

Meeting Notes

Meeting Date: June 9, 2006

Meeting Time: 1:30 a.m.

Meeting Place: Montgomery County DPS

Attendees: MCDPS - Leo Galanko (LG)
MCDPS - Mark Etheridge (ME)
MNCPPC - Andy Frank (AF)
MNCPPC - Pamela Rowe (PR)
SHA - Mike Wetzel (MW)
SHA / HHD - Dan O'Leary (DO) / author

Subject: ICC - MCDPS SPA Meeting

Minutes:

The purpose of the meeting was to meet with MCDPS and MNCPPC about SPA issues, where the ICC studies have gone since the last meeting, and how to incorporate SPA Review and Mandatory Referral into the Design Build process (or vice versa).

General

MNCPPC is charged with writing a staff report including recommendations to the Board by the end of June 06. Typically the staff report discusses the water quality plan as approved by MCDPS. On this project there is no formal water quality plan at this time because plans (in general) will not be developed until a design builder is selected and that entity develops plans. Discussion continued about how and when MCDPS would get involved in the WQ plan review process so as to contribute in a meaningful way.

Typically a project is submitted for SPA review to MCDPS with sketch level SWM concepts included. MCDPS reviews the submittal and a (preapplication) meeting is arranged to discuss the WQ aspects, establish WQ goals, and pre and post construction monitoring requirements. By County Code no earth disturbance can start until Preliminary and Final WQ Plans are approved. ICC Performance Specifications (PSpecs) and other documents provided to MCDPS and MNCPPC to date do not sufficiently address WQ Plan requirements to constitute submission of a WQ plan.

Two questions were raised about MCDPS involvement:

1. The question was raised (by AF) about whether or not MCDPS review and approval can be added into the PSpecs (PS 310 Environmental, under Permits the DB'r is required to obtain). This would make DB'r aware that MCDPS coordination is required. MCDPS would like to be involved in the process at a point prior to development of formal plans? Or...
2. Should the SPA process be added to the PSpecs (Section 3.6 B) and spelled out so the DB'r understands what is involved?

MCDPS (ME) concerned that if they identify a flaw or major flaw in the plans during design, how can it be fixed? And, if not fixed, how can it be documented that they tried to fix the problem? Should MCDPS be commenting to MDE?

Creating an MOU (PR) was discussed to address MCDPS roles and responsibilities, and process for obtaining MCDPS review of plans. The MOU should be between MCDPS, SHA and MDE. Initially the review process would involve submission of plans and reports to SHA and MCDPS. MCDPS would comment to SHA reviewers, and SHA would address or incorporate MCDPS comments. If comments were not addressed to MCDPS satisfaction, then MDE would be the appeal / arbiter.

Follow-up/Action Items

LG and PR asked for copies of "SWM Approach for the ICC" dated November 05.

SHA (DO) will prepare a table of commitments and PSpec reference sections for MNCPPC and MCDPS use.

SHA will prepare a draft MOU between SHA, MCDPS, and MNCPPC regarding SWM and ESC plan review in the SPA. The draft MOU should be ready by the end of June as part of the Mandatory Referral process.

CC:

All Attendees
Raja Veeramachaneni
Karuna Pujara
Melinda Peters
Wesley Mitchell
Brian Jarboe