

In the Matter of:

Maryland Department of the Environment

October 11, 2018
Public Hearing

Condensed Transcript with Word Index



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1 MARYLAND DEPARTMENT OF THE ENVIRONMENT

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4 TENTATIVE DETERMINATION TO MODIFY

5 BALTIMORE COUNTY'S NATIONAL POLLUTANT

6 DISCHARGE ELIMINATION SYSTEM

7 NPDES No. 11-DP-3317 MD0068314

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13 The hearing in the above matter commenced on

14 Thursday, October 11, 2018, at the Office of the Maryland

15 Department of the Environment, 1800 Washington Boulevard,

16 Baltimore, Maryland.

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20 Before: Raymond Bahr, Hearing Officer

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22 Reported by: Karen Willoughby

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1 A T T E N D E E S

2 Maryland Department of the Environment:

3 Raymond Bahr

4 Brian Cooper

5 Christina Lyerly

6 Jennifer Smith

7 Deb Cappuccotti

8 Lee Currey, Director, WSA

9 Lynn Buhl, Assistant Secretary, MDE

10 Speakers:

11 Erik Fisher, Chesapeake Bay Foundation

12 Benjamin Alexandro, League of Conservation Voters

13 Elise Bruner, Blue Water Baltimore

14 Bruce Gilmore, Audubon Naturalist Society

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

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3 MR. BAHR: Okay. Let's go ahead and get

4 started. It looks like it's about 6 minutes after 5:00.

5 Good evening and welcome everybody. Today is

6 Thursday, October 11, 2018. And today's public hearing

7 is regarding the Maryland Department of the Environment's

8 Tentative Determination to Modify Baltimore County's

9 National Pollutant Discharge Elimination System, NPDES,

10 municipal separate storm sewer system MS4, permit number

11 11-DP-3317 MD0068314.

12 My name -- and I think I know most of the

13 people out there and I've talked with most of you already

14 -- is Raymond Bahr and I'm the Deputy Program Manager of

15 the Sediment, Stormwater and Dam Safety Program within

16 the Department's Water and Science Administration.

17 With me today are other people in the Sediment,

18 Stormwater and Dam Safety Program, Brian Cooper,

19 Christina Lyerly and Deb Cappuccotti, thanks for helping

20 me out to set up tonight's proceedings, and Jennifer

21 Smith, who is the Program Manager for Sediment,

22 Stormwater and Dam Safety. And Lee Currey is here with

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1 us, the Director of Water and Science Administration.

2 So thanks to you. And nobody is here from

3 Baltimore County, but they were very helpful in setting

4 up tonight's proceedings as well, getting is to this

5 point.

6 In accordance with Maryland's Administrative

7 Procedures Act, a tentative determination to modify

8 Baltimore County's MS4 permit has been advertised in the

9 Maryland Register and the Baltimore Sun on August 31st

10 and September 14th, 2018, and sent out to the

11 Department's interest party list for Baltimore County,

12 and publicized on the Department's web page where the

13 proposed permit modification and supporting fact sheet

14 materials can be found.

15 Everyone who signed up to speak today or signed

16 the attendance sheet will be added to the Department's

17 interested party list and will receive notice of any

18 actions regarding Baltimore County's MS4 permit. If you

19 want to be on the Department's interested party list for

20 this permit and did not sign up on one of these two

21 sheets, please do so before the end of tonight's hearing.

22 Again, the purpose of today's hearing is to

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1 accept public comment on the Department’s tentative
 2 determination to modify Baltimore County’s MS4 permit.
 3 The Department has some introductory remarks regarding
 4 this action and after that I would like to give any
 5 officials from Baltimore County or any elected officials
 6 an opportunity to speak. After that we’ll work down the
 7 list of speakers who have signed up.
 8 Today’s -- tonight’s hearing is scheduled for
 9 two hours and we would like to provide everybody with an
 10 opportunity to speak. I don’t think we’ll have any
 11 difficulty with that. There is another public hearing
 12 scheduled tonight at 7 p.m., so please try to keep your
 13 remarks concise and focused on the proposed permit
 14 modification.
 15 As background, Maryland has been delegated
 16 authority by the United States Environmental Protection
 17 Agency, EPA, to administer the NPDES program in the
 18 State. Final stormwater regulations were adopted by EPA
 19 in November 1990, according to Section 402(p) of the
 20 Clean Water Act. These regulations require, in part,
 21 that owners or operators of storm drain systems serving
 22 populations of greater than 100,000 -- including

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1 Baltimore County -- apply for a Phase I NPDES municipal
 2 stormwater permit.
 3 To improve local water quality and the
 4 Chesapeake Bay, Baltimore County’s most recently issued
 5 MS4 permit on December 23, 2013, included a requirement
 6 for the restoration of 20 percent of the impervious
 7 surface area within the County that was not already
 8 managed for stormwater to the maximum extent practicable.
 9 On July 18, 2018, Baltimore County formally requested an
 10 NPDES MS4 permit modification from the Department to use
 11 Maryland’s newly authorized nutrient trading program as
 12 an option to help meet its 20 percent impervious surface
 13 area restoration requirement. The County anticipates
 14 that it will be able to complete the restoration of 2,104
 15 of the required 6,036 impervious acres by the end of its
 16 permit term on December 23, 2018. This is roughly equal
 17 to 35 percent of the County’s impervious surface area
 18 restoration requirement.
 19 The Department has determined that Baltimore
 20 County’s MS4 permit may be modified to allow the use of
 21 nutrient trading for the following reasons:
 22 In accordance with the Code of Federal

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1 Regulations, CFR 40 Section 122.62, the Department may
 2 receive new information which justifies applying
 3 conditions different from those in the permit if the
 4 information was not available at the time of the permit
 5 issuance.
 6 In accordance with 40 CFR Section 122.62, the
 7 Department may modify an existing permit when proposed
 8 standards and regulations covering the permitted activity
 9 may have changed since the issuance of the permit.
 10 A new phase of Maryland’s nutrient trading
 11 program with authorizing regulations in the Code of
 12 Maryland Regulations, COMAR, 26.08.11, were formally
 13 adopted for use on July 16, 2018.
 14 The EPA reviewed, and did not object to,
 15 Maryland’s trading policy updates and draft MS4 permit
 16 modification language. The new trading policy allowing
 17 MS4s to acquire nutrient credits was not in place at the
 18 time when Baltimore County’s MS4 permit was issued.
 19 Baltimore County has documented that while the
 20 capital and operational funds necessary to meet the 20
 21 percent impervious restoration requirement are available,
 22 the physical capacity for implementing structural BMPs

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1 within the permit’s timeframe is a limiting factor.
 2 The EPA, the Department and Maryland’s Court of
 3 Appeals have determined that the 20 percent impervious
 4 surface restoration requirement is an approved effluent
 5 limit consistent with, and satisfactory for, both the
 6 Chesapeake Bay and other applicable total maximum daily
 7 load wasteload allocations.
 8 And, finally, trading for amounts of total
 9 nitrogen, total phosphorous or total suspended solids,
 10 that would have been reduced through the 20 percent
 11 impervious surface area restoration requirement, will
 12 have a similar net effect on local and Chesapeake Bay
 13 water quality.
 14 So at this time I would like to ask if there is
 15 anybody here from Baltimore County Government that would
 16 like to add comments to the public record.
 17 (No response.)
 18 MR. BAHR: Seeing that there are none, I would
 19 also like to ask or see if there’s any local elected
 20 officials that would like to speak before we get started.
 21 (No response.)
 22 MR. BAHR: And I see none. So when we call

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1 your name to testify -- do we have the list -- thanks,
2 one from the right, one from the left, thank you, Brian.

3 Please start by stating your name and spelling
4 it out for the stenographer. And if you are affiliated
5 with an organization, please let us know who that is for
6 the record.

7 First up I'd like to call Erik Fisher.

8 MR. FISHER: Hello everybody. My name is Erik
9 Fisher, E R I K, F I S H E R. I'm now an Assistant
10 Director with the Chesapeake Bay Foundation,
11 headquartered down the road in Annapolis.

12 I want to start by saying that we have
13 submitted questions to the Department by email and we
14 were pleased to hear that you all intend to address those
15 as this process moves forward. Given that, we thought
16 we'd just provide some recommendations, specifically on
17 how trading we feel would best be incorporated into this
18 permit, given what we know at this time.

19 We agree with the proposal to use Chesapeake
20 Bay Model 5.3 loading rates that are in the current 2014
21 guidance. We feel those permits were written when that
22 version of the model was active. And that outputs from

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1 restoration.

2 Based on Baltimore County's estimate of the
3 remaining need, that would work out to be about 30,160
4 pounds of nitrogen, 7,491 pounds of phosphorous and 1,686
5 pounds of sediment that we believe should be written into
6 the permit modification directly.

7 Two other things and then I think that will
8 cover it. One is that the modification should clarify
9 how the credits purchased will comply with COMAR
10 26.08.11.08-E, which is the local water quality
11 protection provision. It's a little bit unclear to us,
12 given that an MS4 has out-falls in multiple local
13 watersheds, some of which may be impaired, some of which
14 may not be. We don't have a specific recommendation on
15 how best to address that at this time, but we would
16 welcome some additional discussion with the Department on
17 how that will be taken care of an incorporated into the
18 permit. So we wanted to highlight that one.

19 And then finally, we'd just note that the
20 trading regulations require the use of the trading
21 registry in order to be valid credits for trade. We
22 think that's a good idea, clearly for transparency and

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1 that model helped to form the basis for the permit that's
2 being modified.

3 In order to ensure that the trading approach
4 achieves the same benefits that impervious surface
5 restoration would, we believe the modification should
6 stipulate the purchase of equivalent credits for the
7 amount of nitrogen, phosphorous and sediment associated
8 with the difference between an acre of impervious surface
9 and an acre of forest. In part, our basis for that is
10 that the guidance document itself specifies one to one
11 credit awarded only for the conversion of impervious
12 surface to forest.

13 For ease of transparency and clear
14 expectations, we also recommend that the permit
15 modification use a simple pound-to-acre conversion,
16 instead of referencing the guidance that does not
17 directly speak to this issue. We feel the pounds
18 required to be purchased per acre should be stated
19 outright numerically in the permit modification itself.

20 That means under 5.3 this would mean 7.69
21 pounds of nitrogen, 1.91 pounds of phosphorous and 0.43
22 pounds of sediment for each acre that requires

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1 clear expectations for the purchase and use of credits.

2 So we would encourage MDE to finalize and
3 publish the registry in conjunction with these permit
4 modifications, so that Baltimore County can proceed and
5 complete trades to accomplish their permit obligations.

6 So, with that, thank you all for the time.

7 MR. BAHR: Great. Thanks, Erik. And that
8 email that came in from CBF came in to me and I would
9 just like to say that the Department is planning a
10 webinar on October 22nd, 2018, to provide further
11 outreach to the public on MS4 nutrient trading, and to go
12 through examples of how the trades can be executed,
13 verified, and certified.

14 The information on this webinar will be shared
15 with everybody here tonight. And I think that will be a
16 good opportunity to run through some of these questions
17 and have a question and answer and continue this dialogue
18 until this comment period is up.

19 Next up -- let's have Ben Alexandro.

20 MR. ALEXANDRO: Hi. My name is Benjamin
21 Alexandro, B E N J A M I N, A L E X A N D R O. And I am
22 the Water Policy Advocate for the Maryland League of

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1 Conservation Voters, as well as the Maryland State Lead
 2 for the Choose Clean Water Coalition.
 3 So thank you so much for the opportunity to
 4 comment. Actually, back in 2015 I was actually one of
 5 the authors of the Maryland Chesapeake Bay Restoration
 6 Financing Report, out of the Environmental Finance
 7 Centers, specifically focused on nutrient trading, while
 8 I was doing two Masters, one of them was focused pretty
 9 heavily on that. So I have a lot of background and
 10 knowledge on what can make or break a good trading
 11 program.
 12 And from that and from digging into this some
 13 more I have -- we have some significant concerns about
 14 the way that this is going forward.
 15 Number one is trading being injected into a
 16 permit that's about to expire. You know, it seems
 17 inappropriate, since it could set a dangerous precedent
 18 if trading is used as basically a way to give the County
 19 a free pass or walking away from their commitments from
 20 water quality. And it's a concern that this, if
 21 introduced, and the way that it is being introduced it
 22 could basically weaken this permit and potentially reward

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1 noncompliance, both in the present and into the future,
 2 for future permits.
 3 One of the main reasons for that is number two,
 4 which is we really, really feel strongly that nutrient
 5 trading has to finance real and true projects on the
 6 ground. That's really the most important thing. You
 7 know, preferably it would lead to something -- you know,
 8 the County spending real money to do real -- finance
 9 permanent practices such as a farmer, you know, upstream
 10 planting and maintaining a riparian forest, something
 11 like that.
 12 But according to my recent calculations and
 13 looking at the wastewater treatment plants and the ones
 14 operating below three parts per million, if MDE doesn't
 15 prohibit it, they can potentially use a loophole where
 16 you could have literally thousands of credits being
 17 generated for free or for little to no cost.
 18 And so what this would potentially do is flood
 19 the market and crash it, jeopardizing basically the
 20 purpose of that trading system to create a demand for new
 21 and innovative cost effective projects. You know,
 22 trading should create new pollution reduction that's not

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1 already being accomplished elsewhere, right?
 2 So if the Maryland taxpayer is already paying
 3 through BRF funding or something else, to upgrade these
 4 wastewater treatment plants, you can't then use that to
 5 then give free credits out, you know. And one of the
 6 reasons that this is really worrying, is that if you look
 7 at the financial assurance plans for the County, they
 8 have a thousand acres that they were planning to do with
 9 that and unlike some other counties, they were saying
 10 that they were going to invest zero dollars to do this.
 11 They're assuming that they're not going to have to put
 12 any money on the table, they can just get these credits
 13 for free. There will be no cost for them at all.
 14 So that's really no investment at all, that's
 15 not a market-based solution, that's just a free
 16 Government hand-out to reward pollution.
 17 But the County fact sheet kind of seems
 18 contrary to that, in that the fact sheet -- as you
 19 mentioned earlier in your comments -- says that Baltimore
 20 County has documented that while the capital operation
 21 funds necessary to meet the 20 percent impervious surface
 22 reduction are available, the physical capacity for

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1 implementing structural BMPs within the permit timeframe
 2 is the limiting factor.
 3 Well, if that's the case, then the County
 4 should have no problem actually investing considerable
 5 real money in dollars into buying credits. However, what
 6 we see happening is the County -- what we saw happening
 7 is the County getting rid of their polluted run-off fee,
 8 having the financial plan saying that they get free
 9 credit, they cancelled a bunch of their planned projects.
 10 And so this is very worrisome that we fear that Baltimore
 11 County, with this trend, is looking for a way to have a
 12 free way to make it look like they're reducing
 13 pollution, while really escaping their clean-up
 14 obligations.
 15 And so we really do not want, through this
 16 modification, MDE to give a free pass to Baltimore
 17 County, in a sense telling other counties not to worry if
 18 they're not complying with MDE permits in general.
 19 And finally, we have a few other concerns.
 20 Some of them echo, I think, what CBF so eloquently said,
 21 you know, for example, the issue of -- we also share that
 22 question about impaired waterways, there's impaired

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1 waterways and having a large jurisdiction of an MS4, how
2 is that going to work, where they have to have trade
3 within that same one.

4 We're also concerned that -- we're very curious
5 about where these credits will be bought, since we don't
6 think that Baltimore County has any wastewater treatment
7 plants within the jurisdiction that they could trade with
8 that are below that baseline.

9 So it looks like they're going to be having to
10 go elsewhere -- I guess Baltimore City or wherever else
11 -- to buy those and that could compound that issue of you
12 have local impaired waterways and then you're now buying
13 things potentially from outside that watershed.

14 We also feel like there really needs to be
15 limitations on how much trading can be used to meet their
16 obligations. And then we also have questions where we
17 just think that there really needs to be more information
18 made clear to us, to me, to the public of exactly how
19 these credits are going to be calculated for, you know,
20 set examples of, okay, for one acre of impervious surface
21 that translates to how much nitrogen, how much
22 phosphorous, how much sediment. You know, where is this

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1 coming from and that's where the -- really transparency,
2 I think, is paramount there.

3 So, you know, MDE has been working so hard on
4 nutrient trading regulations for years and has had
5 feedback from so many sectors on how to do it right --
6 you know, LCV, as well as dozens of Choose Clean Water
7 members organizations have sent multiple letters,
8 concerned comments the last few years. We remain very
9 active in the Water Quality Trading Advisory Committee,
10 you know, on how to potentially make this better and do
11 this right.

12 And so MDE cannot let this modification go
13 through as is, or it could really jeopardize all that
14 progress if we don't make sure that those loopholes
15 aren't taken care of. If we don't, we could really get
16 into a situation where this is not -- this is not trading
17 at all, right, this is -- this is a paper exercise where
18 counties are just grabbing free credits to get out of
19 their permit obligations, which sets a very dangerous
20 precedent for future MDE permits.

21 Thanks so much for your time.

22 MR. BAHR: Okay. Thanks, Ben. Elise Bruner.

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1 MS. BRUNER: Thanks for the opportunity to
2 speak. My name is Elise Bruner, E L I S E, Bruner, B R U
3 N E R. I'm the advocate manager on Blue Water Baltimore.

4 As you know, Blue Water works throughout
5 Baltimore City and County to protect and restore our
6 local waterways through education, restoration and
7 advocacy, we're home to the Baltimore Water Keeper.

8 I'm here today to express some of our concerns
9 and to ask a few questions that we hope you can clarify
10 regarding the draft modification. We also plan to submit
11 written comments.

12 Blue Water Baltimore is concerned that the
13 proposed modification could weaken protections for local
14 waters and communities in Baltimore County by allowing
15 trading as a substitution for restoration practices. As
16 you know, restoration practices improve water quality in
17 close proximity to the area where the practices are
18 installed. It also has significant co-benefits like
19 reducing flooding and improving air quality.

20 If jurisdictions are allowed to meet their
21 permit requirements through trading, rather than
22 installing restoration practices, they lose these co-

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1 benefits, threatening local water quality and the quality
2 of life for local residents.

3 So we have the following questions. How
4 exactly would the trading be executed? The modification
5 doesn't make it clear whether trading can occur between
6 jurisdictions or what the guidelines are for implementing
7 a trade. It appears to propose meeting permit
8 requirements by separating the pollution reduction
9 requirement from its geographic location.

10 If trading is to move forward, it must be made
11 clear that credits must only be applied in close
12 geographic proximity to where they're generated,
13 otherwise we are sacrificing local water quality and
14 quality of life to residents.

15 Second point is if MDE approves this MS4 permit
16 modification to allow nutrient trading, any actual use of
17 a credit should be considered a major modification that
18 should be subject to public notice and comment on each
19 trade, as required by EPA regulations to ensure
20 transparency and verification of those credits.

21 And finally, our question is also on timing.
22 Why is the modification happening now when the permit is

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1 about to expire. It is concerning, as it sends a signal
 2 to permit holders who won't meet their requirements
 3 during this permit term, that they won't be held
 4 accountable by MDE in this permit or in future permits.
 5 For our environmental laws and permits to be effective,
 6 they must be enforced.
 7 So we appreciate the opportunity to speak and
 8 we'll be sending in written comments. Thank you.
 9 MR. BAHR: Great. Thank you, Elise. Is there
 10 anybody else interested in speaking up tonight on this
 11 permit modification?
 12 MR. GILMORE: I signed up.
 13 MR. BAHR: Bruce, did you? Okay. By all
 14 means, go ahead. Actually, I don't see your name here,
 15 maybe it's on the attendance sheet. We had a speaker's
 16 list and an attendance sheet.
 17 MR. GILMORE: My bad, it's on this list.
 18 MR. BAHR: No, no. Very good.
 19 MR. GILMORE: I'm sorry, Mr. Presider.
 20 Mr. BAHR: Hearing Officer to you, Bruce.
 21 (Laughter.)
 22 MR. BAHR: Please. Please go ahead.

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1 MR. GILMORE: I have a statement for the record
 2 and there's a mistake in it on the second page, strike
 3 Charles County as one of the three that will be -- for
 4 whose permit has been proposed to be modified.
 5 I'm going to read my statement.
 6 Thank you for the opportunity to testify before
 7 MDE regarding the proposed modification of the Baltimore
 8 County MS4 permit. My name is Bruce Gilmore, B R U C E,
 9 G I L M O R E, and I represent Audubon Naturalist Society
 10 in the matter of Maryland stormwater policy. Much of my
 11 testimony this evening takes the form of procedural
 12 questions, to which I and ANS seek answers as they
 13 pertain to Baltimore County's permit revision and also
 14 the currently open revisions to the Anne Arundel and
 15 Prince George's County permit.
 16 The premise of the proposed modification of the
 17 current Baltimore County Phase I permit is that the
 18 shortfall in the required restoration of impervious acres
 19 will disappear by the permit's end date, December 23,
 20 2018, through the use of nutrient trading now authorized
 21 since July 16, 2018.
 22 Baltimore County asserts that it will meet the

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1 ISR 20 percent goal if it can obtain certified trades
 2 between its July 18, 2018 request through December 23,
 3 2018. This would be a laudable, if ambitious, result.
 4 Question one. However, what will be the
 5 implications if Baltimore County does not meet the 20
 6 percent goal, even with the proposed modification? Will
 7 this place the County in a permit default position and
 8 lead to a consent decree?
 9 Question two. Can the current compliance
 10 period be extended into the new permit? What if the
 11 permittee is not "in compliance" with the current permit,
 12 even after utilization of the trading provision? Can the
 13 permittee engage in Nutrient Trading during a new yet-to-
 14 be-issued permit period, i.e., 2019 on?
 15 Question three. Will there be other Maryland
 16 jurisdiction Phase 1 MS4 permittees whose current permits
 17 will be modified beyond Baltimore County, Anne Arundel
 18 and Prince George's County? If the current permit
 19 compliance period ends when the new permit term begins
 20 for the current permittees, will they still be able to
 21 utilize the trading provision beyond that date? This has
 22 to do with the meaning and length of "compliance period"

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1 as stated in the modification proposal.
 2 Question 4. What is the effect of an
 3 "administratively continued" permit in the trading
 4 modification scheme? Can the new Phase 1 MS4 permits be
 5 administratively continued for the sole purpose of
 6 enabling trading completion and certification? Would
 7 this be an allowable extension of the "compliance
 8 period"?
 9 Question 5. If the permittee has not met its
 10 20 percent ISR goal through either trading or BMPs, can
 11 it still participate in trading during the next permit
 12 term? Even if it did not meet its ISR goal in the
 13 current permit compliance period?
 14 Many of the questions above relate to how the
 15 current expiring permit will transition into the next
 16 permit. A key factor in evaluating the strength of this
 17 transition will be the level of effort required in the
 18 next permit. If MDE continues to use the ISR metric, as
 19 it has indicated it plans to do, it is essential that
 20 there be an additional, and ambitious, ISR requirement in
 21 the next permit on top of any trades used to meet the
 22 terms of the current permit's 20 percent requirement.

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1 The WIP III process has shown that substantial
 2 additional nutrient and sediment reductions are still
 3 needed for Chesapeake Bay and local waterway restoration,
 4 and the stormwater sector is falling behind. The
 5 existing WIP II plans are only designed to achieve 23
 6 percent of the necessary nitrogen reductions from the
 7 urban/suburban sector and, in the meantime, stormwater
 8 pollution has actually continued to grow.
 9 If a 20 percent ISR reduction in the next
 10 permit term is not feasible, MDE must not back away from
 11 a new requirement altogether and must maintain an
 12 ambitious, and additional, ISR requirement. It is
 13 essential that MDE continue to push Phase I MS4
 14 jurisdictions to treat stormwater from impervious
 15 surfaces in order to improve the health of the Chesapeake
 16 Bay and local waterways.
 17 Thank you for your consideration of my
 18 testimony. I will be submitting additional written
 19 testimony in the coming days for future hearings.
 20 I would also like to for the record associate
 21 Audubon Natural Society with the comments from CBF, Blue
 22 Water Baltimore and LCV. Thank you.

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1 MR. BAHR: Great. Thank you, Bruce. Is there
 2 anybody else here tonight that would like to speak?
 3 (No response.)
 4 MR. BAHR: Seeing none, anybody that wants to
 5 submit written testimony after today can do so, up until
 6 November 29th, 2018. Comments can be sent to me, Raymond
 7 Bahr, Maryland Department of the Environment, Water and
 8 Science Administration, Sediment, Stormwater and Dam
 9 Safety Program, 1800 Washington Boulevard, Suite 440,
 10 Baltimore, Maryland, 21230-1708. Or you can email me at
 11 raymond.bahr@Maryland.gov.
 12 Additional information on this permit
 13 modification can be found on the Department's web page,
 14 www.mde.maryland.gov.
 15 After the comment period has closed on November
 16 29th, 2018, the Department will develop a response to
 17 comments that will support a final determination to
 18 modify Baltimore County's MS4 permit. Anyone who signed
 19 up on our attendance sheet today or gave testimony will
 20 be added to the Department's interested party list for
 21 Baltimore County and will be kept apprised of all permit
 22 actions via email announcements.

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1 I want to thank you all for attending this
 2 evening's public hearing and for your participation in
 3 these important matters.
 4 That concludes our public hearing on Baltimore
 5 County's permit modification.
 6 (Whereupon, the hearing was
 7 concluded at 5:37 p.m.)
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 2 CERTIFICATE OF COURT REPORTER
 3
 4 I, Karen Willoughby, do hereby certify that the
 5 foregoing transcription was reduced to typewriting via
 6 audio recorded by me; that I am neither counsel for, nor
 7 related to, nor employed by any of the parties to the
 8 case in which these proceedings were transcribed; that I
 9 am not a relative or employee of any attorney or counsel
 10 employed by the parties hereto, nor financially or
 11 otherwise interested in the outcome of the action.
 12
 13
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 15
 16 s/Karen Willoughby
 17 KAREN WILLOUGHBY,
 18 Court Reporter
 19
 20
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