

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

1

PROPOSED RULEMAKING ON STORMWATER MANAGEMENT  
AND SOIL EROSION AND SEDIMENT CONTROL  
AND THE DRAFT STORMWATER GUIDEBOOK

Public Hearing

Held At:

THE DISTRICT DEPARTMENT OF THE ENVIRONMENT  
1200 First Street, Northeast, Room 718  
Washington, D.C. 20002

Monday, November 5, 2012

6:15 p.m.

Reported by: Gervel A. Watts, CERT\*D

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

2

1 A P P E A R A N C E S

2

3 Sheila Besse - Associate Director, Watershed Protection

4 Division

5 Alan Barak - Assistant Attorney General, OGC

6 Brian Van Wye - Environmental Protection Specialist,

7 Stormwater Management Division

8

9 PUBLIC COMMENTERS:

10 Diane Cameron - Natural Resources Defense Council

11 Christopher Kerns - Fort Myer Construction Corp.

12

13

14

15

16

17

18

19

20

21

22

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

3

1 P R O C E E D I N G S

2 MS. BESSE: Good evening. We are on the  
3 record. I am Sheila Besse, Associate Director for the  
4 Watershed Protection Division, District Department of  
5 the Environment, presenting for tonight's public  
6 hearing on the Proposed Rulemaking on Stormwater  
7 Management and Soil Erosion and Sediment Control and  
8 the Draft Stormwater Management Guidebook. While I  
9 will read these short remarks, I am directing the court  
10 reporter to bind a copy of them into the record.

11 I will now call this public hearing to order.  
12 It is now 6:15, Monday, November 5, 2012, at the  
13 District Department of the Environment, DDOE, 1200  
14 First Street, Northeast, Washington, D.C., Conference  
15 Room 718.

16 The D.C. Register notice for this hearing  
17 appeared on September 14, 2012, Volume 59 DCR, page  
18 10843, number 37. While the Register notice stated a  
19 start time only, DDOE has scheduled this hearing to run  
20 until 8:00 p.m.

21 The public hearing is being conducted under  
22 the authority of Mr. Keith Anderson, Interim Director

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

4

1 for DDOE. Representing DDOE are Alan Barak, Assistant  
2 Attorney General for the Office of General Counsel, and  
3 Brian Van Wye from our Stormwater Management Division.

4           The purpose of this hearing is to allow  
5 members of the public to present their views on the  
6 Proposed Rulemaking and the Draft Stormwater Management  
7 Guidebook. The Proposed Rule appeared in the D.C.  
8 Register on August 10, 2012, Volume 59 DCR, page 9486,  
9 Number 32. The intent of the Proposed Rulemaking is to  
10 amend Chapter 5 of Title 21 of the District of Columbia  
11 Municipal Regulations, DCMR, comprehensively amending  
12 the stormwater management regulations and the soil  
13 erosion and sediment control regulations.

14           DDOE has updated and expanded the Draft  
15 Stormwater Management Guidebook to be consistent with  
16 and provide technical guidance on the compliance with  
17 the Proposed Rulemaking. The Rulemaking and revision  
18 of the Stormwater Management Guidebook are necessary to  
19 update the District's existing stormwater management  
20 and soil erosion sediment control regulations to  
21 reflect the current scientific engineering and  
22 practical understanding in the fields of stormwater

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

5

1 management and soil erosion and sediment control.

2           Knowledge and technology in these fields have  
3 changed considerably since 1977, when the majority of  
4 the soil erosion and sediment control requirements were  
5 put in place, and since 1988, when the District's  
6 existing stormwater management requirements were  
7 established.

8           This Rulemaking and revision of the  
9 Stormwater Management Guidebook are also necessary to  
10 reduce the impacts of stormwater on District  
11 waterbodies, advance the effort to restore them to good  
12 health and make them more useable and attractive for  
13 residents, businesses and visitors.

14           Finally, this Rulemaking and the revision of  
15 the Stormwater Management Guidebook are necessary to  
16 comply with federal requirements established in the  
17 Municipal Separate Storm Sewer System, MS4, permit  
18 issued to the District by the U.S. Environmental  
19 Protection Agency, USEPA, Region III, issued on October  
20 7, 2011.

21           DDOE published the Proposed Rulemaking in the  
22 Register in the D.C. Register on August 10, 2012,

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

6

1 Volume 59 DCR, page 9486, Number 32. About one week  
2 later, DDOE posted the Draft Stormwater Management  
3 Guidebook on its website at  
4 [ddoe.dc.gov/proposedstormwaterrule](http://ddoe.dc.gov/proposedstormwaterrule), one word. As I  
5 stated earlier, DDOE published notice of this hearing  
6 in the D.C. Register on September 14, 2012, Volume 59  
7 DCR, page 10843, Number 37.

8 DDOE also sent email notifications regarding  
9 the publication of the Proposed Rule, website posting  
10 of the guidebook, and scheduling of this hearing and  
11 various training sessions to members of the public who  
12 had requested to be added to a notification list.

13 DDOE is accepting public comments on the  
14 Proposed Rule for 90 days, through November 8, 2012.  
15 DDOE is also accepting public comments on the Draft  
16 Stormwater Guidebook during this time. The Proposed  
17 Rule, the Draft Guidebook, instructions for requesting  
18 to be added to the notification list on these topics  
19 and related information are available at  
20 [ddoe.dc.gov/proposedstormwaterrule](http://ddoe.dc.gov/proposedstormwaterrule).

21 In addition to today's hearing, DDOE has held  
22 a series of general training sessions related to the

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

7

1 Proposed Rule and Draft Guidebook, as well as focused  
2 sessions on specific topics as requested by  
3 stakeholders in accordance with the process DDOE  
4 described in the preamble to the Proposed Rule and on  
5 the webpage mentioned above.

6 DDOE is also responding to clarifying  
7 questions during the public comment period and posting  
8 responses to those questions on the webpage mentioned  
9 above. If you have clarifying questions, please  
10 contact Brian Van Wye at [brian.vanwye@dc.gov](mailto:brian.vanwye@dc.gov) or 202-  
11 741-2121.

12 DDOE will consider all written and oral  
13 comments. For the accuracy of the record, DDOE  
14 requests that oral statements also be submitted in  
15 writing. Instructions on submitting written comments  
16 are at the end of the Proposed Rule. Electronic  
17 submission is preferred.

18 If you have extensive written material, you  
19 do not need to read it into the record. I will  
20 instruct the court reporter to include the entirety of  
21 your submission in the hearing record. Then please  
22 just summarize your submission for your oral comments

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

8

1 during today's hearing so there will be time for  
2 parties to be heard.

3           We have a sign-up list for those attending  
4 today's hearing. If you have not already done so,  
5 please sign in and indicate if you wish to speak. I  
6 will call each person in the order in which they appear  
7 on the list of persons who requested to speak. If  
8 necessary, I will ask individuals to restrict their  
9 comments to a time period not less than five minutes,  
10 in order to ensure there will be time for all persons  
11 wishing to speak.

12           Before beginning your statement, please  
13 clearly state your name and affiliation, if any. The  
14 court reporter may ask you to spell your name. At this  
15 time I call Ms. Diane Cameron to give her presentation.  
16 Thank you.

17           MS. CAMERON: Thank you very much. My name  
18 is Diane Cameron, and I am here tonight to testify on  
19 behalf of the Natural Resources Defense Council, and  
20 also joining us in this testimony are the D.C.  
21 Environmental Network, the Anacostia Watershed Society,  
22 Clean Water Action, and the Audubon Naturalist Society.



Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

9

1           My comments are as follows: -- and I have  
2 oral testimony that I've also submitted a copy to in  
3 writing.

4           The Draft Regulations requirement for new  
5 development and redevelopment projects to retain  
6 rainfall associated with a 1.2-inch storm, either  
7 onsite or through the use of offsite retention credits  
8 is both legally required by the District's MS4 permit,  
9 and we believe it's a smart way to approach stormwater  
10 management that will yield many benefits.

11           So overall, we are very supportive of this  
12 approach; however, we do have a number of concerns with  
13 the proposed regulations in certain aspects that may  
14 lead to less than the full 1.2-inch stormwater volume  
15 being captured, or it may lead to noncompliance with  
16 other MS4 permit conditions.

17           I'm going to now list four specific concerns  
18 we have about this overall aspect. First of all, we're  
19 concerned that the proposal to allow offsite stormwater  
20 retention credits, or SRCs, to be banked, indefinitely,  
21 divorces the timing of actual real world retention from  
22 the time when credits are used to achieve regulatory

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

10

1 compliance. As a result, the 1.2-inch storm volume  
2 obligation may not actually be met during each storm  
3 event or even during each year.

4           Secondly, we are concerned that allowing  
5 previously constructed retention practices to generate  
6 SRCs may mean that retention of the full 1.2-inch storm  
7 volume is not actually being achieved beyond baseline  
8 conditions.

9           Three, we are concerned that the lack of  
10 geographical restrictions on the location of credit-  
11 generating projects, in relation to the location of  
12 regulated credit purchasing sites could lead to  
13 pollution hot spots or uneven environmental benefits,  
14 and could lead to failure to achieve these stormwater  
15 permits, 1.2- inch retention requirement, if net  
16 retention were to shifted outside of the MS4 area into  
17 the combined sewer shed.

18           And fourthly, under this heading, we are  
19 concerned that DDOE should not allow retention  
20 practices, installed, to comply with the MS4 permits  
21 retrofit requirements to generate SRCs and to be used  
22 towards satisfaction of the 1.2-inch retention

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

11

1 requirement.

2           Conversely, SRC generating practices should  
3 not be counted toward the District's 18 million square  
4 foot retrofit obligation. We see these two separate  
5 permit obligations, and that's how we read the permit.  
6 So we request that such projects not be double-counted.

7           Our next major point is that additionally, we  
8 recommend that certain aspects of the proposed  
9 regulations be changed in order to improve  
10 implementation, administration, and enforcement of the  
11 program.

12           Namely, we ask that payment-in-lieu fees be  
13 collected in their own special revenue fund in order to  
14 ensure that they are only used to fund projects that  
15 achieve stormwater retention. An annual report should  
16 be produced to explain how these funds are being used.  
17 Projects funded through in-lieu payments should not be  
18 able to generate SRCs in order to avoid double-counting  
19 of required offsite retention volumes.

20           DDOE should consistently and regularly  
21 publish and update an online publicly accessible  
22 database of certified SRCs that are available for

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

12

1 purchase and SRCs that have been purchased. An annual  
2 report should be produced on the SRC market so that the  
3 new program's environmental impacts can be evaluated,  
4 and stormwater projects earning SRCs should be  
5 inspected at a minimum, on an annual basis. And that's  
6 it for my testimony.

7 MS. BESSE: Okay. Well, thank you, Diane.  
8 At this time, I'd like to call Christopher Kerns to  
9 testify.

10 MR. KERNS: Sure. My name is Christopher  
11 Kerns and I'm vice-president of Fort Myer Construction  
12 Corporation. We are interested in these regulations  
13 and these rules. We are in the business and beginning  
14 the business and new businesses involving porous  
15 surfaces such as porous asphalt, porous concrete,  
16 porous pavers, and we're actually somewhat in the  
17 forefront in the last couple of years of introducing  
18 these to the District's Department of Transportation.

19 The comments that I've received from industry  
20 sources has been quite good, actually, very  
21 encouraging. There have been a lot of organizations and  
22 companies that are understanding the requirements for

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

13

1 taking these steps to preserve and careful water run-  
2 off. I think the vast majority of the people I've  
3 talked to are willing to participate in that. They're  
4 also excited about the innovative way in which DDOE is  
5 challenging, I guess, everybody to come up with  
6 different ways of meeting these requirements.

7           So I think that, generally, the comments have  
8 been very good. Implementation is going to be the next  
9 step, and that's going to be somewhat difficult. The  
10 questions that I had actually concern the fourth area  
11 that the last person that just talked about, the  
12 double- counting, and my understanding is -- and there  
13 are two sets of Rulemaking, the Stormwater Management  
14 and Soil Erosion and Sediment Control rules, and the  
15 second one is the Stormwater Fee Discount Program.

16           I understand that there can be some double-  
17 counting, but it doesn't appear to be set forth in the  
18 regulations as to how that would happen. And I'm not  
19 sure, necessarily, if it, in fact, should be set forth  
20 in regulations. And to that, I would leave that up to  
21 the legal experts of DDOE. But I think there ought to  
22 be some, perhaps, at least some policy published on

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

14

1 that subject and some methods of how that would be  
2 accomplished because I think it leaves a lot of  
3 questions -- and I really didn't quite get to that  
4 until this weekend -- I was reviewing everything again,  
5 trying to understand how that would come about. I  
6 don't know, necessarily if I can say for certain how  
7 that would come about.

8           To have the ability for either a commercial  
9 or residential owner to be able to say that they could  
10 take their property and not only remediate water run-  
11 off on their property, but potentially even sell  
12 credits so they could get, you know, potentially, some  
13 discount under the stormwater fee, and also sell, I  
14 think would present a great amount of excitement among  
15 a lot of residential and commercial owners. So  
16 understanding what this region faces, in terms of the  
17 fiscal challenges, this could be very exciting, but I  
18 think it's got to be, maybe packaged a little bit  
19 better so that we can all understand how that would be  
20 accomplished, and, perhaps, also understanding some of  
21 the concerns that were just raised a little while ago  
22 as well. But that's basically my questions, I guess,

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

15

1 and my comments.

2 I would also say that I've been at a number  
3 of these training sessions and so forth and the amount  
4 of work and time and effort and knowledge that has gone  
5 into this has just been very impressive. I just wanted  
6 to say that about the staff of DDOE.

7 MS. BESSE: Well, thank you, Mr. Kerns, for  
8 your testimony. At this time, is there anybody else  
9 who like to testify?

10 (No response.)

11 As there are no persons present at this time who wish  
12 to testify, I will temporarily close the record and I  
13 will reopen the record at 8:00 p.m. The time now is  
14 6:32. Ms. Court Reporter, will you now go off the  
15 record.

16 (Whereupon, a recess from 6:32 p.m.

17 to 8:00 p.m. was taken.)

18 \* \* \* \* \*

19 (8:00 p.m.)

20 MS. BESSE: We are back on the record. As  
21 all of those who wished to testify have been heard, I  
22 will now move to officially close this hearing. Madam

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

16

1 Court Reporter, please include in today's record all  
2 submissions which have been provided to you. The time  
3 is now 8:01 p.m. This hearing is now closed.

4 (Whereupon, at 8:01 p.m., the hearing was  
5 adjourned.)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22



Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

17

1 CERTIFICATE OF NOTARY PUBLIC

2

3 I, GERVEL A. WATTS, the officer before whom the  
4 foregoing deposition was taken, do hereby certify that  
5 the testimony that appears in the foregoing pages was  
6 recorded by me and thereafter reduced to typewriting  
7 under my direction; that said deposition is a true  
8 record of the proceedings; that I am neither counsel  
9 for, related to, nor employed by any of the parties to  
10 the action in which this deposition was taken; and  
11 further, that I am not a relative or employee of any  
12 counsel or attorney employed by the parties hereto, nor  
13 financially or otherwise interested in the outcome of  
14 this action.

15

16

17

18

19

20

21

22 My commission expires: January 31, 2014

-----  
GERVEL A. WATTS  
Notary Public in and for the  
District of Columbia

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

Page 1

<hr/> <p style="text-align: center;">1</p> <hr/> <p><b>1.2</b> 10:15 <b>1.2-inch</b> 9:6,14 10:1,6,22 <b>10</b> 4:8 5:22 <b>10843</b> 3:18 6:7 <b>1200</b> 1:12 3:13 <b>14</b> 3:17 6:6 <b>18</b> 11:3 <b>1977</b> 5:3 <b>1988</b> 5:5</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p><b>20002</b> 1:13 <b>2011</b> 5:20 <b>2012</b> 1:15 3:12,17 4:8 5:22 6:6,14 <b>2014</b> 17:22 <b>202</b> 7:10 <b>21</b> 4:10</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p><b>31</b> 17:22 <b>32</b> 4:9 6:1 <b>37</b> 3:18 6:7</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p><b>5</b> 1:15 3:12 4:10 <b>59</b> 3:17 4:8 6:1,6</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p><b>6:15</b> 1:16 3:12 <b>6:32</b> 15:14,16</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p><b>7</b> 5:20</p>	<p><b>718</b> 1:12 3:15 <b>741-2121</b> 7:11</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p><b>8</b> 6:14 <b>8:00</b> 3:20 15:13,17,19 <b>8:01</b> 16:3,4</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p><b>90</b> 6:14 <b>9486</b> 4:8 6:1</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p><b>ability</b> 14:8 <b>able</b> 11:18 14:9 <b>accepting</b> 6:13,15 <b>accessible</b> 11:21 <b>accomplished</b> 14:2,20 <b>accordance</b> 7:3 <b>accuracy</b> 7:13 <b>achieve</b> 9:22 10:14 11:15 <b>achieved</b> 10:7 <b>action</b> 8:22 17:10,14 <b>actual</b> 9:21 <b>actually</b> 10:2,7 12:16,20 13:10 <b>added</b> 6:12,18 <b>addition</b> 6:21 <b>additionally</b> 11:7 <b>adjourned</b> 16:5 <b>administration</b> 11:10</p>	<p><b>advance</b> 5:11 <b>affiliation</b> 8:13 <b>Agency</b> 5:19 <b>ago</b> 14:21 <b>Alan</b> 2:5 4:1 <b>allow</b> 4:4 9:19 10:19 <b>allowing</b> 10:4 <b>already</b> 8:4 <b>am</b> 3:3,9 8:18 17:8,11 <b>amend</b> 4:10 <b>amending</b> 4:11 <b>among</b> 14:14 <b>amount</b> 14:14 15:3 <b>Anacostia</b> 8:21 <b>Anderson</b> 3:22 <b>annual</b> 11:15 12:1,5 <b>anybody</b> 15:8 <b>appear</b> 8:6 13:17 <b>appeared</b> 3:17 4:7 <b>appears</b> 17:5 <b>approach</b> 9:9,12 <b>area</b> 10:16 13:10 <b>aspect</b> 9:18 <b>aspects</b> 9:13 11:8 <b>asphalt</b> 12:15 <b>Assistant</b> 2:5 4:1 <b>Associate</b> 2:3 3:3 <b>associated</b> 9:6 <b>attending</b> 8:3 <b>attorney</b> 2:5 4:2 17:12</p>	<p><b>attractive</b> 5:12 <b>Audubon</b> 8:22 <b>August</b> 4:8 5:22 <b>authority</b> 3:22 <b>available</b> 6:19 11:22 <b>avoid</b> 11:18</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p><b>banked</b> 9:20 <b>Barak</b> 2:5 4:1 <b>baseline</b> 10:7 <b>basically</b> 14:22 <b>basis</b> 12:5 <b>beginning</b> 8:12 12:13 <b>behalf</b> 8:19 <b>believe</b> 9:9 <b>benefits</b> 9:10 10:13 <b>Besse</b> 2:3 3:2,3 12:7 15:7,20 <b>better</b> 14:19 <b>beyond</b> 10:7 <b>bind</b> 3:10 <b>bit</b> 14:18 <b>Brian</b> 2:6 4:3 7:10 <b>brian.vanwye@dc.gov</b> 7:10 <b>business</b> 12:13,14 <b>businesses</b> 5:13 12:14</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p><b>Cameron</b> 2:10 8:15,17,18</p>
--	---	--	--

(866) 448 - DEPO

www.CapitalReportingCompany.com © 2012

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

<p><b>captured</b> 9:15  <b>careful</b> 13:1  <b>CERT*D</b> 1:19  <b>certain</b> 9:13 11:8  14:6  <b>CERTIFICATE</b>  17:1  <b>certified</b> 11:22  <b>certify</b> 17:4  <b>challenges</b> 14:17  <b>challenging</b> 13:5  <b>changed</b> 5:3 11:9  <b>Chapter</b> 4:10  <b>Christopher</b> 2:11  12:8,10  <b>clarifying</b> 7:6,9  <b>Clean</b> 8:22  <b>clearly</b> 8:13  <b>close</b> 15:12,22  <b>closed</b> 16:3  <b>collected</b> 11:13  <b>Columbia</b> 4:10  17:19  <b>combined</b> 10:17  <b>comment</b> 7:7  <b>COMMENTERS</b>  2:9  <b>comments</b> 6:13,15  7:13,15,22 8:9  9:1 12:19 13:7  15:1  <b>commercial</b>  14:8,15  <b>commission</b> 17:22  <b>companies</b> 12:22</p>	<p><b>compliance</b> 4:16  10:1  <b>comply</b> 5:16 10:20  <b>comprehensively</b>  4:11  <b>concern</b> 13:10  <b>concerned</b> 9:19  10:4,9,19  <b>concerns</b> 9:12,17  14:21  <b>concrete</b> 12:15  <b>conditions</b> 9:16  10:8  <b>conducted</b> 3:21  <b>Conference</b> 3:14  <b>consider</b> 7:12  <b>considerably</b> 5:3  <b>consistent</b> 4:15  <b>consistently</b> 11:20  <b>constructed</b> 10:5  <b>Construction</b> 2:11  12:11  <b>contact</b> 7:10  <b>control</b> 1:5 3:7  4:13,20 5:1,4  13:14  <b>Conversely</b> 11:2  <b>copy</b> 3:10 9:2  <b>Corp</b> 2:11  <b>Corporation</b> 12:12  <b>Council</b> 2:10 8:19  <b>counsel</b> 4:2  17:8,12  <b>counted</b> 11:3  <b>counting</b> 13:12,17</p>	<p><b>couple</b> 12:17  <b>court</b> 3:9 7:20 8:14  15:14 16:1  <b>credit</b> 10:10,12  <b>credits</b> 9:7,20,22  14:12  <b>current</b> 4:21</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p><b>D.C</b> 1:13 3:14,16  4:7 5:22 6:6 8:20  <b>database</b> 11:22  <b>days</b> 6:14  <b>DCMR</b> 4:11  <b>DCR</b> 3:17 4:8  6:1,7  <b>DDOE</b> 3:13,19  4:1,14 5:21  6:2,5,8,13,15,21  7:3,6,12,13  10:19 11:20  13:4,21 15:6  <b>ddoe.dc.gov/  proposedstorm  waterrule</b>  6:4,20  <b>Defense</b> 2:10 8:19  <b>Department</b> 1:11  3:4,13 12:18  <b>deposition</b>  17:4,7,10  <b>described</b> 7:4  <b>development</b> 9:5  <b>Diane</b> 2:10 8:15,18  12:7  <b>different</b> 13:6  <b>difficult</b> 13:9</p>	<p><b>directing</b> 3:9  <b>direction</b> 17:7  <b>Director</b> 2:3  3:3,22  <b>discount</b> 13:15  14:13  <b>District</b> 1:11  3:4,13 4:10  5:10,18 17:19  <b>District's</b> 4:19 5:5  9:8 11:3 12:18  <b>Division</b> 2:4,7 3:4  4:3  <b>divorces</b> 9:21  <b>done</b> 8:4  <b>double</b> 13:12,16  <b>double-counted</b>  11:6  <b>double-counting</b>  11:18  <b>Draft</b> 1:6 3:8  4:6,14 6:2,15,17  7:1 9:4  <b>during</b> 6:16 7:7  8:1 10:2,3</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p><b>earlier</b> 6:5  <b>earning</b> 12:4  <b>effort</b> 5:11 15:4  <b>either</b> 9:6 14:8  <b>Electronic</b> 7:16  <b>else</b> 15:8  <b>email</b> 6:8  <b>employed</b> 17:9,12  <b>employee</b> 17:11</p>
---	--	--	--

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

<p><b>encouraging</b> 12:21  <b>enforcement</b> 11:10  <b>engineering</b> 4:21  <b>ensure</b> 8:10 11:14  <b>entirety</b> 7:20  <b>Environment</b> 1:11  3:5,13  <b>environmental</b> 2:6  5:18 8:21 10:13  12:3  <b>erosion</b> 1:5 3:7  4:13,20 5:1,4  13:14  <b>established</b> 5:7,16  <b>evaluated</b> 12:3  <b>evening</b> 3:2  <b>event</b> 10:3  <b>everybody</b> 13:5  <b>everything</b> 14:4  <b>excited</b> 13:4  <b>excitement</b> 14:14  <b>exciting</b> 14:17  <b>existing</b> 4:19 5:6  <b>expanded</b> 4:14  <b>experts</b> 13:21  <b>expires</b> 17:22  <b>explain</b> 11:16  <b>extensive</b> 7:18</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p><b>faces</b> 14:16  <b>fact</b> 13:19  <b>failure</b> 10:14  <b>federal</b> 5:16  <b>fee</b> 13:15 14:13</p>	<p><b>fees</b> 11:12  <b>fields</b> 4:22 5:2  <b>Finally</b> 5:14  <b>financially</b> 17:13  <b>First</b> 1:12 3:14  9:18  <b>fiscal</b> 14:17  <b>five</b> 8:9  <b>focused</b> 7:1  <b>foot</b> 11:4  <b>forefront</b> 12:17  <b>foregoing</b> 17:4,5  <b>Fort</b> 2:11 12:11  <b>forth</b> 13:17,19  15:3  <b>fourth</b> 13:10  <b>fourthly</b> 10:18  <b>full</b> 9:14 10:6  <b>fund</b> 11:13,14  <b>funded</b> 11:17  <b>funds</b> 11:16</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p><b>general</b> 2:5 4:2  6:22  <b>generally</b> 13:7  <b>generate</b> 10:5,21  11:18  <b>generating</b> 10:11  11:2  <b>geographical</b>  10:10  <b>Gervel</b> 1:19  17:3,18  <b>gone</b> 15:4</p>	<p><b>great</b> 14:14  <b>guess</b> 13:5 14:22  <b>guidance</b> 4:16  <b>guidebook</b> 1:6 3:8  4:7,15,18 5:9,15  6:3,10,16,17 7:1</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p><b>happen</b> 13:18  <b>heading</b> 10:18  <b>health</b> 5:12  <b>heard</b> 8:2 15:21  <b>hearing</b> 1:8  3:6,11,16,19,21  4:4 6:5,10,21  7:21 8:1,4 15:22  16:3,4  <b>held</b> 1:10 6:21  <b>hereby</b> 17:4  <b>hereto</b> 17:12  <b>hot</b> 10:13</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p><b>I'd</b> 12:8  <b>III</b> 5:19  <b>I'm</b> 9:17 12:11  13:18  <b>impacts</b> 5:10 12:3  <b>implementation</b>  11:10 13:8  <b>impressive</b> 15:5  <b>improve</b> 11:9  <b>inch</b> 10:15  <b>include</b> 7:20 16:1  <b>indefinitely</b> 9:20  <b>indicate</b> 8:5</p>	<p><b>individuals</b> 8:8  <b>industry</b> 12:19  <b>information</b> 6:19  <b>in-lieu</b> 11:17  <b>innovative</b> 13:4  <b>inspected</b> 12:5  <b>installed</b> 10:20  <b>instruct</b> 7:20  <b>instructions</b> 6:17  7:15  <b>intent</b> 4:9  <b>interested</b> 12:12  17:13  <b>Interim</b> 3:22  <b>introducing</b> 12:17  <b>involving</b> 12:14  <b>issued</b> 5:18,19  <b>it's</b> 9:9 14:18  <b>I've</b> 9:2 12:19 13:2  15:2</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p><b>January</b> 17:22  <b>joining</b> 8:20</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p><b>Keith</b> 3:22  <b>Kerns</b> 2:11  12:8,10,11 15:7  <b>knowledge</b> 5:2  15:4</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p><b>lack</b> 10:9  <b>last</b> 12:17 13:11  <b>later</b> 6:2</p>
---	---	---	--

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

<p><b>lead</b> 9:14,15 10:12,14</p> <p><b>least</b> 13:22</p> <p><b>leave</b> 13:20</p> <p><b>leaves</b> 14:2</p> <p><b>legal</b> 13:21</p> <p><b>legally</b> 9:8</p> <p><b>less</b> 8:9 9:14</p> <p><b>list</b> 6:12,18 8:3,7 9:17</p> <p><b>little</b> 14:18,21</p> <p><b>location</b> 10:10,11</p> <p><b>lot</b> 12:21 14:2,15</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>Madam</b> 15:22</p> <p><b>major</b> 11:7</p> <p><b>majority</b> 5:3 13:2</p> <p><b>management</b> 1:4 2:7 3:7,8 4:3,6,12,15,18,1 9 5:1,6,9,15 6:2 9:10 13:13</p> <p><b>market</b> 12:2</p> <p><b>material</b> 7:18</p> <p><b>may</b> 8:14 9:13,15 10:2,6</p> <p><b>maybe</b> 14:18</p> <p><b>mean</b> 10:6</p> <p><b>meeting</b> 13:6</p> <p><b>members</b> 4:5 6:11</p> <p><b>mentioned</b> 7:5,8</p> <p><b>met</b> 10:2</p> <p><b>methods</b> 14:1</p> <p><b>million</b> 11:3</p>	<p><b>minimum</b> 12:5</p> <p><b>minutes</b> 8:9</p> <p><b>Monday</b> 1:15 3:12</p> <p><b>move</b> 15:22</p> <p><b>MS4</b> 5:17 9:8,16 10:16,20</p> <p><b>Municipal</b> 4:11 5:17</p> <p><b>Myer</b> 2:11 12:11</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>Namely</b> 11:12</p> <p><b>Natural</b> 2:10 8:19</p> <p><b>Naturalist</b> 8:22</p> <p><b>necessarily</b> 13:19 14:6</p> <p><b>necessary</b> 4:18 5:9,15 8:8</p> <p><b>neither</b> 17:8</p> <p><b>net</b> 10:15</p> <p><b>Network</b> 8:21</p> <p><b>noncompliance</b> 9:15</p> <p><b>nor</b> 17:9,12</p> <p><b>Northeast</b> 1:12 3:14</p> <p><b>Notary</b> 17:1,19</p> <p><b>notice</b> 3:16,18 6:5</p> <p><b>notification</b> 6:12,18</p> <p><b>notifications</b> 6:8</p> <p><b>November</b> 1:15 3:12 6:14</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>obligation</b> 10:2</p>	<p>11:4</p> <p><b>obligations</b> 11:5</p> <p><b>October</b> 5:19</p> <p><b>Office</b> 4:2</p> <p><b>officer</b> 17:3</p> <p><b>officially</b> 15:22</p> <p><b>offsite</b> 9:7,19 11:19</p> <p><b>OGC</b> 2:5</p> <p><b>Okay</b> 12:7</p> <p><b>online</b> 11:21</p> <p><b>onsite</b> 9:7</p> <p><b>oral</b> 7:12,14,22 9:2</p> <p><b>order</b> 3:11 8:6,10 11:9,13,18</p> <p><b>organizations</b> 12:21</p> <p><b>otherwise</b> 17:13</p> <p><b>ought</b> 13:21</p> <p><b>outcome</b> 17:13</p> <p><b>outside</b> 10:16</p> <p><b>overall</b> 9:11,18</p> <p><b>owner</b> 14:9</p> <p><b>owners</b> 14:15</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>p.m</b> 1:16 3:20 15:13,16,17,19 16:3,4</p> <p><b>packaged</b> 14:18</p> <p><b>page</b> 3:17 4:8 6:1,7</p> <p><b>pages</b> 17:5</p> <p><b>participate</b> 13:3</p> <p><b>parties</b> 8:2 17:9,12</p> <p><b>pavers</b> 12:16</p>	<p><b>payment-in-lieu</b> 11:12</p> <p><b>payments</b> 11:17</p> <p><b>people</b> 13:2</p> <p><b>perhaps</b> 13:22 14:20</p> <p><b>period</b> 7:7 8:9</p> <p><b>permit</b> 5:17 9:8,16 11:5</p> <p><b>permits</b> 10:15,20</p> <p><b>person</b> 8:6 13:11</p> <p><b>persons</b> 8:7,10 15:11</p> <p><b>please</b> 7:9,21 8:5,12 16:1</p> <p><b>point</b> 11:7</p> <p><b>policy</b> 13:22</p> <p><b>pollution</b> 10:13</p> <p><b>porous</b> 12:14,15,16</p> <p><b>posted</b> 6:2</p> <p><b>posting</b> 6:9 7:7</p> <p><b>potentially</b> 14:11,12</p> <p><b>practical</b> 4:22</p> <p><b>practices</b> 10:5,20 11:2</p> <p><b>preamble</b> 7:4</p> <p><b>preferred</b> 7:17</p> <p><b>present</b> 4:5 14:14 15:11</p> <p><b>presentation</b> 8:15</p> <p><b>presenting</b> 3:5</p> <p><b>preserve</b> 13:1</p> <p><b>previously</b> 10:5</p>
---	---	--	--

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

<p><b>proceedings</b> 17:8  <b>process</b> 7:3  <b>produced</b> 11:16  12:2  <b>program</b> 11:11  13:15  <b>program's</b> 12:3  <b>projects</b> 9:5 10:11  11:6,14,17 12:4  <b>property</b> 14:10,11  <b>proposal</b> 9:19  <b>proposed</b> 1:4 3:6  4:6,7,9,17 5:21  6:9,14,16  7:1,4,16 9:13  11:8  <b>Protection</b> 2:3,6  3:4 5:19  <b>provide</b> 4:16  <b>provided</b> 16:2  <b>public</b> 1:8 2:9  3:5,11,21 4:5  6:11,13,15 7:7  17:1,19  <b>publication</b> 6:9  <b>publicly</b> 11:21  <b>publish</b> 11:21  <b>published</b> 5:21 6:5  13:22  <b>purchase</b> 12:1  <b>purchased</b> 12:1  <b>purchasing</b> 10:12  <b>purpose</b> 4:4</p> <hr/> <p><b>Q</b></p> <p><b>questions</b> 7:7,8,9  13:10 14:3,22</p>	<p><b>quite</b> 12:20 14:3</p> <hr/> <p><b>R</b></p> <p><b>rainfall</b> 9:6  <b>raised</b> 14:21  <b>real</b> 9:21  <b>really</b> 14:3  <b>received</b> 12:19  <b>recess</b> 15:16  <b>recommend</b> 11:8  <b>record</b> 3:3,10  7:13,19,21  15:12,13,15,20  16:1 17:8  <b>recorded</b> 17:6  <b>redevelopment</b> 9:5  <b>reduce</b> 5:10  <b>reduced</b> 17:6  <b>reflect</b> 4:21  <b>regarding</b> 6:8  <b>region</b> 5:19 14:16  <b>Register</b> 3:16,18  4:8 5:22 6:6  <b>regularly</b> 11:20  <b>regulated</b> 10:12  <b>regulations</b>  4:11,12,13,20  9:4,13 11:9  12:12 13:18,20  <b>regulatory</b> 9:22  <b>related</b> 6:19,22  17:9  <b>relation</b> 10:11  <b>relative</b> 17:11  <b>remarks</b> 3:9  <b>remediate</b> 14:10</p>	<p><b>reopen</b> 15:13  <b>report</b> 11:15 12:2  <b>Reported</b> 1:19  <b>reporter</b> 3:10 7:20  8:14 15:14 16:1  <b>Representing</b> 4:1  <b>request</b> 11:6  <b>requested</b> 6:12 7:2  8:7  <b>requesting</b> 6:17  <b>requests</b> 7:14  <b>required</b> 9:8 11:19  <b>requirement</b> 9:4  10:15 11:1  <b>requirements</b>  5:4,6,16 10:21  12:22 13:6  <b>residential</b> 14:9,15  <b>residents</b> 5:13  <b>Resources</b> 2:10  8:19  <b>responding</b> 7:6  <b>response</b> 15:10  <b>responses</b> 7:8  <b>restore</b> 5:11  <b>restrict</b> 8:8  <b>restrictions</b> 10:10  <b>result</b> 10:1  <b>retain</b> 9:5  <b>retention</b>  9:7,20,21  10:5,6,15,16,19,  22 11:15,19  <b>retrofit</b> 10:21 11:4  <b>revenue</b> 11:13</p>	<p><b>reviewing</b> 14:4  <b>revision</b> 4:17  5:8,14  <b>Room</b> 1:12 3:15  <b>Rule</b> 4:7 6:9,14,17  7:1,4,16  <b>Rulemaking</b> 1:4  3:6 4:6,9,17  5:8,14,21 13:13  <b>rules</b> 12:13 13:14  <b>run</b> 3:19 13:1  14:10</p> <hr/> <p><b>S</b></p> <p><b>satisfaction</b> 10:22  <b>scheduled</b> 3:19  <b>scheduling</b> 6:10  <b>scientific</b> 4:21  <b>second</b> 13:15  <b>Secondly</b> 10:4  <b>sediment</b> 1:5 3:7  4:13,20 5:1,4  13:14  <b>sell</b> 14:11,13  <b>sent</b> 6:8  <b>separate</b> 5:17 11:4  <b>September</b> 3:17  6:6  <b>series</b> 6:22  <b>sessions</b> 6:11,22  7:2 15:3  <b>sets</b> 13:13  <b>sewer</b> 5:17 10:17  <b>shed</b> 10:17  <b>Sheila</b> 2:3 3:3  <b>shifted</b> 10:16</p>
--	---	--	--

Capital Reporting Company  
Storm Water Regulations Public Hearing 11-05-2012

<p><b>short</b> 3:9  <b>sign</b> 8:5  <b>sign-up</b> 8:3  <b>sites</b> 10:12  <b>smart</b> 9:9  <b>Society</b> 8:21,22  <b>soil</b> 1:5 3:7 4:12,20  5:1,4 13:14  <b>somewhat</b> 12:16  13:9  <b>sources</b> 12:20  <b>speak</b> 8:5,7,11  <b>special</b> 11:13  <b>Specialist</b> 2:6  <b>specific</b> 7:2 9:17  <b>spell</b> 8:14  <b>spots</b> 10:13  <b>square</b> 11:3  <b>SRC</b> 11:2 12:2  <b>SRCs</b> 9:20 10:6,21  11:18,22 12:1,4  <b>staff</b> 15:6  <b>stakeholders</b> 7:3  <b>start</b> 3:19  <b>state</b> 8:13  <b>stated</b> 3:18 6:5  <b>statement</b> 8:12  <b>statements</b> 7:14  <b>step</b> 13:9  <b>steps</b> 13:1  <b>storm</b> 5:17 9:6  10:1,2,6  <b>stormwater</b> 1:4,6  2:7 3:6,8  4:3,6,12,15,18,1</p>	<p>9,22 5:6,9,10,15  6:2,16 9:9,14,19  10:14 11:15 12:4  13:13,15 14:13  <b>Street</b> 1:12 3:14  <b>subject</b> 14:1  <b>submission</b>  7:17,21,22  <b>submissions</b> 16:2  <b>submitted</b> 7:14 9:2  <b>submitting</b> 7:15  <b>summarize</b> 7:22  <b>supportive</b> 9:11  <b>sure</b> 12:10 13:19  <b>surfaces</b> 12:15  <b>System</b> 5:17</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p><b>taking</b> 13:1  <b>talked</b> 13:3,11  <b>technical</b> 4:16  <b>technology</b> 5:2  <b>temporarily</b> 15:12  <b>terms</b> 14:16  <b>testify</b> 8:18 12:9  15:9,12,21  <b>testimony</b> 8:20 9:2  12:6 15:8 17:5  <b>thank</b> 8:16,17 12:7  15:7  <b>that's</b> 11:5 12:5  13:9 14:22  <b>thereafter</b> 17:6  <b>They're</b> 13:3  <b>Title</b> 4:10  <b>today's</b> 6:21 8:1,4</p>	<p>16:1  <b>tonight</b> 8:18  <b>tonight's</b> 3:5  <b>topics</b> 6:18 7:2  <b>toward</b> 11:3  <b>towards</b> 10:22  <b>training</b> 6:11,22  15:3  <b>Transportation</b>  12:18  <b>true</b> 17:7  <b>trying</b> 14:5  <b>typewriting</b> 17:6</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p><b>U.S</b> 5:18  <b>understand</b> 13:16  14:5,19  <b>understanding</b>  4:22 12:22 13:12  14:16,20  <b>uneven</b> 10:13  <b>update</b> 4:19 11:21  <b>updated</b> 4:14  <b>useable</b> 5:12  <b>USEPA</b> 5:19</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p><b>Van</b> 2:6 4:3 7:10  <b>various</b> 6:11  <b>vast</b> 13:2  <b>vice-president</b>  12:11  <b>views</b> 4:5  <b>visitors</b> 5:13  <b>volume</b> 3:17 4:8</p>	<p>6:1,6 9:14 10:1,7  <b>volumes</b> 11:19</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p><b>Washington</b> 1:13  3:14  <b>water</b> 8:22 13:1  14:10  <b>waterbodies</b> 5:11  <b>Watershed</b> 2:3 3:4  8:21  <b>Watts</b> 1:19 17:3,18  <b>ways</b> 13:6  <b>webpage</b> 7:5,8  <b>website</b> 6:3,9  <b>week</b> 6:1  <b>weekend</b> 14:4  <b>we're</b> 9:18 12:16  <b>Whereupon</b> 15:16  16:4  <b>whom</b> 17:3  <b>willing</b> 13:3  <b>wish</b> 8:5 15:11  <b>wished</b> 15:21  <b>wishing</b> 8:11  <b>work</b> 15:4  <b>world</b> 9:21  <b>writing</b> 7:15 9:3  <b>written</b> 7:12,15,18  <b>Wye</b> 2:6 4:3 7:10</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p><b>yield</b> 9:10</p>
--	---	---	---