

**In the Matter of:**

Maryland Department of the Environment

*February 6, 2017*  
*Public Hearing*

**Condensed Transcript with Word Index**



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1 MARYLAND DEPARTMENT OF THE ENVIRONMENT  
 2 WATER MANAGEMENT ADMINISTRATION  
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 6 PUBLIC HEARING:  
 7 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
 8 MUNICIPAL  
 9  
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 11 The hearing in the above matter commenced on  
 12 Monday, February 6, 2017, at the MDE Headquarters,  
 13 Montgomery Park, 1800 Washington Boulevard, Baltimore,  
 14 Maryland.  
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 19 Reported by: Linda Metcalf  
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1 A P P E A R A N C E S  
 2  
 3 ON BEHALF OF THE MARYLAND DEPARTMENT OF THE ENVIRONMENT:  
 4 RAYMOND BAHR  
 5 GINNY KEARNEY  
 6 DEBORAH CAPPUCCHITTI  
 7 CHRISTINA LYERLY  
 8 MICHELLE CRAWFORD  
 9 Maryland Department of the Environment  
 10 1800 Washington Boulevard  
 11 Baltimore, Maryland 21230  
 12  
 13 SPEAKERS:  
 14 Lisa Ochsenhirt, MAMSA  
 15 Elaine Lutz, Chesapeake Bay Foundation  
 16 Kordell Wilen, Cecil County  
 17 Todd Mohn, Queen Anne's County  
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1 P R O C E E D I N G S  
 2 - - - - -  
 3 (10:09 a.m.)  
 4 MR. BAHR: Let's go ahead and get started.  
 5 First off, I just want to take care of a few housekeeping  
 6 items. If you need to use the restrooms, you can go out  
 7 through the back door, and the restrooms are down to the  
 8 right.  
 9 The second thing is there are two public  
 10 hearings today. One is for the municipal small Phase II  
 11 permit. That's actually what this morning's hearing is  
 12 about. And then the second one is for state and federal  
 13 small MS4s. We understand that maybe some people came  
 14 this morning thinking that this hearing was for state and  
 15 federal. It is not. It's for the municipal.  
 16 But what we're going to do is once we get  
 17 through all the municipal comments, if you -- first of  
 18 all, if you're here for state and federal, you can show  
 19 up at the hearing this afternoon at 1:30 to give your  
 20 comments. But if you have other plans, we're going to  
 21 open this up for the hearing -- for you to testify as

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1 well, but what we'd like to do is go through all the  
 2 municipal people who want to comment on the municipal  
 3 permit first, and then we'll allow people to come up for  
 4 state and federal.  
 5 So with that, for the record, it's  
 6 approximately 10 after 10:00 on February 6th, 2017.  
 7 Today's public hearing is regarding Maryland Department  
 8 of the Environment's (MDE's) tentative determination to  
 9 issue a National Pollutant Discharge Elimination System  
 10 (NPDES) tentative determination -- NPDES general permit  
 11 for discharges from small municipal separate storm sewer  
 12 systems (MS4s), for the record, General Permit Number 13-  
 13 IM-5500 and General NPDES Number MDR055500.  
 14 My name is Raymond Bahr, I'm the Program Review  
 15 Division Chief in the Sediment, Stormwater, and Dam  
 16 Safety Program within MDE's Water Management  
 17 Administration. With me here today is Ginny Kearney,  
 18 Deputy Director of the Water Management Administration.  
 19 Also here with me today, sitting up here with me, is Deb  
 20 Cappuccitti, who some of you may have already met,  
 21 Christina Lyerly, and Michelle Crawford. They are

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1 engineers and natural resource planners in the Program  
 2 Review Division that lead the administration of the small  
 3 MS4 general permit.  
 4 In accordance with Title 1, Subtitle 6 of the  
 5 Environment Article and Title 26, Subtitle 8, Chapter 4  
 6 of the Code of Maryland Regulations, a tentative  
 7 determination to issue an NPDES small MS4 general permit  
 8 has been advertised in the Maryland Register on December  
 9 23rd, 2016.  
 10 In addition, notices were placed in 13 regional  
 11 and local newspapers throughout the state, beginning on  
 12 December 22nd, 2016 and December 23rd, 2016. A second  
 13 notice was published on December 29th, 2016 and December  
 14 30th, 2016. These notices also included the date of  
 15 today's public hearing. MDE also provided notice of the  
 16 upcoming tentative determination process to an interested  
 17 parties list on December 21st, 2016. It has been  
 18 publicized on MDE's website, along with the fact sheet  
 19 and draft permit.  
 20 Anyone who signed the attendance sheet this  
 21 morning will be added to MDE's interested party list and

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1 will be notified of any decisions or actions related to  
 2 the general permit. If you have not signed the  
 3 attendance sheet and want to be on the interested parties  
 4 list, please be sure to do so before leaving today.  
 5 I will start with some background information  
 6 on MS4 permitting in Maryland, and more specifically  
 7 about the current iteration of the Phase II Municipal  
 8 General Permit. After that, I would like to give any  
 9 elected officials that are in attendance today an  
 10 opportunity to comment. Then we'll work through the  
 11 speakers list in chronological order so that anyone who  
 12 wishes to give testimony today may do so.  
 13 The purpose of today's hearing is to accept  
 14 public comment on MDE's tentative determination to issue  
 15 an NPDES General Permit for Discharges from Small MS4s.  
 16 MDE has drafted a general permit designed to comply with  
 17 the United States Environmental Protection Agency's  
 18 (EPA's) regulations and to control stormwater pollutant  
 19 discharges from small MS4s. This permit is issued for  
 20 five years.  
 21 This hearing is part of MDE's obligations for

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1 meeting public participation requirements under the  
 2 Environment Article of the Annotated Code of Maryland.  
 3 Written comments concerning this general permit will be  
 4 accepted through March 30th, 2017. This comment period  
 5 already incorporates an additional 60-day extension  
 6 period provided in Environment Article Subtitle 1-  
 7 606(d)(2)(ii).  
 8 Maryland has been delegated authority by EPA to  
 9 administer the NPDES program for the State. Final  
 10 stormwater regulations were adopted by EPA in November  
 11 1990 in accordance with Section 402(p) of the Clean Water  
 12 Act. Phase I of these regulations required municipal  
 13 owners of storm sewer systems serving populations of  
 14 greater than 100,000 to apply for a stormwater permit.  
 15 In Maryland, ten jurisdictions and the Maryland  
 16 State Highway Administration were required to apply for  
 17 individual NPDES stormwater permit coverage. Smaller  
 18 cities and towns and State and Federal agencies within  
 19 these Phase I jurisdictions often had significant and  
 20 interconnected storm drain systems but were not affected  
 21 by these Phase I regulations.

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1 In December 1999, EPA promulgated the NPDES  
 2 Phase II regulations, expanding the stormwater permitting  
 3 program to smaller localities, as well as State and  
 4 Federal agencies, located in Census-defined urbanized  
 5 areas or designated by the permitting authority. MDE's  
 6 first Phase II MS4 general permit was issued on April  
 7 14th, 2003.  
 8 The Phase II program is described in 40 Code of  
 9 Federal Regulations Subsection 122.3 through 122.37 and  
 10 require the implementation of six minimum control  
 11 measures. These six measures are public education and  
 12 outreach; public involvement and participation; illicit  
 13 discharge detection and elimination; construction site  
 14 stormwater runoff; and post-construction runoff control;  
 15 and pollution prevention and good housekeeping.  
 16 Successful implementation of these six minimum  
 17 control measures and other permit conditions constitute a  
 18 compliance with the standard of reducing pollutants to  
 19 the maximum extent practicable, protecting water quality  
 20 and satisfying the requirements of the Clean Water Act.  
 21 This proposed permit action today is to issue a

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1 “second-generation” NPDES MS4 general permit for Phase II  
 2 entities. This new permit includes additional conditions  
 3 for consistency with EPA-approved total maximum daily  
 4 loads, or TMDLs, to support Chesapeake Bay restoration  
 5 efforts, as well as addressing local water quality  
 6 concerns.  
 7 Conditions of the permit will require small  
 8 MS4s to commence restoration efforts for 20 percent of  
 9 existing developed lands that have little or no  
 10 stormwater management. Permittees will be required to  
 11 perform watershed assessments, identify water quality  
 12 improvement opportunities, secure appropriate funding,  
 13 and develop and implement an implementation schedule to  
 14 show how the 20 percent impervious area restoration will  
 15 be achieved by 2025.  
 16 This permit will be Maryland’s first MS4 Phase  
 17 II general permit to require impervious area restoration  
 18 to address water quality impacts from urban areas that  
 19 were developed prior to the State’s stormwater management  
 20 program. These restoration efforts will build upon the  
 21 six minimum control measures that were required under the

10

1 previous permit cycle. Together, they ensure a  
 2 comprehensive watershed management strategy for  
 3 controlling stormwater, improving the health of local  
 4 streams and rivers, and meeting the State’s water quality  
 5 standards.  
 6 With that, I would like to ask if there are any  
 7 elected officials present today that would like to make a  
 8 statement for the record.  
 9 (No response.)  
 10 MR. BAHR: Okay. Now what we’re going to do is  
 11 work our way through the speakers list. And I want to  
 12 make sure, has everybody that wishes to speak today --  
 13 have you signed up on the attendance sheet to do so?  
 14 Okay, good. Today’s hearing is scheduled for  
 15 two hours, and we would like to provide everyone an  
 16 opportunity to speak, so please keep your remarks concise  
 17 and focused on the permit at hand. Also, prior to giving  
 18 your testimony, please help Linda here, our stenographer,  
 19 by clearly pronouncing your name and then spelling it out  
 20 completely.  
 21 Okay, first up is Kordell Wilen.

11

1 MR. WILEN: Good morning. I’m Kordell Wilen  
 2 with Cecil County Department of Public Works. I’m the  
 3 Chief of the Development Services Division. And the  
 4 spelling of my name is K O R D E L L, W I L E N.  
 5 So Cecil County is currently covered under the  
 6 Phase II MS4 general permit that was issued in 2003, and  
 7 we are listed as a proposed permittee on Appendix A of  
 8 the proposed general permit. I’m here on behalf of the  
 9 County to let MDE know that we take compliance with the  
 10 permit seriously and that we have concerns about the  
 11 difficulty or the impossibility of complying with the  
 12 final permit -- or a final permit that includes the  
 13 current draft 20 percent restoration requirement.  
 14 Cecil County is proud of our stormwater  
 15 management program. We’ve been working hard to educate  
 16 the employees of various County facilities with the good  
 17 housekeeping MCM. We have developed stormwater pollution  
 18 prevention plans for many of our facilities, and we  
 19 continue an annual training at those facilities. We show  
 20 them methods to reduce the flow of pollutants from the  
 21 storm drains or into the receiving water courses.

12

1 Our strengths are the ability to communicate  
 2 with these departments and other departments in the  
 3 County’s government agencies. We coordinate extensively  
 4 with our public schools. We’ve been able to do outreach  
 5 and education, which has then facilitated getting into  
 6 the public schools and doing implementations, which we’ve  
 7 already started prior to this permit.  
 8 We have invested in technology to complete the  
 9 MCM for the post-construction stormwater, doing our  
 10 inspections using tablets and smartphones, completing the  
 11 inspection reports in the field, and moving them into a  
 12 GIS system without a lot of extra work.  
 13 The County takes a role as an environmental  
 14 steward of our beautiful natural resources seriously. We  
 15 have developed the Watershed Steward Academy for public  
 16 education and outreach. We strive to implement programs  
 17 that educate the citizens in the importance of the local  
 18 streams and waterways. And we attempt to lead by  
 19 example. The staff are citizens in the County, and we  
 20 work in our schools with our children, grandchildren and  
 21 are there during the implementation of most of the

13

1 projects.

2 We are here today because the County is

3 concerned that MDE is proposing a new general permit that

4 would greatly increase what we have accomplished in the

5 six minimum control measures. On top of that, MDE has

6 added the new restoration requirement. We can see how

7 that has been a challenge for the Phase I communities,

8 and we feel that that's going to be a strong financial

9 burden or a large financial burden on our citizens and

10 then on our staff to complete the analysis and prepare

11 the project list that needs to be completed.

12 We have already started the process of

13 analyzing the general permit. We've been doing this with

14 the -- aware of the -- we've been involved with the

15 general Phase I communities, discussing their task and

16 what they have done to accomplish the goals. But this

17 would also mean an increase in our budgets, our staffing,

18 and our overall workload. We're not meeting 20 percent

19 at our current -- with our current staffing and our

20 efforts with even the funding that has been received.

21 We will provide more details on the impacts

14

1 with the written comments by March 30th, but our initial

2 review has shown that there will be a significant -- in

3 the millions of dollars per year -- above our current

4 level of funding. Even if we do receive the millions of

5 dollars, we feel that we cannot meet the time line with

6 the amount of planning, design, and construction required

7 to meet the 2025 deadline.

8 Before I conclude, Cecil County asks MDE to put

9 a trading program in place before it issues this final

10 general permit. If the MDE permittees effectively have

11 seven years to comply with the 20 percent restoration

12 requirement, we simply cannot lose time waiting for a

13 trading program to get off the ground.

14 In conclusion, Cecil County appreciates the

15 opportunity to speak today about the proposed general

16 permit. When you receive our written comments, please

17 review them carefully and make changes needed to put the

18 County and other small MS4 permittees in a position to

19 succeed.

20 And just as an example of what we see as

21 maximum extent practicable, we received a small grant

15

1 from Chesapeake Bay Trust, about \$5,000, for one of the

2 school projects at a local school. It was a good -- a

3 good grant. We were thankful to receive it, but MEP was

4 on a couple Saturdays, sixth-graders out there digging

5 rocks to get a rain garden in the ground, and they were

6 at their MEP at the end of the day. And when MDE sees

7 it, it will say, Rising Sun Middle School rain garden,

8 0.1 acres treated. \$5,000, \$50,000 an acre, lots of

9 sweat. MEP, we know what that is.

10 Thank you.

11 MR. BAHR: Thanks, Kordell.

12 Next up is Todd Mohn.

13 MR. MOHN: Good morning. I'm Todd Mohn,

14 Director of Public Works for Queen Anne's County,

15 speaking on behalf of Queen Anne's County. It is Todd, T

16 O D D; Mohn, M O H N. And thank you for the opportunity

17 to speak here today.

18 On December 22, 2016, Queen Anne's County was

19 informed via an email that our County was proposed to be

20 included under the referenced NPDES Phase II General

21 Permit, otherwise known as MS4s.

16

1 We remain surprised concerning our tentative

2 eligibility to this second generation permit for Phase II

3 entities. Our inclusion was seemingly based on a small

4 urbanized area in the Chester-Grasonville region of Kent

5 Island, with a population hovering just above 10,000

6 citizens.

7 Queen Anne's County is a member of the Clean

8 Chesapeake Coalition, which is an association of Maryland

9 county governments whose elected officials have coalesced

10 to raise awareness and pursue improvements to the water

11 quality of the Chesapeake Bay. We strive to achieve our

12 goals in the most cost-effective and fiscally responsible

13 manner through research, coordination, and advocacy.

14 Consistent with our mission, we are focusing our

15 attention and resources on the most cost-effective

16 projects, programs, and activities that are proven to

17 yield both measurable and lasting improvements to water

18 quality.

19 We understand that EPA has tentatively

20 determined that Queen Anne's County meets the designation

21 under Federal regulations requiring coverage under this

17

1 MS4 permit. We acknowledge the draft permit, which is  
2 currently under thorough review by my staff and our  
3 consultants. In the meantime, I want to offer just a few  
4 comments and some preliminary remarks, while reserving  
5 our right to further comment in greater detail throughout  
6 the permit process.

7 First off, I want to mention just this past  
8 year, in December of 2016, Queen Anne’s County broke  
9 ground on a multi-phased public sewer extension project  
10 that will ultimately remove and retire 1,526 failed  
11 septic systems on Kent Island, many of which are in the  
12 critical area. About 80 percent of these systems have  
13 been discharging effluent directly into the waters of the  
14 State for many decades.

15 When completed, our new public sewer system  
16 will remove over 17,000 pounds of nitrogen from the  
17 environment. This 10-year, \$50 million project has been  
18 modeled as a premier example statewide by MDE for other  
19 jurisdictions to follow. It is an obvious testament of  
20 our commitment towards effective use of resources,  
21 partnerships that result with permanent improvements to

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1 water quality in our Chesapeake Bay.

2 Secondly, the Bay TMDL is being recalibrated as  
3 part of the 2017 midpoint reassessment. It may be  
4 prudent to postpone this Phase II MS4 initiative until  
5 the 2017 reevaluation data is available, especially given  
6 the indisputable flaws of the 2010 Bay model TMDL  
7 underpinnings.

8 Finally, I wanted just to say I appreciate the  
9 opportunity to comment today at this early stage. We  
10 look forward to working with MDE in cooperation to  
11 negotiate a permit for Queen Anne’s County, if necessary,  
12 that is reasonable in terms of taxpayer cost, economic  
13 impacts, and pollution-control reduction effectiveness.

14 Respectfully, Todd Mohn, Public Works Director.

15 MR. BAHR: Thanks, Todd.

16 MR. MOHN: Thank you.

17 MR. BAHR: And for the record, we have received  
18 testimony from Todd Mohn and the County Commissioners of  
19 Queen Anne’s County that we’ll enter into the record.

20 Next up is Lisa Ochsenhirt. And please excuse  
21 me if I butchered your last name there. Please -- you

19

1 can help us out.

2 MS. OCHSENHIRT: It’s a very difficult last  
3 name. Most people don’t even try it.

4 MR. BAHR: Okay.

5 MS. OCHSENHIRT: It’s Ochsenhirt.

6 MR. BAHR: Ochsenhirt.

7 MS. OCHSENHIRT: And I know I need to spell  
8 that one for the record. Good morning. My name is Lisa  
9 Ochsenhirt, L I S A, O C H S E N H I R T. And I’m here  
10 on behalf of the Maryland Municipal Stormwater  
11 Association, or MAMSA. MAMSA is an association of 19  
12 local government and stormwater consulting firms that  
13 work for clean water and safe infrastructure in Maryland  
14 based on sound science and good public policy.

15 Many of MAMSA’s members are currently covered  
16 by the Phase II MS4 general permit, or identified in the  
17 draft general permit as needing coverage for the first  
18 time, or are Phase I MS4s that work with smaller cities  
19 and towns on stormwater issues. MAMSA, therefore, has a  
20 strong interest in making sure the GP is achievable and  
21 consistent with the maximum extent practicable, or MEP,

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1 compliance standard for MS4s.

2 Several MAMSA members were very surprised to  
3 see their names on Table A1 in Appendix A. We’ve heard  
4 that some communities only very recently learned that MDE  
5 would be adding them to the list of potential permittees.  
6 For a permit that’s presumably been under development for  
7 years, this was surprising.

8 On a related note, MAMSA believes the draft GP  
9 is internally inconsistent and unclear about what MDE  
10 intends to regulate with this permit. MAMSA’s answer is  
11 that what is regulated is the MS4 system in the urbanized  
12 area. As EPA explained in its 1999 Phase II rulemaking,  
13 “Today’s rule does not regulate the county, city, or  
14 town. Today’s rule regulates the MS4.”

15 This is a critical point because MDE has  
16 included a proposed 20 percent restoration requirement  
17 similar to the Phase I MS4 permit term. If MDE’s  
18 intention is to regulate the entire county, city, or town  
19 and not the MS4 located in the urbanized area, this will  
20 drive up the cost of complying with this permit  
21 exponentially.

21

1 It is not clear to MAMSA from our initial  
 2 review of the draft general permit or the fact sheet  
 3 whether MDE has considered the cost that this will impose  
 4 on the small permittees. We see no evidence from the  
 5 information we've received so far that MDE has analyzed  
 6 whether the draft GP is practicable for the permittees  
 7 listed on Appendix A.

8 Rather, MDE seems to have proposed a greatly  
 9 expanded permit, which includes not only the new 20  
 10 percent restoration requirement but also significant  
 11 changes to the six minimum control measures without  
 12 considering whether the covered regulated MS4 owners are  
 13 prepared for this magnitude of required new spending.

14 Speaking of spending, MAMSA understands the  
 15 important role trading can play as permittees work to  
 16 comply with the new GP, and we appreciate greatly the  
 17 administration's efforts to make a final program  
 18 available to help. MDE and EPA have acknowledged the  
 19 advantages of trading, and the Chesapeake Bay Commission  
 20 in 2012 concluded in a study that they did that we could  
 21 reduce MS4 compliance costs by 82 percent if we allowed

22

1 these permittees to participate in a trading program.

2 MAMSA believes it is absolutely essential to  
 3 have trading on day one of this permit, given the major  
 4 cost advantages associated with a vibrant trading  
 5 program. It would not be good public policy to mandate  
 6 restoration without making all cost-effective options for  
 7 compliance available on the same schedule.

8 To wrap up, although MAMSA is still evaluating  
 9 the permit, some members already have concerns that the  
 10 requirements of the draft general permit exceed what is  
 11 practicable. To get further input from our members and  
 12 other communities impacted by the draft GP, MAMSA will be  
 13 having a workshop with MACo and MML next Monday in the  
 14 afternoon.

15 After that workshop, MAMSA will submit more  
 16 detailed written comments by the close of the public  
 17 comment period, which ends on March 30th. MAMSA asks  
 18 that when MDE receives the group's comments that you  
 19 carefully consider the concerns raised and make  
 20 appropriate changes before issuing the permit in final.

21 Thank you for letting me speak.

23

1 MS. BAHR: Great. Thank you, Lisa.

2 Next up is Elaine Lutz.

3 MS. LUTZ: Good morning. Elaine Lutz from the  
 4 Chesapeake Bay Foundation. The spelling is E L A I N E,  
 5 L U T Z. Thank you for the opportunity to comment today.

6 CBF was surprised and disappointed to see the  
 7 flawed 20 percent restoration surrogate used in this  
 8 permit. I think that most people following the Phase I  
 9 MS4 permits understand that the 20 percent model as a  
 10 surrogate for actual pollution-reduction measures has  
 11 been inefficient and has resulted in very high-cost plans  
 12 that have very little demonstrated pollution reductions.

13 We've seen this in many of the Phase I permit  
 14 implementation plans where projects can cost tens of  
 15 millions of dollars and provide almost little to no  
 16 nitrogen reductions. CBF, for that reason, would like to  
 17 see this permit include more objective numerical  
 18 pollution-reduction limits that reflect the permittees'  
 19 obligations under the Chesapeake Bay TMDL and local TMDLs  
 20 found in the permittees' jurisdictions.

21 We were also surprised and concerned to see

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1 that the 20 percent restoration requirement didn't  
 2 actually take place in the lifetime of this permit. When  
 3 you look at the permit language requirements, it says  
 4 that by the end of the permit term a county or a  
 5 permittee shall have a list of projects rather than  
 6 having taken any steps towards implementing those  
 7 projects and, therefore, reducing any pollution.

8 The other six programs might have been altered  
 9 slightly, but generally follow the State legal  
 10 requirements that are already imposed on these permittees  
 11 through the State stormwater management law, State soil  
 12 and erosion control laws. Therefore, we don't feel like  
 13 these provisions are actually driving any additional  
 14 reductions, other than what is already required by State  
 15 law.

16 CBF is invested in making these permits and the  
 17 permittees succeed in reaching their pollution-reduction  
 18 goals, and look forward to working with MDE and  
 19 interested stakeholders in ensuring that the efforts and  
 20 the costs sunk into these permits are actually making  
 21 demonstrable pollution reductions in connection with our

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1 TMDL goals. So we will provide more thorough written  
2 comments, and thank you for your time.

3 MR. BAHR: Great. Thank you, Elaine.

4 Is there anybody else that would like to speak  
5 this morning?

6 (No response.)

7 MR. BAHR: Okay. What I'd like to do is just  
8 kind of go over what's next. Our stenographer, Linda,  
9 has said that she can probably get a transcript to us  
10 within about two weeks. We'll go ahead and post that up  
11 online and send it to everybody via email when we get it.

12 Also, as has been mentioned several times, the  
13 record will be open to accept testimony until March 30th,  
14 2017. The process after March 30th, we're going to  
15 aggregate all the comments from everybody, and MDE will  
16 do a response to those comments. And then that -- with  
17 that response to comments, MDE will issue a final  
18 determination.

19 From going through this several times with the  
20 Phase I large jurisdictions, that process usually takes a  
21 couple of months. But we definitely are going to be

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1 CERTIFICATE OF COURT REPORTER

2  
3 I, Linda Metcalf, do hereby certify that the  
4 foregoing transcription was reduced to typewriting via  
5 audiotapes recorded by me; that I am neither counsel for,  
6 nor related to, nor employed by any of the parties to the  
7 case in which these proceedings were transcribed; that I  
8 am not a relative or employee of any attorney or counsel  
9 employed by the parties hereto, nor financially or  
10 otherwise interested in the outcome of the action.  
11

12  
13  
14 LINDA METCALF, CER  
15 Court Reporter  
16  
17  
18  
19  
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1 issuing this permit in 2017. That is our hope. After  
2 which, designated municipalities will have 180 days to  
3 apply for coverage.

4 Also, I just want to let everybody know that  
5 this public hearing, the transcripts will be posted  
6 online. I think I've already said that.

7 There was a little bit, at the beginning of  
8 this, confusion over municipal general permit and the  
9 State and Federal general permit. We have asked that  
10 those of you who are here for the State and Federal if  
11 you can stay for this afternoon. That would be great,  
12 but if you can't and you want to speak now, now is your  
13 time. Does anybody from a State or Federal agency or  
14 want to comment on a State or Federal general permit?

15 (No response.)

16 MR. BAHR: Okay. And with that, this hearing  
17 is closed at approximately 10:45. Thank you.

18 (Whereupon, the hearing was concluded at 10:45  
19 a.m.)  
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