

Standards Oversight Council

Meeting Minutes

July 23, 2007

DATCP, Madison

Present: Pat Murphy NRCS, Perry Lindquist WALCE, Ed Odgers DATCP, Bruce Webendorfer UWEX, Gordon Stevenson DNR, Julian Zelazny WLWCA, Gil Layton of Layton Environmental, Kevin Hogan SOC
Absent: Lynita Docken Comm, Bruce Olson WALCE

Next meeting – Sept. 24th, 9:30 – 12:00 at WLWCA’s offices, 702 E. Johnson St., Madison.

The meeting began with a review of the minutes from the May 2 SOC meeting. Two clarifications were made. One was to clarify, in reference to SOC’s discussion of the 2007 SOC Budget, that the previous WLWCA executive director sent SOC a 2005 profit/loss statement. The other clarification deleted an inaccurate reference to a hybrid model for DNR’s buffer performance standard.

Work Team Updates

Feed Storage Leachate Team (NRCS) –The work team completed its draft outline of a Companion Document, and delivered the Feed Storage Leachate technical standard and an outline of the Companion Document to NRCS. At this point, the team has finished its work. NRCS will incorporate elements of the Feed Storage Leachate standard and the previously completed Milking Center Wastewater Treatment standard into the NRCS 629 Waste Treatment standard. Scott Mueller at NRCS is handling this effort. Pat believes that Scott will finish this process in early September. Pat will check with Scott and John Ramsden on what they intend for the Companion Document (a Tech Note or a more comprehensive Companion Document?).

Proprietary Stormwater Devices Team (DNR) – The work team is finishing its responses to comments received from the initial reviewers of the draft standard. An updated draft standard is in the works and will be sent out for Broad Review in early September.

Wet Detention Pond Team (DNR) – The work team has completed responding to initial review comments received on the revised Wet Detention Pond technical standard. The Summary Comments and Responses document has been distributed to all initial reviewers. An updated draft of the standard is being readied for Broad Review in August.

Infiltration Trench Team (Comm) – The work team has held its first two meetings, and is conducting research on existing guidance and standards in other states, brainstorming on the important elements to include in the standard’s criteria, and identifying the Comm/DNR codes and standards that will affect the development of this new technical standard.

Milking Center Wastewater Companion Document

Bruce W. reported that UWEX is waiting for DATCP’s Steve Struss to complete the last significant piece for the Milking Center Wastewater Companion Document. When that is submitted and edited, UWEX can begin to layout the publication.

SOC 2007 Budget

Julian presented the final SOC 2007 Budget and explained the “Reserve Fund Balance” of \$48,220. This balance was clarified as part of the audit of WLWCA’s financial records. The reserve fund represents county contributions to SOC, and has certain donor-imposed restrictions on its use. After modifying the budget’s first footnote to clarify the WLWCA grant administration

expense item (to read, "This amount based upon the estimated costs of administration of 15% of the total grants"), SOC approved the 2007 Budget.

Slope Stabilization

Next, SOC discussed the topic of slope stabilization and the steps taken to date to clarify the concept. SOC is considering soliciting a work team to develop a new technical standard. On May 29, a pre-scope session was held to discuss the topic and to begin drafting a scope statement (in attendance were Ed Odgers, Lynita Docken, Scott Mueller, Gil Layton and Kevin Hogan). The minutes of this session were supplied to SOC members.

After the pre-scope session, a draft scope statement was prepared and circulated to the session attendees for comment. At today's meeting, SOC reviewed the revised draft scope statement. SOC members agreed that with a scope statement, the slope stabilization concept will be clearer and will give a better picture of how broad a technical standard should be.

Gil said he's been talking with DOT personnel and there is a possibility that DOT may be willing to act as the Custodian of a slope stabilization standard. DOT's Dan Scudder seems to be amenable to the idea, Gil said. SOC decided to have a couple of members set up a formal meeting with Scudder. Ed and Gordon volunteered to set an appointment with him, and Gil also may attend the meeting. Based on the meeting, SOC may decide to follow-up with management at DOT to pursue having the agency join SOC.

At this point, the first goal is to hammer out custodianship for a slope stabilization standard, then work on recruiting members for a work team.

Matching up DOT's PAL (product acceptability list) with specific site conditions, and defining the necessary evaluation process is one of the things a slope stabilization standard should be focusing on, Ed said. He added that a new standard will have riparian uses, highway uses and non-metallic mining uses. It will apply when: creating a slope; modifying a slope; when ongoing or imminent failure is apparent; and when altering the bottom of a slope or disturbing the area above a slope. However, Gil cautioned that, in his opinion, PAL products really don't apply to slopes steeper than 2:1. Going forward, SOC will need to develop an explanation of where DOT's PAL fits in with this new technical standard—and where it's not sufficient.

Gil also pointed out that with respect to riparian uses, there is some overlap. The Chapter 30 shoreline stabilization requirements apply up to the ordinary high water mark (OHWM), and above the OHWM begins the shoreline zoning area.

Perry said if a standard is going to cover non-metallic mining, than a work team will need to include someone like DNR's Tom Portle (a mining waste and materials management specialist), or an industry person, especially because slope stabilization is a big issue with the non-metallic mining industry. Gil said an industry person should not be on the work team unless he or she is a credentialed engineer. Another option would be to invite an industry representative to attend a team meeting, and not serve as a team member.

Perry cautioned that we may run into a divide when trying to address public vs. private mining projects (e.g., private mining operations like gravel mines and small mom & pop operations). Small, private projects may only want to do what's needed "to get by" and may not be interested in implementing slope stabilization practices.

In addition to non-metallic mining, SOC members noted several other industries that may be involved with disturbing land in steep slope areas and, thus, impacted by a new slope stabilization standard. They include builders, utilities and highway construction firms. Their input also may be important.

SOC members briefly discussed whether the standard should include a risk analysis that evaluates a site's risk of slope failure, and establishes a method to group high and low consequences of failure (damages to water resources and public safety?). Should we ask a work team to develop criteria for this, and perhaps identify practices that are appropriate for higher or lower risks of failure?

Turning to the draft scope statement, SOC members noted that its purpose is to spur discussion and give potential work team members some idea what the technical standard will address. However, Gordon cautioned that SOC needs to avoid being too prescriptive to the work team, and should not give the impression that SOC members are writing the standard. SOC needs to qualify the scope statement by emphasizing it's only a starting point for discussion and the work team has discretion.

A suggested change to the draft scope statement is to add something on "consequences of failure analysis." For example, the scope statement could state something like "selection of criteria should consider the consequences of slope failure based on a risk assessment."

Perry said he likes a scope statement that is brief, and suggested making some minor changes to the version Scott Mueller drafted. As such, SOC members agreed to modify the bullet items under the "Purposes" section to note that the primary purposes are:

- Erosion control
- Slope failure prevention
- Reduction of sediment delivery to water resources
- Property protection and public safety

Also, SOC members agreed to clarify under the section "Conditions Where Practice Applies" that the technical standard applies to non-concentrated flows above the OHWM (and not to channel or concentrated flows, which are addressed by existing standards).

At this point, the SOC Coordinator will refine the scope statement based on comments by SOC members, and send a revised draft to SOC members for review.

When SOC decides it's appropriate to begin soliciting work team members, we'll keep in mind that at least one team member should be someone who served on the Streambank and Shoreline Protection (580) technical standard team.

Revising the NRCS 382 Fence Standard

Pat noted that Brian Pillsbury, grazing land specialist with NRCS, is nearly finished with putting together a work team to revise the Fence technical standard. The only slot left to fill on the team is a safety engineering specialist. If needed, we could conduct a quick solicitation for someone to fill this role. Pat thinks that once the team is formed and the right technical issues are on the table, work on this standard should move quickly. The only really new issue is safety; work on the other issues will primarily involve updating the information.

DNR 1100 Turf Nutrient Management

This interim technical standard was completed in May 2006 and needs to be finalized (ordinarily, within 18 months). DNR's Mary Anne Lowndes, the original team leader, said they'd like to finalize the standard by March 10, 2008. Therefore, a work team should probably begin working in October 2007. SOC members noted that frequently, if no big issues have arisen since the interim standard was completed, finalizing it could go quickly. At this point, the SOC Coordinator

should invite the original team members to re-join the team, and also send out the interim standard to the distribution list and ask for comments (give 2 weeks to respond and compile comments before team's first meeting).

Updates to NRCS Technical Standards

Pat said that over the next few months, a number of existing NRCS technical standards will be considered for updating, either through "minor" changes that the agency will conduct internally, or by "intermediate" or "major" changes that may require soliciting comments from outside the agency, or even a full SOC work team.

Status of DNR's Buffer Performance Standard

Gordon said DNR has gone through a few drafts of the regulation, and will be submitting a draft rule to its technical advisory committee. The timetable is to submit a draft regulation to the Natural Resources Board by December. The regulation will include phosphorus index criteria, will modify the buffer recommendations from the Wisconsin Buffer Initiative, and will include set backs, Gordon said. At this point, SOC will wait for DNR to define clearly where its rule will stop (for water quality protection), then SOC will have a better idea where a technical standard will begin.

SOC Policy Manual Issues

For the meeting, the SOC Coordinator prepared a list of items from the SOC Policy Manual that would be appropriate to move to the Technical Standards Process Handbook. Of the five items, SOC members approved moving four of them to the TSPH. The fifth, which described a substitution policy for work teams, was deemed to be redundant of text already in the TSPH. Before the next SOC meeting, the SOC Coordinator will "red line" sections of the TSPH to indicate where to insert the items moved from the SOC Policy Manual.

Also, SOC members agreed to insert in the TSPH a reference to the SOC Policy Manual.

SOC Public Notice Policy

SOC members agreed that the SOC website will be the avenue to publish notices of work team meetings and SOC meetings. Also, the TSPH will be amended to state that one-week advance notices of SOC and work team meetings will be posted on the SOC website.

SOC Website

One of the topics for the next SOC meeting will be maintenance of the SOC website and possible plans for re-design. We'll consider connecting to the Internet at the Sept. 24 meeting and going through the SOC website.

Technical Standards Needs Assessment

Based on discussions held at a June 26 SOC conference call, the TSA form was revised by the SOC Coordinator. In August, the TSA form will be sent to the SOC distribution list, and recipients will be given 3 weeks to submit comments on the technical standards they think need to be revised or created. Before the Sept. 24 SOC meeting, the SOC Coordinator will tabulate results, which will be used to help SOC develop the 2008-2009 Work Plan.

Action Items

Pat will check with Scott Mueller and John Ramsden on NRCS' intentions for a Companion Document to the Feed Storage Leachate standard

Ed and **Gordon** will arrange to meet with DOT's Dan Scudder regarding custodianship of a slope stabilization standard

SOC Coordinator will refine the slope stabilization scope statement and send to SOC members

SOC Coordinator will initiate steps to finalize Interim Turf Nutrient Management standard (DNR 1100)

SOC Coordinator will mark-up TSPH to indicate insertion points for items to move from SOC Policy Manual

SOC Coordinator will tabulate results from Technical Standards Needs Assessment