



Chapter 500

Steering Committee

Meeting #5

September 23rd, 2024 9:30am – 1:00pm

Deering Conference Room 101

90 Blossom Lane, Augusta, ME

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

Protecting Maine's Air, Land and Water

Agenda

1. Topics & considerations review (10 mins)
2. Summarize Technical Committee Progress (15 mins)
3. Consensus Item: Rainfall Data Update (20 mins)
4. Consensus Item: Sensitive/Threatened Watersheds (70 mins)

BREAK

5. Discussion on Redevelopment (80 mins)
6. Stakeholder Input (20 mins)
7. Next Steps (10 mins)



Project Timeline

Committee Meetings												
Committee	2023	2024										
	December	January	February	March	April	May	June	July	August	September	October	November
Steering	1 (12/5)		2 & 3 (2/5 & 2/26)					4 (7/15)		5 (9/23)	Two Meetings	
Technical				1 (3/18)	2 (4/1)		3 (6/25)			4 (9/9)	Three Meetings	
Subcom.	December	January	February	March	April	May	June	July	August	September	October	November
Core LID				1 (3/25)	2 (4/12)				3 (8/2)			
Ground. Recharge				1 (3/26)	2 (4/5)				3 (8/2)			
Definitions				1 (3/29)	2 & 3 (4/5 & 4/26)							
S&T								1 (7/31)				
SCM									1 (8/12)			



Stormwater BMP Manual: RFP & Workgroup

- A qualified contractor will be selected via RFP process and tasked with the update of the Stormwater BMP Manual:
 - [RFP has been released on 9/11 \(Wednesday\)](#)
 - **Proposal Due Date: 10/10 (Thursday)**
- The manual project timeline:
 - December 2024: Project Starts
 - July 2026: Project Ends
- A Workgroup will oversee the manual project
 - Workgroup will consist of the Department staff and external subject matter experts
- Time commitment:
 - The Department anticipates that the Contractor will have 12 meetings with the Department staff and the Workgroup



Topics Discussed by the Steering Committee

Meeting #	Date	Topics
1	12/5/23	<ul style="list-style-type: none">• Ground Rules & Process• DEP Land Bureau Stormwater Program Overview
2	2/5/24	<ul style="list-style-type: none">• <u>Presentations</u>: Taunton Project, Impervious Cover Change in Maine, DEP Proposals<ul style="list-style-type: none">• Key Topic Identification & Prioritization• Stakeholder Input
3	2/26/24	<ul style="list-style-type: none">• <u>Recap</u>: Taunton Project, Impervious Cover Analysis<ul style="list-style-type: none">• LID standards• Flooding standard• Stakeholder Input
4	7/15/24	<ul style="list-style-type: none">• <u>Presentations</u>: DEP Stormwater Programs Overview, Chapter 500 Update Goals & General Framework<ul style="list-style-type: none">• Technical Committee Updates• Steering Committee Discussion• Stakeholder Input

The meeting minutes are available here: <https://www.maine.gov/dep/land/stormwater/ch500.html>



Chapter 500 Progress Update: Subcommittees

- Sensitive/Threatened Watershed Subcommittee – July 31st
- CORE LID + GW Recharge Subcommittee Meeting – August 2nd
- Stressor-Specific SCM Subcommittee – August 12th



Sensitive & Threatened (S&T) Regions Subcommittee

- Objectives and Justification:
 - Prevent impairment of urbanizing streams by reducing impacts of new development (prevention is easier than restoration)
 - Require stormwater management commensurate with the urbanization pressure
 - Inform other efforts to protect vulnerable streams
 - Satisfy the requirement in the Stormwater Management Law
- Discussion on the S&T Regions & Their Identification Criteria:
 - Watersheds: Watershed size, Stream Order, Imperviousness, Rate of Imperviousness Increase
 - Municipalities: Imperviousness, Rate of Imperviousness Increase, MS4, S&T watershed density
 - Inclusion of coastal regions and watersheds into the S&T list?
 - Stressor identification for the S&T regions



CORE LID + GW Recharge Subcommittee Outcomes

- Internal DEP testing of proposed core standards
 - This resulted in modification of the proposal which is still under development
- The CORE LID Subcommittee will schedule a meeting for late September to finalize standards for TC to vote
- GW Recharge Subcommittee will need to reconvene to discuss submission standards, soil testing requirements, potential exceptions/exemptions, etc.



Stressor-Specific SCM Subcommittee

- Discussion focused on different stressors, performance curves & chloride management
- Resulted in work to develop chloride control standards – still in progress / needs additional discussion
- Additional meetings and discussions will occur with Mark Voorhees & Paradigm Environmental (heavily involved in developing the EPA Region 1 performance curves)



Chapter 500 Progress Update: Technical Committee Meeting #4

- Discussed revised CORE LID proposal
- Discussed first attempt at chloride control standards
- Provided update on BMP manual
- Resulted in voting on two consensus items (to follow).



Consensus Item: Rainfall Data

- Task Delegated to Technical Committee:
“Decide on which source to use for precipitation data.”

Background:

- NOAA Atlas 15 will update precipitation projections based on climate modeling.
 - Due for release in 2026 with additional/supplemental material in 2027.
 - Unanimous agreement this is the data source to use for future precipitation modeling
- Next question was to determine what data to use in the meantime.
- MaineDOT already analyzed the impact of climate model data (under intermediate climate scenario RCP 4.5) for their internal use and design
- The consensus proposal attempts to strike a balance between simplicity (ease of applying to design process) and protective standards until Atlas 15 is released



Consensus Item: Rainfall Data (2)

Result from Technical Committee:

Utilize NOAA Atlas 14 data + a flat 18% multiplier for all design storm events until NOAA Atlas 15 is released, reviewed, and approved for use by the Department.

Questions?



VOTE: Rainfall Data Proposal

ENDORESEMENT: “I like it.”

AGREEMENT WITH RESERVATIONS: “I can live with it.”

STAND ASIDE: “I trust the group and will not block this decision, but I cannot endorse it at this time.”

HOLD: “I believe more work is needed before we make a decision.”

STOP: “I do not agree and feel the need to stand in the way of this decision.”

- Populate with results of vote.



Consensus Item:

Sensitive/Threatened Watersheds

The technical committee reached a consensus vote on the proposed criteria for inclusion into Sensitive/Threatened Watershed list (identified below):

- % impervious cover (%IC) in the watershed is the best available tool for identifying S&T stream watersheds and, specifically, that current %IC (2021 CCAP) and the 2001 to 2019 change in %IC (NLCD) were the best currently available means of assessing threat.
- Impervious cover thresholds for inclusion in the list:
 - Current watershed %IC > 10%
 - Current watershed %IC 7 to 10%, Change in %IC > 1%
 - Current watershed %IC 4 to 7%, Change in %IC > 2%



Consensus Item:

Sensitive/Threatened Watersheds (2)

The technical committee reached a consensus vote on the proposed criteria for inclusion into Sensitive/Threatened Watershed list (identified below):

- 1st, 2nd and 3rd order streams should be evaluated and that only streams with watershed area greater than 0.8 sq km (200 acres) should be considered for inclusion on the list.
- Municipalities with the following conditions may be included in the Sensitive/Threatened watershed list:
 - high current townwide %IC (>5%) and high change in townwide %IC (>0.5%) or
 - high densities (>6) of catchments that exceed the individual watershed thresholds or
 - at least part of the municipality within a designated Municipal Separated Storm Sewer System (MS4)



Consensus Item:

Sensitive/Threatened Watersheds (3)

The technical committee reached a consensus vote on the proposed criteria for inclusion into Sensitive/Threatened Watershed list (identified below):

- The Technical Committee also supported future work on the following:
 - Assessment of the feasibility of and methodology for identifying Sensitive and Threatened Coastal Regions
 - Identification of the likely current and future stressors for the listed stream watersheds
 - Evaluation of options to insure timely updates of the S&T lists.



VOTE: Sensitive/Threatened Watersheds

ENDORESEMENT: “I like it.”

AGREEMENT WITH RESERVATIONS: “I can live with it.”

STAND ASIDE: “I trust the group and will not block this decision, but I cannot endorse it at this time.”

HOLD: “I believe more work is needed before we make a decision.”

STOP: “I do not agree and feel the need to stand in the way of this decision.”

- Populate with results of vote.



Break

15 min



Redevelopment Discussion

80 Minutes

1. Overview of existing redevelopment standards.
2. Discussion questions & how redevelopment should be addressed in Chapter 500 update.



Redevelopment Discussion:

Table 2
Pollutant Impact Rankings of Various Redevelopment Land Uses

Land Use	Pollutant Ranking
Roads where idling may occur periodically due to traffic volume and intersections; High use parking lots	5
Other roads; Medium use parking lots	4
Other parking lots and driveways; Flat asphalt rooftops; Roofs on an industrial facility	3
Other rooftops; Bikeways; Grassed areas mowed more than twice per year; Walkways/foot traffic-only pavement	2
Non-grass landscaped areas; Stormwater treatment/storage systems (except buffers)	1
Forest; Meadow mowed no more than twice per year;	0



Redevelopment Discussion (2):

1. Establish existing impact rating
2. Calculate proposed impact rating
3. Divide existing impact rating by area being redeveloped
4. Divide proposed impact rating by area being redeveloped
5. Subtract #3 from #4 to arrive at *ranked impact change due to redevelopment*



Redevelopment Discussion (3):

Table 3
Treatment Levels for Redevelopment Projects

Ranked Impact Change Due to Redevelopment	Percentage of Developed Area that Must be Treated
0.0 or less	0% (Stormwater projects) 50% (Site projects)
≥ 0.0 to ≤ 1.0	60%
> 1.0 to ≤ 2.0	70%
> 2.0 to ≤ 3.0	80%
> 3.0	Same treatment level as for new development

Priority for treatment must be given to areas with the highest pollutant ranking to the maximum extent practicable.



Redevelopment Discussion (4):

Does the Steering Committee agree with the general goal of redevelopment standards as they exist currently (to incentivize redevelopment over new development in greenfield sites)?

- a. If yes, should the Technical Committee be tasked with incorporating redevelopment into the standards being developed (Core LID, Sensitive/Threatened Watersheds, etc.)?
- b. If no, what should the goal of redevelopment standards be? How should the technical committee be directed to incorporate these goals?

Considerations

- Climate change
- Municipal effort
- Clarity
- Treatment level
- Environmental justice
- Watershed scale stormwater management
- Permitting considerations



Redevelopment Task List

- Populate with tasks for the TC as they are created



Stakeholder Input

20 min

Stakeholders online may provide input and ask questions. Mention in the chat box you would like to speak so we may call on you or put your question/comment directly in the chat box.



Next Steps

10 min

Future Meetings

- Technical Committee: Mid-October (Week of 15th-18th)?
- Steering Committee: End of October (Week of 10/28-11/1)?





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