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To: Rule, SW (DDOE)

Subject: Proposed Stormwater Management, and Soil Erosion and Sediment Control Rules

General Comments

The incentives provided for the use of vegetated BMPs promotes the use of BMPs which may become sources rather than sinks for phosphorus and nitrogen, make the maintenance of BMPs more difficult and costly, and may limit the use of other beneficial filter media types in BMPs that do not support landscaping. Ideally BMPs with landscaping should rely on treated water from BMPs which provide water quality benefits and are easy to maintain.

There is an assumption that the change to the new runoff retention standard will provide added water quality benefits and prevent channel erosion. Considering the potential costs associated with the proposed regulations this assumption needs to be better supported.

520.2 (a) proposed control for 24 hour two year frequency storm.

Comment: Research has found that this practice does not provide adequate protection for stream channels. The proposed discharge needs to be such that it does not cause downstream channel erosion. This is more often a 1 year event and would require an assessment of the streams in DC to be established.

520.2 (b) proposed "amendments to modify existing detention requirement for the 24-hour, 15-year storm" from peak discharge control for pre-development to pre-project.

Question: If there an identified flooding problem downstream of a major land-disturbing activity that occurs frequently (i.e. < than every 15 years) why would you provide an exemption when you have an opportunity to mitigate this problem? A benefit cost analysis done in areas of repetitive or frequent flooding often shows a positive return for mitigation activities.

Pg 22: " stormwater retention on CSS sites reduces volume and will help to reduce CSOs"

Question:

Has this assumption been demonstrated using a hydraulic model of the CSO system?

Pg 25: "amendments establish a twenty-five foot (25ft) buffer adjacent to a water body"

Comment: "ideally buffers should be an average of 25 feet in width, but may be narrower to accommodate existing infrastructure"

Z. John Licsko