

Beaufort County Stormwater Management Utility Board (SWMU Board)
Meeting Minutes

June 2, 2010 at 2:00 p.m. in Beaufort County Council Chambers
Final July 7, 2010

Board Members

Present	Absent
John Youmans	Allyn Schneider
James Fargher	
Brad Samuel	
William Bruggeman	
Don Smith	
Donald Cammerata	

Ex-Officio Members

Present	Absent
Bob Gross	John Carmack
Chris Ahern	
Scott Liggett	

Beaufort County Staff

Daniel Ahern
Eddie Bellamy
Lori Sexton
Rob McFee

Visitors

Reed Armstrong, CCL
Joe Croley, HHAOR
Denise Parsick, BC S&W Cons. Dist.
Tony Maglione, ATM
Steve Andrews, Andrews & Burgess
Betty Rushton, SW FL Water Mgmt. Dist.
Scott Dadson, City Manager, Beaufort

County Council

Paul Sommerville

1. Meeting called to order by Don Smith.
2. May 5, 2010 Minutes were approved.

3. Initial Opportunity for Public Comment –

Bob Gross introduced Betty Rushton who is visiting from Florida. Betty, better known as “Stormwater Queen” is with Southwest Florida Water Management District, more commonly known as “Swift Mud”.

Denise Parsick asked if anyone was aware of an article reporting someone from “A Taste of Beaufort” dumping used cooking oil down a stormwater drain. Being a member of the conservation, it is their goal to educate those who do not know where there are drop off points for oil so she may write a letter to the editor.

Brad Samuel asked if this was one of the drains with a plaque. Denise believes so since a 1000 plaques were placed on the drains in the streets of Port Royal and the City in places where people walk.

Scott Dadson, City Manager of Beaufort said they were aware. Also the organizers of the events are on notice that there will be a fine up to \$10,000.00 per incident for doing it, but the City is discussing how severe the fine is.

Donald Cammerata asked if vendors were aware prior to their arrival that there are conditions or is this something that's posted when they get here. Scott Dadson said yes the organizers are aware prior to their arrival.

Donald Cammerata suggests that ignorance is not an issue then. Scott Dadson said that he would say they'd know.

Chris Ahern said the same thing happened a year ago in the Town of Port Royal at the Soft Shell Crab Festival. He said they made sure that the organizers had a pamphlet with listed fines that could be incurred.

Don Smith says the problem may be that the education doesn't get filtered down through to the employees.

Eddie Bellamy says that not only is he responsible for the Stormwater Utility but also for Solid Waste Recycling efforts for the county which includes our Anti-Litter efforts. The problem we have with people that will pour oil down in catch basins is that they know they're not supposed to, just like they know not to throw trash out their cars; it's just a matter of catching them. It's a very difficult problem the government fights all the time.

Donald Cammerata thinks they recognize that their not supposed to do that but says they might not recognize the impact of what their doing.

Don Smith gave example of how it took DHEC to fine a company before they realized that they need to train their people. Eddie agreed saying that it wasn't because the education wasn't available it was that they didn't pay any attention until it hit their pockets.

4. Monitoring Update – Dan Ahern for Bob Klink

There are a couple of things to report:

1. Rescheduled the monitoring meeting to the end of June because we had the presentation in May.
2. Still working the Copper testing protocol with Eagle's Point, having a problem may have a follow-up meeting. Trying to work with USCB to get them to play a role in this also.
3. Working with ToB to modify some FC monitoring sites on Rose Dhu Creek. We may have the opportunity by changing a few sites to add more data on this issue of the increasing FC in that creek. We've located a couple of sites that we can start adding needed information.

Brad Samuel asked if relocating meant some that are established in the northern part of the county will be moved. Dan said no, will alternate other sites.

Bob Gross asked Dan if he said the stormwater coming off the Rose Dhu Creek Plantation seems to be ok. Dan said no, that mostly Hampton Hall lagoons are the ones where most of the developed areas are then discharge into Rose Dhu creek. They've been monitored downstream in the Rose Dhu creek on a

weekly basis for atleast a year, now we're going to monitor the natural wetlands upstream of those discharges.

5. SW Volume "Lots of Record but not Built" Status – Eddie Bellamy

Prior mentioned that we would be presenting the Board approved EOS and LOS to Natural resources committee on June 7, 2010

This is Ph. II of all the efforts we need to do to control volume going into our receiving waters. First step was to control volume on new development; passed change to ordinance to do that. "Lots of Record but not Built" categories:

- Subdivisions/PUD's with say 200 homes authorized and not all homes have been built
- By-Right Undeveloped land- allowed to build house on 3 acre lots or every 3 acres to build home

Eddie says that should cover "Lots of Record but not Built". He said they had a challenge to find out how many homes could be built in the county right now without a developing permit that are approved and all they have to do is get a building permit – 20,000 houses. Much of that said with the advice and consent from this board is that we need to control that and control new development.

Phase III "Existing development, Existing structures- controlling that volume", will be addressed later and we've all agreed the way to control that volume is with retrofits and that retrofits would be the responsibility of the government.

We are having technical difficulty on the Phase 2 controls on this effort with our consultants on two issues:

- Effective Imperviousness and
- Use of Volume Sensitive water designation

Eddie said he would like to get the board's input on these two items. He wants to make sure that nobody on the board feels that we have changed our approach, still support the approach we have. Our plan to resolve this is to have a meeting of stakeholders that have input and familiar with this. Meeting should include scientific communities, Dr. Holland, Dr. Chris Marsh, Dr. Jeff Scott, Dr. Mendola, local engineering firm that work with the developers, municipal staff, board members and county staff to work to a consensus on policy and not argue about facts. A consensus to opinion is what we need to do this to finalize how we policy. Eddie also told the board included in their packets is a second draft of the worksheet received from the consultant; feels there still need to be more work on simplifying the worksheet. Eddie asked the board for their input and thoughts on this issue.

Don Smith asked how you determine the limits of the headwaters. Dan Ahern said designated watersheds on maps were modeled in the master plan which identified certain headwater watersheds as having potential problem meeting fecal coliform levels.

Brad Samuel asked if these watersheds were from the original master plan. Dan said yes with some "tweaks" from the implementation committee.

Don Smith asked if these designations addressed were any discussion on some of the impaired areas. Dan said no, we have some charts that overlaid and match very well where these impaired areas are.

Don Smith asked Eddie, from staffs position, could he share the opposing side of the disagreement. Eddie said no. Chris Ahern, board member, is part of the consultant team would be able to explain better.

Chris Ahern on the opposing opinion says with what staff comes up with and what we had agreed, it is almost there but we're proposing to take a look further. ATM's position is based more on estuarine dynamics and freshwaters will go upstream with tide. He does agree that headwaters are more sensitive. Said they are trying to get the hydrology to represent the predevelopment percentage and all development has to meet this. Feel what they proposed is "Protective of the surface waters in Beaufort County" that's the difference.

Don Smith asked Chris if they had looked at some of the newer developments with very high density single family homes and what's your feeling on the ability to meet this ordinance with very limited land.

Chris said that what they were finding is that a lot of the material they are placing on lots to elevate to flood stage actually provides a significant BMP. Most cases by just changing, not going to over-simplify because there is work and money to be spent, but by actually orientating the retention to a plot of land to retain on the lot and not leave the site. That's what their research finds and that the two points that Mr. Bellamy reported are correct, there is a difference in the terms of:

1. Volume Sensitive – We think that all waters that reach the surface waters should be regulated in this ordinance.
2. Effective Impervious – Runoff from a developed area no matter what percentage it is, it has to behave like its 10% pervious. ATM's position is that no matter what, up to 1.95" rain event, it should behave exactly as it was before the rain fell on it. And the 1.95" rain event is up to 95th rate percentile rain event in Beaufort County based on 30 year data.

Chris says their opinion that surface waters are past a point of assimilative capacity, don't have any data that says this, but other than to point to impairments that are already occurring. He's saying the ability for stormwater to be assimilated in the estuarine waters can't stand the 10% much less the additional water that is already has. That's the difference of opinion. The 10% effective has served the county well since 1981. Mr. Klink's work and Mr. Bellamy's work to date probably has kept the surface waters in the condition that they are because, this is another step.

Don Smith asked Chris if he feels this way with any size body of water. Chris said it's a function of how what these waters are, its estuarine dynamics, its dilution of the salt water; its overall approach of development in the county has been to take the water put it in pipes, pipes go straight to the creek. Whereas west coast, north east United States has completely changed orientation where you deal with the waters on site and as last resort, discharge to the rivers.

Donald Cammerata asked if Chris was saying that if you have 10% of pervious or less, you should not have impaired waters. Chris said if Beaufort County was not developed, research says land behaving like it has 10% imperviousness on it should not impact surface waters, that's a blanket statement.

Donald Cammerata says because we have impaired waters that brings us back to the conclusion that we must have greater than 10% impervious surface. Chris agreed saying that the Beaufort County developed areas behaving much greater than the 10% than lots of record.

Donald Cammerata says then we don't proof, what you're doing is going by results that you measure and factoring that back to your hypothesis that if it was less than 10% it wouldn't be impaired but because it's impaired QED its greater than 10%. Chris agreed.

Eddie Bellamy said the risk we run is that this could turn into an argument. It should be a discussion. If we have same controls on all lots then the controls on Land's End draining to Port Royal Sound and same controls to the headwaters would have the same controls but don't see how they would have the same impact. We need to factor that at one point we use to have considerably more freshwater going into the Port Royal Sound and have freshwater plumes in the Sound. So rather than continue to disagree we want to get those interested and have studied these issues to assist us on this policy. If we need to do it we will do it. If we don't need to do it then I don't want to do it.

Brad Samuel asked if the 20,000 lot figure was unincorporated county and Eddie Bellamy confirmed it was.

Donald Cammerata asked what was involved on retrofits. Eddie Bellamy said it involved a number of practices to reduce volume. This will be done in phase 3 to bring back previous development up to current standards. This will be a public cost.

Don Smith asked about the worksheet and who would monitor and Eddie explained that this was still being worked but initially be building codes. Don Smith wondered about the land to be cleared and that the lots tend to be more cleared over time. There were additional questions on importance on cleared area.

6. Okatie TMDL – Proposed Response to DHEC – Dan Ahern

The Proposed Okatie River Fecal Coliform TMDL has been posted on the SC DHEC web site and the 30 day public comment period ends June 9, 2010 and the board was asked to concur with the two page comment on the TMDL that raised three concerns with the TMDL. The concerns were having percentage reduction goals; not acknowledging volume as a causative factor in fecal coliform levels; and not allocating loads between counties.

Bob Gross asked if we know what the loads are coming from each of the streams. We do not know.

Donald Cammerata asked about the load generation from Sun City. Monitoring indicates that developed area is contributing a low percentage of total loads of the watershed. The problem in this appears to be volume and not the quality of water leaving the developed areas.

Donald Cammerata thinks that the velocity of the extra volume may be causing some to this problem. Others thought the volume was causing growth of fecal coliform in wetlands.

The Board passed a resolution supporting proposed response to SC DHEC on the Okatie TMDL.

Board took short break

7. Annual Maintenance – Project Reports – Dan Ahern

Twenty five project summaries were presented in new format. These included five major projects that were shown with maps; 9 maintenance projects (vacuum truck and bush hog) and eleven smaller (under \$15,000) construction projects. Project summary sheets were given to appropriate board members and will be posted on website.

8. Utility Administration - Updates – Dan Ahern

Okatie TMDL/319 Grant Application – While this project has been selected for funding Low COG had to go through another round of application improvement and set milestones and schedules for the various projects being funded.

The Administrative Bldg. retrofit project has been selected, we understand, to receive limited funded from 319 Demo project funds for education portion of the project. The state has also offered to give the county a low interest loan for the total project and this offer will have to be evaluated.

Bob Gross asked about the actual grantee (Low Cog) and whether the Okatie Watershed will be used to address the TMDL.

We are making progress on the first three water quality projects. It looks like two will be ready at the same time. Here is the update:

Gascoigne Bluff – We are now working on plan B and are near to getting the requested easement and are coordinating with the POA on their timber clearing to get an access road to construct the project. There is a planned meeting with the POA's forestry consultant on the construction of the forestry road that will also be used for construction.

Southside Pond – This project is awaiting signing of the IGA and final design. There was a park kickoff meeting May 2, 2010 and the City of Beaufort will be removing some of the dirt in the pond area to complete a small grant the city received for the park.

Huspah Creek – We have final easement and are awaiting decision on DNR grant. If grant funded we will construct this pond in FY 2012 or late FY 2011.

Webcast on TMDL and MS4 tracking tool June 16, 2010 – Based on the great response (over 20 engineers) on our first webcast on Bioretention. We are planning to sponsor all 5 Center for Watershed Protection Webcasts. This presentation may have limited engineering attendance but we are looking for more attendance at some future webcasts:

- Permeable pavement design – Aug 25th
- Rooftop disconnection, filter strips and Rainwater harvesting Oct 20th

Board Position on Dropping Small SW fees only – Discussed a discussion paper on dropping small SW only fee billing below \$2 (there were 3000 of these bills – totaling about \$800) and the board felt this was something that should be an administrative decision by the County and not require board policy decision. Board did not pass motion to establish a policy on this issue.

Discussion included suggestions to explore billing on a multiyear basis and raising or establishing a base fee. Board asked if there is a minimum tax bill and Eddie Bellamy said there was a minimum tax bill.

Form Based Code – County representatives met with contractors for the county to make sure SW requirements are coordinated with development of these activities. There has been considerable discussion on incenting dense development through hydro-modifications and suggested making this an agenda topic at the July meeting.

SW Financials – The monthly documents utility financials from the CFO were included in board packets.

Military Fees – Have not coordinated with the County Attorney about requesting a State Attorney General determination on whether billings of military bases are fees.

9. Utility Administration – Regional Cooperation

The implementation committee met May 20, 2010 at Town of Port Royal. The committee received a presentation from the director of the Ashley Cooper Education Consortium. The committee has divided up responsibilities for recommendations on the 6 MCM's and the Town of Hilton Head Island is the lead on the Education MCM.

The June 23rd meeting will act on the Education MCM and decide if we can determine an operation alternative to recommend under the updated IGA's. We are discussing 4 alternatives and will be following along the schedule approved by the Board in May.

10. Final Opportunity for Public Comment – None

11. Next meeting agenda – Approved proposed agenda with an update on stormwater web site utilization.

12. Meeting adjourned