

**Water Quality Management Fee
Incentives Workgroup Meeting Notes
October 9, 2009**

Schedule & Meeting Location

2nd and 4th Friday of Each Month at 9:30 a.m.

Next Meeting Friday, October 23rd

Town Branch Wastewater Treatment Plant

301 Lisle Industrial Ave., Lexington, KY

Water Quality Management Fee Incentive Workgroup Voting Members in Attendance

Chairperson Andy Haymaker, Representing Commercial Developers

Kelly Breeding, Fayette County Schools

LFUCG Councilmember Linda Gorton

Sanford Levy, Small Business Owner Representative

Emma Tibbs, Representing Fayette County Neighborhood Council

Water Quality Management Fee Incentive Workgroup Voting Members Absent

Patrick Brewer, Lexmark

Bob Wiseman, University of Kentucky

Knox van Nagell, Fayette Alliance

Vacant, Representative of Major Institution

Others in Attendance

Sandy Camargo, CDP Engineers, Inc.

John Cobb, Rainscape

Chris Howard, CARMAN

Yvette Hurt, Tree Board

Amy Sohner, Bluegrass Pride

John Steinmetz, Hazen & Sawyer

Andrew Stoeckinger, Smith Management Group

Staff

Cheryl Taylor, Depart. Of Environmental Quality

Charles Martin, Division of Water Quality

Susan Plueger, Division of Water Quality

Julie Mantrom, Division of Water Quality

Richard Walker, Tetra Tech, CD Program Manager

Discussion

The Water Quality Management Fee Incentive Workgroup (Workgroup) welcomed Sanford Levy as the Small Business Owner Representative. The Workgroup accepted the Introduction and Eligibility sections drafted by staff to reflect updates discussed and approved at the previous meeting with two significant changes. The third bullet under **Who can apply for funding?** **Association** was added to clarify those homeowner associations that are Class B fee payers would be eligible. Also, the first bullet under **Other eligibility requirements to be aware of:** was amended to read:

- No incentive grants will be applied to work **paid for or contracted to be done prior to grant award.**

The Workgroup began editing the Project Guidelines with changes to the bullets under **General** and **Water Quality Education Programs**. Under **General** the first and third bullets were kept, and the fourth bullet was deleted and it was agreed the impaired streams would be included in scoring. The Workgroup discussed ways to ensure the funds were used properly for the intended purpose, and considered whether funds should be advanced or reimbursed. The second bullet was edited to include the following:

- Grant monies will be distributed via a reimbursement format in accordance with **a schedule set forth in** the executed grant award documents.

During the discussion of the **Water Quality Education Programs** section, the Chair asked Charlie Martin where the 50/50 grant match came from, and he said from other sample applications but it was

inserted for discussion purposes. Sandy Levy asked if the grant program can be revised down the road as LFUCG learns from the application process what is successful and what is not, and Mr. Martin said absolutely. Mr. Martin and Councilmember Gorton mentioned there will be an audit of the program in 3 to 5 years, but if the grant program needs reworking before then it would make sense to do that.

Kelly Breeding clarified that the Ordinance intended to include education as well as hard costs in the proposed \$1 million dollar program, and mentioned environmental programs would be linked to CORE curriculum. Mr. Breeding mentioned various environmental initiatives that have been successful, but he also noted that often there is no funding available for a match. He hoped that enough education funds are available to allow small grants to do many programs in different schools. The Workgroup was interested in exploring the option of not requiring a 50/50 match for certain education initiatives. After discussing the success and merits of various education programs—including Bluegrass Pride’s Wastebuster program, the Workgroup discussed funding 100% of some education efforts and asked staff to try to work that into the guidelines. It was suggested that perhaps a sliding scale could be included in the application—perhaps 100% funding for the first \$2,500 for education programs.

Commissioner Cheryl Taylor suggested education is vital—especially in light of the sobering results of the recent survey of the general public, business and developer understanding of storm sewers and water quality. The Workgroup agreed UK would also be eligible to apply for the education funds, but staff noted that it would be more appropriate for neighborhood groups to apply for the Neighborhood Grant Program that will be developed and funded later. Mr. Martin noted that watershed groups would also be eligible to apply for the Neighborhood Grant Program. Ms. Tibbs said that condo associations could be eligible to apply for the Neighborhood Grant Program and/or the Incentive Program since as Class B properties they will pay for their association common areas.

The Workgroup was generally satisfied with the second, third and fourth bullets under **Water Quality Education Programs**. The Workgroup agreed an 18 month time limit was appropriate for education initiatives. The Workgroup requested that bullet five regarding grants only being award for future work be included in the application for all projects—not just education. Susan Plueger said she would rework to incorporate suggestions discussed by the Workgroup.

Councilwoman Gorton suggested that the term roof garden continues to be confusing and possibly misleading to applicants. After some discussion, the Workgroup agreed to substitute the term green roofs or green infrastructure. Emma Tibbs and Councilmember Gorton wanted to make sure the BMP (Best Management Practices) section did not inhibit creativity and provided opportunities for new technologies to be given a chance. The Workgroup also discussed the merits of allowing in kind if a match is required, and Mr. Martin noted that is very difficult to document and track. The Workgroup did not support in kind match.

The Workgroup discussed the list of BMPs and whether there should be a minimum standard for reduction in runoff or improvement in water quality. The Chair noted that many of the issues being raised in this section will be addressed in the scoring of the application. The Workgroup agreed that the BMP list is a list of possible projects—not the only projects. The Workgroup also agreed that projects that have the greatest impact on reduction of runoff or improvements in water quality in a distressed watershed will score higher and therefore be more likely to receive a grant. Ms. Plueger said she would further define the minimum standards for the BMPs.

The Workgroup discussed a way to ensure projects are certified, and suggested that the application require an acknowledgement that some certification would be required. It was suggested LEED could be a guide, but the audience mentioned LEED was not as useful as everyone might believe. Ms. Plueger said she would review LEED and the Engineering Manuals. Ms. Plueger said she would try to address the

Workgroup concern that new or innovative applications are given a chance by LFUCG to be tested and used, but at the same time try to figure out a way that the project can document it will meet the stated goals/objectives. The Workgroup discussed this is not an easy task, and that sometimes it is difficult to get adequate information on new technologies. Ms. Plueger noted that there is not always agreement on how these are defined or what they accomplish, but she would work on the application.

Next Meeting

The Chair asked staff to complete the Project Guidelines section and include comments from the Workgroup. This section will be reviewed and voted on, and the Scoring and Awards Process will be reviewed at the October 23rd meeting. The Workgroup also asked Susan to contact the Purchase of Development Rights Program to see what worked for their program, and to develop some straw projects to test the scoring system once it is developed.

Possible Revision to Upcoming Meeting Schedule

The 4th meeting in November is the day after Thanksgiving—November 27th, and the original goal was to have the Incentive Program finished by early December.

Would the Workgroup like to change the November meeting schedule to the 1st and 3rd Fridays in November—November 6th and 20th, and schedule the final Workgroup meeting for first Friday in December—December 3rd?