

Regional Planning Commission Storm Water Advisory and Education Subcommittee Meeting

Date: November 8, 2018

Location: Liberty Township Office
2095 Reynoldsburg-Baltimore Road
Baltimore, OH

Attendance: Matt Baumann (Buckeye Lake for Tomorrow), Denise Crews (City of Lancaster), Claire Donley (Buckeye Lake Watershed Coordinator), Edward Drobina (City of Pickerington) Jonathan Ferbrache (Fairfield SWCD), Craig Getz (Liberty Township), Glen Hacker (City of Pickerington), Loudan Klein (Fairfield County RPC), Chad Lucht (Fairfield SWCD), Todd May (Fairfield Co. Engineers Office), Richard Miller (Canal Winchester), Matt Peoples (Canal Winchester), Nathan Ralph (Franklin Co. Board of Health), Don Rector (Fairfield Co. Utilities), Greg Sanders (Ohio EPA), Kelly Spindler (Fairfield Co. Health Department), Tommy Springer (Fairfield SWCD), Tony Vogel (Fairfield Co. Utilities), Steven Wellstead (City of Lancaster)

Start time: 2:00 P.M.

End time: 3:00 P.M.

Chairperson: Jonathan Ferbrache

Loudan Klein called the meeting to order at 2:00 PM.

Jonathan Ferbrache followed by reminding the sub-committee that the role of the committee itself is to provide recommendations and other necessary action items to the Regional Planning Commission. He continued by outlining the voting structure, noting that Chad Lucht will be holding the vote for Greg Butcher for Violet Township.

Mr. Ferbrache continued by asking for introductions of those in attendance. Also noting that the Village of Lithopolis is now considered a MS4 community and may be joining the committee in the future.

The first item on the agenda was the approval of the 2017 meeting minutes. Denise Crews made a motion to approve. Ed Drobina seconded the motion. Motion carried.

Mr. Ferbrache introduced Greg Sanders with OEPA to present on the new construction general permit.

Mr. Sanders made note of OEPA training at ODOT on January 10th, 2019. This training will provide more detail on the permit.

Mr. Sanders continued by outlining changes to the new permit which include:

- Applicants are now required to renew on their own, EPA will not be contacting them to renew
- Permits existing currently will be terminated in December and must reapply to follow the new regulations
- NOI's to be submitted electronically
- Sediment barriers minimum diameter of 12'
- Post-Construction:
 - Water quality precipitation depth will be increased from .79 to .9
 - Post-construction measures required for all disturbances of 1 acre or more

- Green infrastructure or alternative methods are allowed if approved by New Jersey DEP or Washington State TAPE program.
- Otherwise newly proposed methods must be certified by either New Jersey or Washington State

Mr. Sanders then discussed audit reporting changes:

- EPA will be utilizing a 3-strike policy, 3 notices will be sent to violators who violate the terms and conditions of the CGP, if they do not come into compliance, they will be referred to enforcement
- Encourage discussion at pre-construction meetings about post-construction measures and maintenance of the site
- Elicit discharge detection and determination – when there is a plan in place to eliminate illicit discharge, it must be corrected in that set term.

Mr. Sanders continued to discuss other issues they have been facing. Most notably developments where a developer will transfer open space to the HOA, transfer left over lots to other builders or developer and will claim they are no longer responsible for the development or post-construction measures. He added that the stance the EPA is taking currently is that it is still the developer or original permit holders responsibility.

In relation to that issue, Mr. Sanders also fears that when open permits are terminated in December, many of the lots that have been transferred will now fall under the new owner/builder to file a new permit or reach out to the original permit holder to file the permit. This may be cumbersome for just one lot.

Mr. Ferbrache asked when the current list of open permits will be updated on the OEPA website. Mr. Sanders answered that he has been told mid-December.

Chad Lucht asked if the local regulations were as stringent as the OEPA requirements for that individual lot, would that alleviate that owner from being required to file for a CGP. Mr. Sanders replied that they would need to be at a minimum as stringent as the OEPA regulations.

Ms. Crews mentioned issues the City of Lancaster is having with regards to new school construction. The schools are arguing they are limited on funding for infrastructure based on the Ohio Facilities Commission providing the funding. She asked if the OEPA will have discussions with the Ohio Facilities Commission about this issue?

Mr. Sanders answered that he will take this back to the OEPA to discuss and echoed Ms. Crews' concerns.

Mr. Ferbrache introduced Claire Donley as the Buckeye Lake Watershed Coordinator who will work jointly with Fairfield, Licking and Perry County. She will be based out of Somerset.

Mr. Ferbrache began the roundtable discussion.

Mr. Lucht began by asking the process for the 401 permit through the OEPA and the timeframe. Mr. Sanders added that due to staff changes that permit approval has moved around to new individuals, but the typical time frame is 45-60 days and may be delayed due to coal mining.

Mr. Klein added that he and Mr. Lucht are looking at creating a commercial drainage erosion and sediment control permit for commercial permits that fall under the Fairfield County Commercial Building Department. This department has oversight over the unincorporated area of the County minus Violet Township.

Mr. Ferbrache asked Nathan Ralph about the regularity of inspections of aerators, are they finding that people are keeping up with standards and maintenance.

Mr. Ralph answered yes, if there is an expectation that someone will be coming and inspecting, they are finding success in their inspections.

Kelly Spindler added that Mr. Ferbrache provided a list of septic systems for Lithopolis. Within that list there were only 4 aerators listed which were all inspected with only one not discharging. She also discussed the mosquito trapping program and results. She thanked Claire Donley for her assistance with this program.

Matt Baumann shared concerns over a small island located on Buckeye Lake that houses 10 homes with questions remaining about their septic systems. Mr. Bauman encouraged inspections by the Fairfield County Health Department. Mr. Baumann and Ms. Spindler exchanged information to discuss further.

Ms. Crews added that it was the second wettest year in terms of rainfall since they have been keeping records. With that said it has created issues with subdivision construction. The City took one developer to court regarding these issues and received little satisfaction from the ruling.

Richard Miller shared results of the latest tire sweep which they collected 39 tires this year and estimated that that 11-year total is near 400 tires. Mr. Miller discussed stream sampling of macro-invertebrates in Walnut Creek which resulted in successful tests. And concluded by noting the invasive plant log and updating the committee on stream naming of Fox Run, Pickering Creek, and Mingwe Run.

Craig Getz raised the question regarding oil and gas drilling occurring in the northern portion of Liberty Township, specifically asking if there is anything the Township needs to do to update their paperwork.

Mr. Ferbrache replied no, that all will fall under the permitting process through ODNR.

Mr. Ferbrache informed the communities impacted by the Columbia Transmission B-Line project is now in a temporary completion stage. He encouraged communities to contact representative Matt Mancuso (ROW Agent) if there any issues going through the winter.

Mr. Sanders added that OEPA received a complaint about their storage location on Victor Drive. They completed an inspection and discovered they were power washing vehicles and equipment on-site which would wash into the stream. OEPA required them get an MSGP permit.

Don Rector nominated Ed Drobina as Vice-Chair. Ed Drobina accepted the nomination. Chad Lucht nominated Jonathan Ferbrache as Chair on behalf of Violet Township. Jonathan Ferbrache accepted the nomination.

Mr. Drobina made a motion to adjourn.