



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

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Commissioner

Meeting Summary
Stormwater Advisory Committee - Meeting #2
August 25, 2020, 1:00 PM – 3:00 PM
Online via Zoom

ATTENDANCE

ADVISORY COMMITTEE MEMBERS

Name	Affiliation
Henry Barbaro	Massachusetts Department of Transportation (MassDOT) – Highway Division
Jeffrey Brem	Home Builders and Remodelers Association of MA (HBRA-MA)
Sandra Brock	MA Association of Conservation Commissioners (MACC)
Ian Cooke	MA Rivers Alliance (MRA)
Rich Claytor	Member At Large
Cindy Delpapa	MA Department of Fish and Game
Dave Derosiers	Town of Granby, Highway Director (<i>Acting as alternate for Patty Gambarini, Pioneer Valley Planning Commission (PVPC)</i>)
Ariela Lovett	MA Municipal Association (MMA)
Robert Lowell	MA Department of Conservation and Recreation (MassDCR)
Stacy Minihane	Association of MA Wetland Scientists (AMWS)
Stephanie Moura	Massachusetts Department of Environmental Protection (MassDEP)
Chip Nysten	National Association of Industrial and Office Properties (NAIOP)
Lisa Rhodes	MassDEP
Heidi Ricci	MA Audubon Society (MA Audubon)
Newton Tedder	U.S. Environmental Protection Agency (U.S. EPA)
Guy Webb	Home Builders and Remodelers Association of Central MA (HBRA-Central MA)
John Woodsmall	Central MA Regional Stormwater Coalition (CMRSWC)

MASSDEP AND PROJECT TEAM

Name	Affiliation
Kathleen Baskin	MassDEP
Lealdon Langley	MassDEP
Thomas Maguire	MassDEP
Stephanie Moura	MassDEP
Jill Provencal	MassDEP
Lisa Rhodes	MassDEP
Laura Schifman	MassDEP

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

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Meeting Notes

Judy Schmitz	MassDEP
Alice Smith	MassDEP
Kate Barrett	Regina Villa Associates (RVA)
Kyle Olsen	RVA
Amanda Poggenburg	RVA

PUBLIC

Name	Affiliation
Michael Albro	
Elle Baker	City of Revere, Strategic Planning & Economic Development
Randy Brown	Southwick DPW
Lauren Caputo	VHB
John Digiacomo	Town of Natick
Stephanie DuPont	
Kathryn Eagan	BSC Group
Patty Gambarini	Pioneer Valley Planning Commission
Jon Goddard	
Gabriella Goddard	
Caroline Hampton	VHB
Jennifer Letourneau	City of Cambridge
Susan McArthur	BSC Group
Isabel McCauley	Town of Holden
Dorothy McGlincy	MA Association of Conservation Commissions
Theresa McGovern	VHB
Heather Miller	Charles River Watershed Association (CRWA)
Angela Panaccione	Town of Palmer
Hung Pham	MassDOT
Gabby Queenan	MA Rivers Alliance (MRA)
Kerry Reed	Central MA Regional Stormwater Coalition (CMRSWC)
William Renault	Town of Wakefield
George Saraceno	Town of Wellesley, DPW
Frank Stringi	
Scott Turner	Environmental Partners
Diana Walden	BSC Group
Catherine Woodbury	Cambridge DPW

This document summarizes the discussion at the August 25, 2020 MassDEP Stormwater Advisory Committee meeting¹. All references to slides relate to the presentation posted to the [website](#).

WELCOME AND INTRODUCTIONS

Kate Barrett, Regina Villa Associates (RVA), outlined the meeting process via Zoom. She asked that all panelists remain muted during the presentation and to hold all questions and comments until after the presentation unless they had a clarifying question, which they could ask in the “chat” function. At the conclusion of the presentation, Advisory Committee members could virtually raise their hand to submit a question or comment, waiting for Ms. Barrett to recognize them before unmuting themselves and

¹ Please note that DEP is not recording the Advisory Committee meetings. During Meeting 2, the record function was inadvertently activated for a few minutes; that recording has been deleted. That technical issue has been remedied for future meetings.

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speaking. After sharing their question or comment, they should mute themselves again. All public participants would be muted during the presentation but could send written questions at any time through the “Q&A” feature. Attendees could also virtually raise their hand to verbally submit a question or comment. During the public Q&A portion, the MassDEP team would respond to written questions submitted through the “Q&A” feature before unmuting those who virtually raised their hands in the order which they were raised. Ms. Barrett encouraged attendees to submit any further questions or comments through the form on the Advisory Committee webpage if there was not enough time to respond to all questions during the meeting.

Kathleen Baskin, MassDEP, welcomed the Advisory Committee members and attendees and noted that, in addition to this meeting, there will be Advisory Committee meetings in September and October and the MassDEP team looks forward to hearing members’ comments.

Stephanie Moura, MassDEP, reviewed the meeting agenda and objectives and noted the importance of getting Advisory Committee input and feedback on the issues presented. She also noted the topics of the September and October meetings: precipitation and the alignment between the DEP Stormwater Handbook and EPA MS4 Permit, respectively.

Ms. Barrett introduced the DEP project team who will be available to answer questions during the Q&A portion of the meeting: Lealdon Langley, Thomas Maguire, Jill Provencal, Lisa Rhodes, Laura Schifman, Judy Schmitz, and Alice Smith. She noted that changes were made to the agenda that was posted on the website based on goals and presentation flow before introducing Newton Tedder, EPA, as the first presenter. She reminded Advisory Committee members to utilize the “chat” feature for clarifying questions and the “raise hand” feature for verbal questions after the presentation.

MASSDOT HIGHWAY REGULATION UNDER THE NPDES PROGRAM

Mr. Tedder presented an overview of the history of NPDES permitting and the MS4 permit, followed by an overview of the Phase II Individual MS4 Permit application and TS4 Permit contents and timing. See slides 4-10.

OVERVIEW OF PROPOSED REVISIONS OF MASSDEP STORMWATER HANDBOOK

Mr. Langley reviewed the goals of the proposed revisions to the MassDEP Stormwater Handbook and the Massachusetts laws and regulations around stormwater. He then presented an overview of highway specific considerations for MassDOT linear highway projects within Wetlands Protection Act (WPA) jurisdiction, followed by an overview of the reasons for and approach to aligning the DEP Stormwater Handbook with EPA’s MS4 General Permit. He detailed the specific considerations for MassDOT highway specific projects as relates to:

- Wetland protection: new stormwater discharges, macro approach
- Stormwater control measures (SCM): EPA curves to calculate %TSS and %TP removal, linear stormwater practices, peak rate/bioretention, porous pavement filter course
- Operating and maintenance (O&M): maintenance access, O&M approach
- Catch basins: inlet grates for catch basins, hoods for deep sump catch basins

Mr. Langley noted some considerations could apply to MassDOT funded municipal roads or all projects. See slides 11-30.

FACILITATED Q&A WITH ADVISORY COMMITTEE

- **Ariela Lovett:** Asked, regarding slide 30, which specific considerations should be shared with municipalities.
MassDEP response: While some considerations have been identified as potentially available for municipalities, the team is open to hearing feedback, and asks that people review the considerations with an open mind to the potential use and applicability.
- **Ian Cooke:** Asked about the shift to using EPA Curves (slide 22) and what happens if one can’t meet the required reduction onsite in the sub watershed.
MassDEP response: MS4 specifies that if offsite mitigation is provided, it needs to be within the HUC 12 watershed, relatively close in proximity to the impact. MassDEP is considering allowing the possibility of offsite mitigation for

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recharge and water quality redevelopment standards, but there is more concern about new development and mitigation should be applied onsite when possible.

- **Sandra Brock:** Asked what the macro approach is when a road is in multiple towns. She also asked why the proposed change for maintenance access would not be applied for all projects.
MassDEP response: If the impact is in another town, the first town may not have control over the mitigation when proposed in another town. The team has not finalized a policy proposal regarding applying the macro approach across towns but at a minimum, approval from each municipality would be required (if work is in jurisdictional areas). . Regarding the proposed change to maintenance access, the goal is to reduce impacts to adjacent wetlands but not all towns would have the equipment available for the 12 ft. access way.
- **Heidi Ricci:** Indicated her support for low impact development (LID). Also asked if MassDEP is looking into the tree removal alongside highways in recent years that seems to go beyond routine maintenance and how it relates to these proposed changes. She noted that the removal of so many trees could increase the stormwater runoff onto roads.
MassDEP response: That type of vegetation removal has not been addressed within the conversations around these updates, but revisions were made in 2014 to offer exemptions for certain activities, such as work on guardrails and signage as well as vegetation removal, within the buffer zone.
- **Ms. Ricci:** Asked what qualifies as maintenance versus expansion and if there could be consideration for materials as well as width with maintenance access. She also questioned how to consider culverts when there is a road reconstruction projects and there are existing impacts.
MassDEP response: Stream culverts and drainage culverts are different and need to be addressed on a case-by-case basis. Some confusion exists in the identification of culverts and they have been misidentified as stormwater drains. MassDOT and designers should properly identify the resource area and stormwater conveyance.
- **Ms. Ricci:** Asked if the Culvert Working Group Report was finalized.
MassDEP response: The report was completed as a draft but was not released.
- **John Woodsmall, III:** Noted that, in general, municipalities try to follow MassDOT guidance and synergy is needed between MassDOT and the MassDEP Stormwater Handbook. He said clarity is needed in MassDOT's stormwater guidance about stream culverts. He also said checklists for designs would be helpful in the MassDOT Design Guide as a reference for designing new stormwater features. He also asked if DCR parkways are considered under TS4.
EPA response: DCR parkways and properties are covered under the 2016 MS4 General Permit. (MassDEP notes that municipalities need to meet the requirements of the wetlands regulations, MS4 and TS4 permits, and the stormwater handbook. The MassDOT guidance may not be entirely consistent with these requirements, and MassDEP is addressing this in part through providing the highway-specific considerations as part of the stormwater handbook.)
- **Mr. Woodsmall:** Asked how the TS4 will cover interconnection between municipal roads and MassDOT highways. He said if it is not addressed in the TS4, it needs to be. He noted that curb inlets are seen as overflow structures of catch basins, so they are looked at in terms of the design storm used and suggested looking into whether that includes the curb inlet or not. He also requested that the team consider existing poorly designed discharges. He noted that it would help with permitting if they are able to consider discharges as improvements to existing discharges. The town of Holden is all ORW so has a high level of permitting.
- **Rich Claytor:** Asked if there would be a peak rate credit for bioretention.
MassDEP response: Yes, with some modification to design and likely a reduction in credit.
- **Rich Claytor:** Asked if the proposed change regarding porous pavement filter course would apply if they did not have the two-foot minimum separation from groundwater and can use the filter course to meet water quality. He also asked if there is a liner or underdrain system if the treatment practice would be the filter course².
- **MassDEP response:** Yes, the two-foot separation is still needed. The purpose of the filter course is to remove particulate matter as it filters down to the groundwater.

² The question of the underdrain system has been put in the parking lot.

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- **Henry Barbaro:** Noted that MassDOT wants to avoid wetlands impacts, but the most important thing is to maximize water quality volume. He also said that towns can let them know if a wider access way is needed but the consideration is to maximize water quality treatment of SCM as necessary.
- **Dave Derosiers:** Noted that most towns are looking into purchasing or using smaller equipment for maintenance access, but suggested contacting fire chiefs for feedback on the width of maintenance access in the case of brush fires.
- **Jeffrey Brem:** Asked, in reference to catch basin inlets on slide 28, whether DEP meant velocity (cfs) or flow rate. He noted higher discharge rates at low points in roads. He also noted that larger capacity roadways will be impacted by this.
- **MassDEP Response:** Yes we meant flow rate.
- **Chip Nylen:** Said one of the objectives of the Stormwater Advisory Committee is to have consistency for the Conservation Commissions and others and encouraged the specific considerations be applied to all projects.
- **Robert Lowell:** Noted that DCR is non-traditional but has elements of TS4 and is interested in using the improved BMPs in the TS4 for their linear projects. He said DCR is interested in phosphorus reduction from trees and that EPA should consider generating a curve to provide a phosphorus reduction credit for trees. He asked how TS4 will handle interconnections from one road to another. He suggested that even sheetflow should be considered in TS4.
- **Mr. Cooke:** Asked if the macro approach is an iterative analysis and how to balance the micro and macro.
MassDEP response: It is intended to be an iterative approach. Typically, the project should look at if there can be controls at each location before looking at the macro approach, but if a project is unable to meet the standards, then the macro approach can be applied. The standard is to keep the control as close to the location as possible.
Robert Lowell: Agrees with Chip Nylen's comment about consistency, and on the prior comment about DCR roads – that highway specific considerations should apply.

GENERAL Q&A WITH THE PUBLIC

Ms. Barrett invited questions from the public.

- **Dorothy McGlincy:** Noted that MACC would like to see the final Culvert Working Group Report and requested that the document be issued. She also asked who is responsible for releasing the report.

Ms. Baskin thanked everyone for their thoughtful comments and consideration.

Ms. Moura stated that the presentation and meeting summary will be posted on the website and urged the Advisory Committee to share the information with their organizations and constituents.

The next Advisory Committee meeting is September 22 via Zoom.