments and redevelopment type projects. See NDEQ’s comments on this (presentation previous to discussion group)
  
- 2: How is this going to be paid for, where are the costs/funds coming from?
  - Response: This will need to be discussed at future meetings (Parking Lot item)
  
- 3: How much detail are we getting into for this process?
  - Response: The goal is to develop recommendations for Post Construction Standards. For example the task force won’t be getting down into the details of specifications for Best Management Practice standards
  
- 4: What is our defined peer-group?
  - Response: We have no defined peer-group related to stormwater, however Omaha will be here for the March meeting
  - Follow up note: Lincoln’s peer group for responsibilities/salaries are Des Moines, IA; Madison, WI; Omaha, NE; Overland, KS; Sioux Falls, SD, St Paul, MN; Wichita, KS. All these cities have populations of approximately no more than double or no less than half the population of Lincoln. Summaries and website links will be provided for all of these cities regarding their post construction programs
  
- 5: Who does financial input analysis regarding costs?
  - Response: Costs for having this program in place will be provided at future meetings.
  - Follow up note: Will be providing costs that are from local consultants.
  
- 6: How is this concept going to work?

- Response: Task Force is to come to a consensus on a recommendation. Recommendation then goes to the Mayor, then to the City Council as an ordinance. Recommendations are subject to being revised and amended through this and subsequent processes
- 7: What education is City providing to the public regarding pollutant, e.g. fertilizer?
  - Response: The city has a stormwater public education/outreach program. This program works with other entities and on it's own for several educational programs.
  - Follow up note: Some of the educational programs include rain barrel and rain garden classes through SECC, constructed rain garden program, volunteer clean streams program, inlet stenciling program, no/low phosphorus fertilizer program, signage. Also provide outreach at annual Home and Garden show, earth day events, Waterfest, Public Works week events, Saturday markets, Earth wellness festival, public service announcements, various brochures and many other educational venues
- 8: Is there a way to measure success of educational outreach?
  - Response: Every year for the last 9 years we've done annual surveys and have tracked the results
- 9: How do current detention requirements compare to the Water Quality Control Volume?
  - Response: Detention and the Water Quality Control Volume are two different items
  - Follow up note: The differences between these two items will be discussed in presentations at future meetings
- 10: Are current retention requirements enough to capture the first flush?
  - Responses: Probably yes, however not know unless looked at each case on it's own
  - Follow up note: Detention is the most common method currently employed by developers for detaining the peak flows from the 2, 10 and 100 year storm events. Retention is not required, but is sometimes constructed for esthetics typically with higher end developments and provides for both water quantity reduction (required) and as stated in many cases probably also helps improve water quality downstream
- 11: Quantified standards would be helpful to have. Also an idea for the typical person of how much volume is an inch over an acre in every day terms.
  - Response: Will provide information at a subsequent meeting
- 12: A definition of Terms Sheet would be helpful. Also look at posting the hand out sheets as one pdf.
  - Response: Will do

**Proposed Post Construction BMP Standards Presentation:**

- Presentation by Lower Platte South Natural Resources District, J.B. Dixon
  - Anticipated EPA Regulations for Post-Construction Stormwater
  - New Approach: Integrate Green Infrastructure into the design of a project for stormwater management.
  - Key Elements of Proposed Rule:
    - Element 1: Establish performance standards for discharges from:

- Newly developed sites
    - Control a specific percentile storm
  - Redeveloped sites
    - Control a lesser percentile storm than new development.
  - Element 2: Require MS4s to develop plans to address discharges from existing sites (retrofits).
  - Element 3: Extend protection of MS4 Program.
    - Potentially change boundaries of MS4 jurisdiction based on watersheds.
- Performance Standards: Capture and treatment of small storm events.
- Common performance standards based on Water Quality Control Volume (WQCV)
  - WQCV: a specific volume of stormwater runoff related to the amount of rainfall from 80-90% of all storms for an area, in a given year.
- Locally, 80-90% of all rainfall events in a year are 1” or less.
- “First Flush” of runoff has the highest concentration of pollutants.
- Treatment cost increases from 0.5” to 1” are low (pipe, rock, excavation, plants).
- Stormwater treatment after first 1” of runoff is minimal.

**Parking Lot:**

How should costs be appropriated?

**Next Task Force Meeting is February 21, 2012 at the NRD from 11:30 a.m. to 1:30 p.m.**

Thank You,

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