

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

November 3, 2010 at 2:00 p.m. in Beaufort County Council Chambers
Draft November 23, 2010

Board Members

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

Ex-Officio Members

Present	Absent
Tony Maglione	Bob Gross
John Carmack	
Scott Liggett	

Beaufort County Staff

Daniel Ahern
Eddie Bellamy
Lori Sexton
Amanda Flake
Audra Antonacci

Visitors

Reed Armstrong, CCL
Paul Moore, Ward Edwards
Denise Parsick, BC S&W Cons. Dist.
Ron Bullman, Town of Bluffton
Laura Lee Rose, Clemson Extension

County Council

1. Meeting called to order by Don Smith.

2. October 13, 2010 Minutes were approved.

3. **Initial Opportunity for Public Comment** –
None

4. **Monitoring Update** – Dan Ahern

- Had a monitoring meeting on October 26, 2010
- Might have an operational plan for copper releases in Eagles Point. The application testing indicates that copper levels go below concern levels after 24 hours. This means that if discharge is held for 24 hours we might not have a problem. Will wait till future Biotic Ligand Model testing is finished before finalizing this plan.
- Have increased the number of entities involved in the SC DNR study – will involve Town of Bluffton, Sun City and possibly GEL in study development.

5. **River Buffer Compliance Process** – Audra Antonacci

Don Smith explained board concern on this process and asked Audra to explain process when someone disturbs the buffer. Audra explained they oversee compliance with the current River Buffer ordinance that protects areas 50 feet back from OCRM line. They investigate complaints and issues warning ticket if violations. Ticket requires negotiation with zoning administrator. If not resolved can go to court and face

a maximum fine for violation of \$1090. She explained some examples of recent actions. Board members had a number of questions including:

- what constitutes getting into buffer – any clearing is violation
- What about existing clearing – only new clearing is covered pre ordinance clearing is not controlled
- Inspector procedures – complaint driven action
- Who does inspection – Building inspectors and 3 code enforcement officers
- Timing of process – Varies can give a few days to set up meeting with zoning administrator
- Who would be the point to increase compliance – feels it would be zoning and natural resources person
- Suggested area for improvement – Audra suggested better feedback loop between inspectors and solutions determined by zoning administrator
- Concern about not having dedicated inspectors and depending on complaints – recent concerns were in areas that would not be routinely inspected
- Concern that fines may not be a deterrent or incentive to mitigate damage
- Balancing disturbance versus need of view – have allowances for view improvements

Don Smith feels we need to continue dialogue and asked, he was told that Anthony Criscitiello would be the best point of contact to discuss recommendations and changes. Scott Liggett said that board could make a recommendation to increase fees to improve inspection program. Eddie Bellamy mentioned that Building codes no longer is under Anthony Criscitiello and is under William Winn. Don Smith asked that both be invited to the next meeting.

Reed Armstrong volunteered that some municipalities do not have buffer ordinance and proposal to have larger buffers was in currently empty portion of ordinance.

6. Utility Retrofit Effort Update – Paul Moore, Ward Edwards

Contractor for the Utility and currently evaluating retrofit sites identified in the SW Management Plan. Mentioned his paper on this effort that was presented to the recent SC Water Resources Conference. This was included in the board packet.

Reviewed one site, for the boards' information, in detail to outline evaluation procedures done on all sites. He reviewed each of the eight sites proposed in the management plan and presented the current alternatives being considered. Also discussed a new Okatie River site that has been investigated as part of efforts to address the TMDL developed for this watershed.

Also explained some unique retrofits being considered, including wetland enhancement modifications that have been taken to interagency review committee (regulatory agencies – COE, DHEC, DNR etc) and received favorable feedback. A number of these retrofit alternatives are located within the municipal boundaries. There were a number of questions on this process and proposed sites. Future actions will be taken when study is completed. Eddie Bellamy explained where this study fell into the overall retrofit efforts the county is considering. Mentioned that we will try to do two retrofits a year, so this is long a term process.

7. SW Volume “Lots of Record but not Built” – Dan Ahern

Utility has received ATM's final memo on the use of Volume Sensitive Watershed Concept and was included in Board packets. Their recommendation is that without more extensive modeling, we should not consider employing this concept and apply volume controls county-wide in a uniform manner. The Utility's position is that this concept was not a technical decision but an administrative decision but given

there will not be that many individual dwellings impacted before the next update of the SW Management Plan that we are proposing to drop our efforts in this area.

Utility is sold on Watershed Sensitivity and potential varying of antidegradation standards based on these sensitivities will be a key issue to be addressed in this update. We are now reviewing Tom Schueler's updated Impervious Cover Model and might include this in discussions. The 2006 Management Plan was a ten year plan and as we have seen it has predicted well the water quality issues in the county and the update can better incorporate the volume impacts into our next round of water quality efforts.

I expect we will start efforts on this update in FY 2013.

We are now working with Cooter Ramsey to complete his cost study and develop package to bring to board and Natural Resources next month. Asked for like Board concurrence to drop the Volume Sensitive Waters initiative for the Step 2 initiative.

8. Utility Administration – Updates

Okatie TMDL – A lot has happened since our last discussion. Included in Board is the appeal filed after last month's Board meeting.

Found out you get a lot of attention when you file appeals and get to have attorney's present in discussions of technical matters. What has happened is as follows:

- Numerous contacts by DHEC to understand appeal
- DHEC then determined that contacts must be with Attorney's present
- Mediation session was conducted November 1, 2010 with numerous folks on both sides. State had 5 personnel including head on TMDL and Permit Programs. We had Lad Howell, Dan Ahern and Eddie Bellamy. Meeting included a lot of don't worry you are not going to be responsible and we said we wanted to see all these statements in writing and we might consider withdrawing the appeal. They were not going to consider or request for consideration of an Impervious Cover-based TMDL even though they are considering it for other TMDL's. I have included an EPA write-up on the TMDL that we gave you a write-up on last month.
- If not withdrawn it will go to the DHEC Board and they need to make a decision to hear the appeal
- Mentioned the SC Stormwater Managers meeting on November 4th will feature State presentations on TMDL.

Also had a discussion on whether velocity or volume is the cause of the increasing fecal coliform from discharges. There was a suggestion that maybe we need to have a design session to explain how we go through handling a design storm.

Retrofits –Gascoigne Bluff – POA reporting internal strife and suits by some homeowners if POA allows County to construct a pond on common property.

Admin Parking lot Demo – Proposed final planning report on the full BC Admin complex has been received. We will proceed with a final design on the parking lot when this planning report is approved. We still need to do our final review.

Abercorn Common Visit Oct. 15th – John Carmack and Dan Ahern got invited by the Center for Watershed Protection to go to a visit to this redevelopment shopping center for a potential write up that the Center is planning. This was a redevelopment of an old style shopping mall with some new stormwater runoff practices:

- Rainfall Capture/reuse from 180,000 sq ft of rooftop
- Green roof on one building
- Infiltration Beds

- Pervious parking spaces

Rainfall (captured off roof) versus Stormwater (runoff that hits the ground)

Developer said an upfront cost for going LEED Gold is no more than standard. For stormwater their big costs for cistern was offset by having more developable land because they didn't need big ponds.

Upcoming Webcasts and Training – The next one is on December 15th and will be “Better Site Design gets Better”. The one last October was Rooftop disconnection, and we had some local engineers attending.

SW Financials – Utility has not received the end of the year financials. Plan to have these and start the FY2012 budget process discussion at the December Board meeting.

EPA Questionnaire – Utility submitted our completed questionnaire on October 27, 2010 and has not heard anything back from EPA, which is probably good.

9. Annual Maintenance – Project Reports – Dan Ahern

The Utility completed all the FY 2010 projects and will be presenting all but the last three today. Slide presented a summary of FY2010 projects. Utility completed 193 project summaries representing \$2,581,714 worth of construction and maintenance efforts. Trends have been upward the last two years. Utility is making progress in reporting overall Utility activities and presented a slide summarizing our bush hog efforts in FY 2010. We did about 100 miles last year at a cost of \$322,000. Presented the status of FY2011 projects and our new two part (construction and maintenance) FY2011 status. This month reported 9 projects of which 6 were large projects over \$15,000.

10. Utility Administration – Regional Coordination

The committee met October 21, 2010 at ToHHI to continue its work on developing recommendations of the six MCM's. Unfortunately we had some last minute cancellations and did not finalize the last MCM. Committee expects to do this at their November meeting and will be getting an MS4 update from a committee member of the DHEC advisory group.

Also planning our December meeting with the MS4 group in Charleston at their Coordination meeting.

The committee is still concerned that municipalities are not responding to Rob McFee's July 26, 2010

letter and we have asked county management to arrange a joint meeting to get concurrence on an

operational alternative. We have again raised the potential problem of not having new IGA for discussion prior to the current expiration date of September 2011.

The current backup plan is to seek a one year extension in hopes of then getting folks to get engaged.

Discussed history of committee and how it got involved in the new Intergovernmental agreements.

Tony Maglioni raised concern on behalf of the Town of Port Royal of the hurdle of redevelopment and to handle the stormwater from this. There is a feeling among planners that we are mandating standards.

Utility says part of the problem is a misunderstanding. The county is not mandating what must be done

but mandating the amount of volume to be controlled, not how it has to be handled. There are many ways to meet these reductions and we need to have folks look at the Abercorn Development to see how folks can redevelop successfully. If the towns want to lower the water quality standards, it would be a different situation.

Tony feels that we need to show examples to the planners so they can understand how volume would be addressed. Mentioned that Allison Ramsey, who is doing our cost analysis, had major reservations about

impacts of volume control on infill, but after working a number of examples are now comfortable that this can be done.

Don Smith asked what the Town's building setback requirements are. Tony said that there is not a requirement like the counties but most of the previous development has been closer. The damage has been done.

Tony said town's main fear is that the county requirements might impact good development on the Port property. Utility said it wants to support infill and growth that minimizes impervious surface per capita. Don Smith asked about Town's water quality interests. He said the town doesn't want to adversely impact the waters.

11. Final Opportunity for Public Comment – Reed Armstrong wanted to correct earlier statement and said ToPR does not have river buffer but the City of Beaufort has an ordinance on buffers.

12. Next meeting agenda – Approved proposed agenda for December 1, 2010 meeting with addition of River Buffer.

13. Meeting adjourned.