

**MS4 SYMPOSIUM WORKSHOP  
FEBRUARY 25, 2016 – 10:00 A.M.  
TOWN HALL**

**A. CALL TO ORDER**

The meeting was called to order by Commission President Pat Correll at 10:00 A.M. Present: Commissioner Lawrence Tassone and Town Manager Jesse Savage. The Department of Natural Resources and Environmental Control (DNREC) was represented by Ms. Jennifer Roushey and Mr. Beau Croll. (Ms. Jennifer Walls from DNREC and Bridgeville State Representative Dave Wilson joined the meeting in progress.)

**B. QUORUM PRESENT**

President Correll advised a quorum is not present at this workshop; Commissioners McDowell, Carson and Mervine are unable to attend.

**C. DNREC PRESENTATION – MS4 STORMWATER REQUIREMENTS**

Per Town Manager Savage, new MS4 (stormwater) requirements are being drafted by DNREC that will directly affect Bridgeville. While we do not yet know what those requirements will be, it is important that we are aware of the process. DNREC employees were in attendance help Bridgeville understand the “what” and “why” of upcoming regulations.

Ms. Roushey advised MS4 is growing and expanding. The Phase 2 stormwater rule was enacted by the Clean Water Act to address stormwater at a local level. Towns have been dealing with point source pollution at wastewater treatment plants/industrial facilities and stream discharge for a long time. Water quality is improving across the nation; however, further progress is vital. EPA has looked at all avenues for improving water quality, with stormwater being a major area of concern.

An MS4 designation is defined as a “Municipal Separate Storm Sewer System” which requires NPDES permitting coverage. This was put into effect in 1999 and after 10 years, new urbanized areas (UAs) have been identified on the maps which need to be considered MS4. Any area of a Town that falls within an urbanized area is considered MS4.

Bridgeville actually reflects an urbanized cluster rather than an urbanized area, according to Ms. Roushey, although there may be a small urbanized area. As EPA looked further at the Bridgeville map, it was determined that they are comfortable with considering the Town an urbanized cluster and will not designate it on the MS4 list at this time; however, its designation will be re-considered after the next census in four years. Ms. Roushey recommended that the Town review the MS4 program components and begin strategic planning for the future.

Town Manager Savage has met with Delmar, Laurel and Seaford officials in an effort to develop a Consortium and will continue to share resources for the Towns’ benefit. Ms. Roushey added this is a sensitive watershed and we are under scrutiny; however, there are also more resources (grant funding, etc.) leveraged toward our area.

Mr. Croll commented that Bridgeville will be monitoring its conveyance systems in the future. He added that the MS4 program is within the DNREC Surface Water Division. (Page 2 of the workshop hand-out shows how the conveyance system works.)

Town Manager Savage clarified that the Town has a separate, parallel system for stormwater with approximately four outfalls which need to be monitored. It was noted there is no expensive infrastructure in the Town's future concerning this project.

State Representative Dave Wilson and Ms. Jennifer Walls from DNREC arrived.

Urbanized Areas (UAs) are defined as "land areas comprising one or more places – central place(s) – and the adjacent densely settled surrounding area – urban fringe – that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile. Once a Town is considered an MS4 permittee, it will always remain so.

**There are 6 minimum control measures that the MS4 program requires:**

- Public Education/Outreach – an informed/knowledgeable community is important.
- Public Participation – engaging the public in stream clean-up/rain gardens, etc.
- Illicit Discharge, Detection and Elimination – "any discharge to an MS4 that is not composed entirely of stormwater" – many people are unaware that their discharge is going directly to the stream and not to a wastewater plant. This includes pet waste and vehicle washing. There are ways to minimize effect on the stormwater system, i.e. staying away from storm drains, using wash pads and a power wash/water-only car washing event.
- Construction Site Stormwater Runoff Control
- Post-Construction Storm Water Management

(Concerning an illicit practice of throwing grass clippings down a storm drain, Bridgeville has an Ordinance in place addressing that illegal activity.)

Town Manager Savage questioned whether private outfalls, i.e. a Residential Planned Community with its own stormwater system, would be regulated. Ms. Roushey advised RPCs are covered under Stormwater Best Management Practices (BMP). The Town has catch basins on the roads; however the outfall/pond system, etc. is the RPC's. A portion runs under Rt. 13 to a tax ditch; the rest goes down Wilson Farm Rd. to Hearn's Pond. Will the Homeowner's Association (HOA) need to be a co-permittee? It is possible. There are 32 ponds on-site which are designed and approved by DNREC as stormwater management ponds.

Ms. Roushey advised private vs. public entity is an issue that comes into play.

- Pollution Prevention and Good Housekeeping for Municipal Operations – using BMP

The Town has its own street sweeper, keeping extraneous material out of the storm drains. DelDOT sweeps Main, Market and Church Sts., as they are state-owned. Ms. Walls questioned if there is a definition of the minimum amount of sweeping that must occur in the permit. Mr. Croll and Ms. Roushey believe there is. Ms. Walls would like to review the documentation. If the Town did not have a street sweeper, it would have to contract out the service.

Heritage Shores street sweeping was questioned, due to ongoing, active construction. The Town sweeps streets in the development that they own. Commissioner Tassone questioned whether the community's HOA is responsible for sweeping streets that have not been taken over by the Town. Ms. Walls believes it might not be under MS4, but possibly under their sediment stormwater plan. They may not be able to sweep the streets during this period. Ms. Roushey will pursue the HOA question.

Bridgeville must embrace its responsibilities and pursue Memorandums of Understanding and Jurisdictional duties. Within 120 days of Bridgeville's MS4 permit effective date, all current and newly identified small MS4s must submit a Notice of Intent (NOI) for coverage.

Storm Water Pollution Prevention & Management Plan (Part 11) (pg. 14) is the "how" of the program. The timeframe of necessary actions is itemized on page 15 of the handout. There are some aspects of the program Bridgeville should start working on now, so they will be in place after the 2020 census.

It was clarified our Street Superintendent cleans out our existing catch basins once per year. Ms. Roushey highlighted the need for documentation concerning every aspect of the program that is initiated.

Ms. Walls advised there are grant programs that can assist the Town in funding the many aspects of the MS4 requirements.

Town Manager Savage has been involved in dialogue with other Towns and reported some are initiating a new department to administer the MS4 requirements, while others are forming Consortiums and hiring a 3<sup>rd</sup> party to handle the requirements. There is discussion about a single permit for Sussex County Towns so they can share resources.

Ms. Walls advised our Chesapeake communities are in a good position, because there are financial resources that can help with the Towns' SWPPs. The Water Infrastructure Advisory Council has funding that could help with components of this for infrastructure, etc. The Chesapeake Program has money for local governments to do implementation and planning for projects.

Ms. Roushey added that sharing resources and staying abreast of what other Towns are doing is very helpful. Town Manager Savage has been to two meetings with local governments about this issue. It was noted that Dover and Berlin pursued this process individually, with a start-up cost of \$2 million.

Ms. Roushey commented the decennial census will determine Bridgeville's MS4 status; however, there is "residual designation authority" which allows for the acceptance of petitions from those who feel the Town is contributing to water quality impairment. The decision is in the hands of the authorities concerning this.

Commissioner Tassone believes we should begin to pursue grants. President Correll believes we also need to partner with surrounding Towns.

Commissioner Tassone requested a list of “best practices” compiled from other communities that are active in education to assist Bridgeville in its program. It was noted that EPA maintains a compendium and Ms. Roushey can direct Bridgeville to on-line resources, as well.

Town Manager Savage recommended beginning the BMP preparation and other requirements; however, we would not be one of the co-permittees until later in the process. He questioned whether a group of Towns can apply for grants for asset management/gif, etc. Ms. Walls advised her office has already talked about that possibility. She added there are Chesapeake Bay grant funds that specifically pass money on to local governments. It is an annual allocation that must be distributed to the Towns; the money can be used for planning and education outreach. She added that there are other programs to consider (i.e. Liveable Lawns, rain barrels, rain gardens, etc.) The Sussex Conservation Program is also a great resource. Commissioner Tassone is interested in pursuing some of these programs for the Heritage Shores residents.

#### **D. ADJOURNMENT**

There being no further discussion, the meeting was adjourned at 11:35 A.M.

Respectfully submitted,

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Lawrence Tassone, Commission Secretary

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Peggy Smith, Transcriptionist