

PHWH USE DESIGNATION

1. Storm Water Flow changes scores – how will that be addressed?
2. Modeling land use change effects on flows
3. What is the goal?
4. Justification for regulating Class I [storm water – control is ok]
5. Storm Water Phase II – will those BMPs be sufficient?
6. Concern with limitations of Storm Water BMPs
7. Concern with long-term viability of Storm Water BMP
8. How does applicant know what tool to use? (Have a list of watersheds that identify exactly what tools to use)
9. Simple tool to use (HHEI)
10. Better than previous method
11. Question: Replacing the function
12. Have considered Class III – impacts allowable
13. Who will classify streams?
14. How will we know if credible data exist?

STREAM

1. How does it harmonize with ACOE?
2. What about exemptions (e.g., road side ditch)?
3. Add in Rule the stream exemption.
4. If not, ACOE (non- jurisdictional) but waters of the state – now what?
5. Bank definition awkward.
6. No mention of biology/habitat potential in definition.
7. Keep focus on water

RELOCATION

1. “Flowing water” – too general
2. Protecting forever - is it really necessary in every case (e.g., ditch) – MWH
3. “Impacts” – beyond their control – what about that?
4. How does this overlay with rural drainage issues? Explain the difference with this and rural drainage.
5. Director given the ability to waive “impacts”
6. Avoid language so not to make it easy to void the easement.
7. “Relocation project” – add language about connectivity to avoid projects that go to a basin
8. Consider the types of riparian buffers
9. Appropriate and acceptable – what do you mean?
10. Channel/streams migrate – how handled in perpetuity?

RESTORATION

1. “Permanently” – how stream continues moving – is this realistic?
2. Remove “Stream Enhancement”
3. Rehabilitation instead of restoration
4. What level – prehistoric and pre-industrial
5. Track accumulative impacts – upstream and downstream
6. Look at future development on restoration goal
7. Accumulative impacts: work into mitigation criteria and credit matrix
8. Raise score for restoration projects

PRESERVATION

1. Ecological importance defined?
2. Can get preservation and restoration credit
3. “Prevent” – problem with upstream/downstream impacts
4. Send letter to upstream/downstream to notify them
5. Preservation corridor – define as functional flood plain (p 48)
6. Buffet list (p 24) – could there be urban streams that should be added?
7. Director discretion should be in most paragraphs
8. Preserving is good restoration
9. Easements should get more credit
10. Exchange stream and wetland mitigation
11. On page 48, add width to criteria
12. Not net-loss of stream length

IMPACT/MITIGATION RELATIONSHIP

1. Good concept
2. Good – losing storm water benefits when out of county
3. Instead of stream order – use drainage area
4. Have intermediate category
5. Flexibility for projects that impact multiple streams
6. Should not penalize - automatic go out of kind

WATERSHED LOCATION

1. More credit for on-site (2.0) and HUC 14 (1.0)
2. Experience of on-site that they meet WQ goals or is HUC 14 just as good?
3. Consider allocation more to HUC 14 than on-site
4. For 8 and 11 HUC, consider additional in adjacent 8 or 11 watershed
5. Location may not have much to the quality of the project

PRIORITY AREA

1. Urban area - e.g., AOC

2. What does emphasize mean?
3. Other nature preserve (e.g., city or local, Audubon, etc.)
4. Species – water species
5. Distance – what if degraded (even if your project is close)?
6. Priority should be placed on areas that need help
7. How does 303(d) List help prioritize if most of them are on it?
8. More weight on diversity (formula)

THREAT TO STREAM SEGMENT

1. Incorporate accumulative impacts
2. Don't use population trend – but permit numbers
3. Population growth – good – not people needing permits
4. Can use coal mining sites for accumulative impacts
5. Keep matrix
6. Counties – master planning