

SWAB Meeting                      July 30, 2012                      3:00 pm                      W.A.T.E.R. Center

<b>Attendees:</b>	Gary Oborny	Jeff Bradley
	Joseph Pajor	Larry Henry
	Scott Lindebak	Tim Davidson
	Jim Hardesty	Dale Goter
	Mark Hall	Chris Bohm
	Jim Weber	Hoyt Hillman

**Absent:** Mitch Mitchell, David Leyh, & Richard Basore

**CB:** Its 3:05, or thereabouts. Let's call the meeting to order.

**HH:** Do we have a quorum?

**CB:** We do have a quorum. It's July 27, 2012 Storm Water Management Committee and we're meeting at the W.A.T.E.R. Center. Welcome everyone and thank you for making the time to come down today. I would direct your attention to the agenda. If you don't have a copy of the agenda there is one up front. We've done the call to order. We have a couple of sets of meeting minutes to review. One of which is the May 18<sup>th</sup> meeting. Hoyt has a copy of those. I was not in attendance at that meeting. Would anybody else like an opportunity to comment on the meeting minutes?

**HH:** I just reviewed them. They look complete to me.

**CB:** This is for the June 15 SWAB meeting. I would entertain a motion to approve the minutes as they are.

**GO:**

**CB:** Gary makes the motion.

**JP:** Second.

**CB:** Joe Pajor seconds. All in favor: Aye.

**AYE**

**CB:** Opposed, same sign. Very good. Does anyone have a copy of the May 18<sup>th</sup> meeting minutes? Let's defer the approval of the May 18<sup>th</sup>, meeting minutes for the next meeting.

**HH:** I actually do have a copy, if you want to circulate it. I do remember reviewing it and it was complete as far as I could tell. Here's the copy. It's rather extensive. I see no significant holes in it.

**CB:** I'll pass it on down and around.

**HH:** In fact, we did kind of look at it at the last meeting.

**CB:** I'll bet you didn't have a quorum, so...

**HH:** We didn't have a quorum, so we couldn't vote on it, but that was a copy of it.

**CB:** Let's take a moment and Gary is getting set up anyhow... There's a second copy if anybody wants to look at those meeting minutes. At any time I would entertain a motion for the approval of those minutes.

I would move for the approval of the minutes even though I wasn't there.

I second even though I wasn't there, either.

**CB:** Any discussion? All in favor say aye.  
AYE

**CB:** Opposed same sign. Okay, we have approved the meeting minutes for May 18<sup>th</sup>. The next things on the agenda are subcommittee reports. The operations & maintenance committee: Larry, Jim, and Richard, any input?

**LH:** No, we haven't met.

**CB:** The liaison committee: Gary, Jeff, or Hoyt?

**HH:** The only thing, um, this wasn't a committee thing, but we are studying ways to treat, filter a single point source to the river with a project we are working on for the City of Wichita. We are working with Scott's crew and Top Concrete pipe as well for an installation of a maintainable filter of some type.

**CB:** Alright, have you reached out in the course of that to any other communities that have attempted something similar?

**HH:** We have, well, not officially, but just the research that we've done - most of these are pretty- ugly. We're looking for something a little more aesthetic.

**CB:** The next committee is the downstream channel protection and that's Chris, Scott, Jeff, Hoyt and Mitch. We've not met or done anything since we amended the stormwater ordinance for the 5-acre rule. So, we do need to get around to the issue of the sensitive stream channel delineation. Scott, have you had the chance to look at any of that yet. I know you've been snowed.

**SL:** No, I haven't had an opportunity to make a map, yet. It's still on our to-do list, but I might have something to add a little bit of detail. We have been working with Joe Hickle, with Mary Halley with AMEC. There are four items that we've come up with that either need better clarification or maybe some examples to be included in the stormwater manual. Out of that we're going to work with Mary at updating these four areas, bringing those back to the SWAB for their adoption that we could further take to Alan for his final approval. One of those items is that we formally revise the pages and the text within the channel protection volume section.

**CB:** Okay, great that kind of covers it. We can hit this again, Scott, a little later in the agenda. But there is a chance for you to comment a little bit further on that.

**SL:** Okay.

**CB:** That's fine and with that I don't have any other activity report. So, the next item on our agenda is Gary Oborny and Gary has had this presentation put together for a couple of months. A piece that is in parallel with what Phil Barnes had presented to the group a couple of months ago-some ideas about the possibility of utilizing outside of jurisdictional areas for the reduction of siltation. Looking at different regional type approaches to solve the issue of stormwater pollution.

**GO:** Probably not so much focused on that. Ultimately there are some suggestions of items that we could look at as alternatives for this. Really what this is, is an impact study based on about eight years of data from the City in regard to residential and commercial drought in Wichita in those two categories. So, just to give you a little history, uh, the particular group that put this together was involved in a number of appraisal companies, a group of accounting individuals, and some civil engineering individuals. So kind of what we did was take the technical side and apply that and take a 360 view of how this would affect economics in Wichita and what that impact is. These are some of the calculations that we came up with...This is really a study, so it should be looked at from that standpoint. It does not take into account certain items in regard to other mitigation techniques that you might use. It just, basically, treats our eight-year data the same. If we hadn't put detention ponding on this what would be the result of the economic impact. The direct result that we were looking for was to take a look at and say "how does this cut down on density?" How does it raise? What loss of value do we have in asset value to the City of Wichita in terms of real estate? What are some of the monthly maintenance costs we might be looking at long-term? The ultimate result is what the potential yearly loss from property taxes is because we're taking land that could be developed at the highest price point and we're

putting that into water quality. Are there alternatives to the economic impact that we might be looking at by heading down our current course? So, if you look at the top right here this is the residential section of it. If you look at the eight-year average, we have a little over 1000 to 1100 acres per year that get platted in the City. You can see on the numbers of lots about 1100 of those lots, again you average this out. We realize that in the last two or three years we've had some economic issues that have caused that, but when you look at the average this is what it's based on. The average number of lots per acre on developments; the average number of developments is about ten; the average density of those are about 1.77 and the average development per acreage is about 63 over those ten developments. The typical dollar amount of spec...we were very conservative here on the numbers. If you look at the range of residential it's running from \$8000 to about \$15,000 an acre on the development/purchase side. So, we used the \$8000 number so that we could be as conservative as possible. The yearly land value over all spec land is about \$5million/year in a residential site. So, now you start to look at the impact of new regulations, more detention pond required. You're looking at about a 3% or 5% on the high. You're looking at about 151000-680 to about 252 less the additional development costs of about 2-5 cents per square foot. So, you're looking at about a half million to 1.3 in regard to per square foot less cost. The less future maintenance costs yearly – these are based on numbers from other cities and other developers that came in and said, "Hey, this is what we're currently experiencing on like properties." So, you're looking at about a \$15 - \$30,000 cost on an average basis. This takes into account not where we at in our current criteria, but where other cities are and where we're probably going to end up at.

**CB:** Is that per development or per acre?

**GO:** Excuse me.

**CB:** The \$15 – \$30,000 is that per development or per acre.

**GO:** That is based on the calculation of per acre. Then the time less value money we didn't figure that. That's not part of this calculation. You'd have to get a lot more detail in order to get that figured into what we're doing. So, you're looking at a yearly impact to residential developers of about \$1.7 to \$2.5 million on the impact side. Then coming down to the next category here we have possible impact to land values of spec land. The yearly land value for all spec land again, is this number here. We're coming down to \$556 million. Then you have the less impact of new regulations which is applied to that number and then the yearly land value of the new residential land applied and basically what you do is come down to the 630 on this amount up here. Typical residential land the reduction value is about 6,139 to 3,922. So, you're talking about a loss of value on raw land of about 23.3 to the highest 51%. Remember, we're not talking about acreage here; we're talking about dollar amounts. So, that's why that looks somewhat high, it's in terms of dollars. Now you get to the loss of tax base. So, now you're talking about what happens if you develop this out and you start to equate a higher end value because now you're talking about assets and how it's been developed and the multiple on that is increasing. So, you've got to add average building permits of about 1268, lots of detention ponds, so you've got 3% - 5%. So, a loss of about 38 to 63 lots in density level. What we didn't calculate here is what does that do as far as promoting urban sprawl, the increase in infrastructure, streets, and things of that nature. So, that part hasn't been calculated. Average new home price in Wichita runs about 239 and you take the high and the low side and average those out. You come to a total loss in new home construction of about \$9 - \$50 million dollars. Then you apply the average mil levy that we have right now. The potential yearly loss in tax revenue on the residential side is \$125,000 to about \$200,000 a year. That's actually dollar for dollar in property tax revenue. We think that this number is probably realistically and we're starting to recalculate the numbers because this was done early on. We think that numbers going to be probably that end all tax revenue number is probably going to be two to three times this number on the residential side. You also have to remember this is compounding, so we can never make that up again. So, every year it adds on to it. Obviously, this is an average year and of course, you can do the math on ten years later what the potential loss of income would be. Any questions?

**JB:** Yeah, that 8,000/acre is that across the board?

**GO:** That is across the board average. What we used is criteria from WAR and a number at the appraiser's office and of course, CCIM. So, we took the data from all those different groups to come up with the numbers of what the average number was at this point. Then we took, again, 8,000 to 15,000 is a range. We took the 8,000 number at the bottom. Anyone else?

**LH:** Okay, assuming we can figure all this out and we're switching from acres to dollars or whatever and we actually come up with a savings, which I think we can. So, I like what you've done, but if you go back and compare it, where did you plug in the expense upstream to counter what you're not going to do here?

**GO:** And that was not part of the study. This was strictly to say what is the impact of our residential...what we currently would be doing with the current ordinance with residential and commercial land. So, we're not saying that this is a magic bullet or we found a magic bullet. All we did was say let's look at what that economic impact would be. So, now you'd have to look and start to apply those other items. If there's alternatively that are a better idea and you can, obviously, save money then great. If you can't, then maybe this is the right path. The only thing that we know is when you start to look at starting to compare water quality on land by the foot it seems to be a fairly large margin of if you were to do water quality by the acre. The cost difference is so large that, again, these are assumptions, but you would assume that the margin is so large that the other way would be the best way to go. Again, that all has to be discussed. It has to be worked out. It has to be played out, so we're not assuming that the other way is the way to go. It just seems that we should look at it.

**LH:** One other thing, that average home per lot, 239/142, that's a lake size lot. I mean you're looking at that pond. There's some value to that pond in regard to flooding – flood control as well.

**GO:** This is an average number. This takes the high end.

**LH:** Right.

**GO:** For instance, I could take the other stance of that and I could say, well you know there's a \$3.5 million home that Steve Clark built that's looking on the 96 expressway right now and it has no lake. Okay, so what we've done is we've taken the lowest price homes that were sold and the highest priced homes over the 8-year average and we used that number. That's probably the best way to do it at this point.

**SL:** Is residential and commercial development really two separate animals when it comes to water quality?

**GO:** Technically?

**SL:** Yes.

**GO:** It probably is, but I think initially the residential developers thought that it wasn't going to be near the impact. And now that some of them have been working on the designs the feedback we're getting is that the residential side has more impact than what they thought. So, they're starting to kind of revisit the whole situation themselves and look at that. I haven't spent enough time looking at that technical side, only talking with them and getting feedback.

**SL:** Okay.

**GO:** So, again, this is based on pure economic numbers.

**SL:** From what I've seen recent developments take more with residential. They've already evaluated the existing detention ponds that are in place and because of the dead storage pool that's available there; it already achieves the water quality requirements without any additional work for that pond. Now, there certainly could be some other criteria if that needs to have some downstream channel protection, but it's already designed with that retention, so there wasn't a lot of extra costs for that development, which was platted several years before the requirement was put in place. They didn't have to re-plate or do anything to modify the existing reserve that was already set aside by the developer.

**GO:** Again, these are numbers based on an assumption and now that we're starting to have more data we can take a look at that, but again on the other side of that we're getting feedback that long-term maintenance issues, things that aren't complying with the water quality. Those things haven't been factored in here either because this was so early on. So, I think we'll have to go back and start to say what are those actual costs? I was talking to someone yesterday who had a fairly, minimal site and now they're looking at \$40,000 to go ahead and comply. That's an old pre-platted site that they didn't think they were going to be doing water

quality on it in any way. Now, they're coming back and saying okay, I'm looking at 40,000 grand. I think the best thing to do is come back and start to evaluate all those sites and we've had 50 to 55 water quality sites at this point, take a look at those and start to take those actual cost calculations. So, we're asking people to come back to us and tell us what were the engineering costs? What was the compliance cost? What was the lost asset value? Did you lose density? So, there are a lot of items that have to be answered.

**SL:** I have a meeting with an HOA and a council member next month, their annual meeting- a subdivision which has been around for 25 years in northeast Wichita. About ten years ago they had siltation problems and they came to the city wanting us to dredge it for them. We gave them a price, you can get other bids, but it was going to be a couple \$100,000 to really, clean it up the way they wanted to. It was before the stormwater quality requirements were in place, but some of the discussion that we're having really starts to bring up the issue of maintenance before developments begin to occur, because we're now seeing this issue with maintenance with existing subdivision. It has to deal with water quality because of sediment and erosion, but the neighborhoods, these residential developments where the developers no longer involved, the citizens are now seeking City help to solve their amenity issue, because they wanted to have a lake with water in it without a lot of standing algae and piles of sediment exposed now that the water has receded. It's constant maintenance.

**GO:** Well, even with the water quality detention ponds we're going to have sediment that's going to gather anyway. So, that's always going to be an ongoing...you've got a lot of lakes around Kansas that are basically having the same issue, too. That's going to have to be addressed as well.

**JP:** Could you go back for just a second, Gary? I'm trying to understand the percent of loss to raw land acre price, 23%.

**GO:** If you take the 8,000...

**JP:** Okay.

**GO:** Then you take the cost of complying. Then in dollar amounts how do you compute that loss? So, the value of \$8,000 now has come down to the \$6,139. So, basically, what you're doing is if you actually want to add to your costs you add the difference of the \$6,139 to the \$8,000 and that difference is a tangible number. So, the reverse of that is: I paid \$8,000, but because I'm complying I have density loss; I have a number of cost factors, it's reducing my in place value of the raw land down to \$6,139 because I have to comply to these items. It's a cost to your purchase. For instance, I'll give you an example: let's say that you go into a building and you say I'm going to pay X for this building, but to get the building up to a development standard that I can start to develop, I'm going to have to put \$300,000 into it. If you've got \$2 million they're going to subtract that from that number. You're going to say, look if I had to sell this thing today and resell it in the market and I have to comply with some new rules or items that have come up since I've purchased the property or I've had the property, what is that reduction in value? So, what's the new in place value that you would have. Because you have an implied ordinance that's going to make you comply with these items, that \$8,000 value is a loss at the raw level. As a developer you always want to look at that. What is my effective asset value that I have? Does that make sense?

**JP:** Well, in the transaction you were just describing, would you go to the farmer and tell the farmer I'd pay you eight, except they just got a stormwater reg, so I want to offer you \$6,139?

**GO:** You would try to apply that, but the market doesn't always allow that. It's not just a matter of economics. Its how bad does that person want to sell and how bad do you want to buy. Those factors also comply. We're just saying when you have a raw value number and you have to apply the economics of the water quality, you need to apply a reduction in that effective value.

**JP:** Okay, to say it another way, if I'm following that: You paid the farmer \$8,000, but as you drive it off the lot it becomes worth \$6,139 because it's covered by these regulations.

**GO:** That's true.

**JP:** Its loss to you as compliance cost.

**GO:** Because you're going to have to comply to that, so it's not so much what the farmer was doing with it.

**JP:** Right.

**GO:** What do you want to do with it?

**JP:** Right.

**JW:** I'm having a little problem, Gary, because to get down to a loss of tax base-are you saying that...for some reason that 38 to 63 people leave the market and don't build a house? Don't they just build it somewhere else? The only way we lose tax base is if those things never happen. I think what you've got is a case for higher development cost, but I don't think you a case for losing the tax base. And you haven't tried to make a case that the house is more expensive than it was, not in this exercise anyway.

**GO:** Right.

**JW:** So, I think that...

**GO:** This is a matter of efficiency. What could you have and what will you have?

**JW:** No, but the government will still have it unless you're telling me you can't sell that many houses.

**GO:** I disagree with that. We're trying to compute what are those density factors, because one for that developer – if he can put 40 lots on a project versus 30 then there is a tangible asset gain there that you're creating.

**JW:** But here's the problem: I think the disconnect is that the argument you're making has to do with a developers business side and doesn't really have anything to do with the value to the government or what it is you do in the end. I'm just suggesting that you want to be careful with that last six or eight lines because unless you can make an argument that the cost of doing business is chasing off this many homes and they never will come back. You might make that argument, but I don't think you can go through this and say here's a loss of tax base or annual revenue and then it compounds.

**CB:** Jim, I think what he's saying is that physically on a site you could get 50 homes on four.

**JW:** I agree. He has to use more land. He has a higher cost for development. He has a lower profit margin. Okay, but he still sells the house for \$239,000 that goes on the tax rolls and we get 1000 properties every year that goes on the tax rolls. That's all I'm saying.

**CB:** You're saying the margin?

**GO:** Okay, but then I can turn around and say well, if you're going to calculate the impact of water quality on profit margins, the question would be if the costs is more in the market are you going to build more homes or less homes? I would think you're going to end up promoting less homes. So, do you get into a big calculation of okay, now you've got to come back the other way and say, look we've now raised the price of homes in this area. Are people going to be building a less valued home? This is more of a straight-line look at it.

**JW:** I think you have a good argument through 18 to say that you are now building less affordable homes. I don't think you have an argument to go on and say there's a loss in the tax base.

**GO:** Yeah, this is a fairly, minimal number. When we look at commercial it's going to become much more evident. Our general thought is that there's going to be an impact to the tax base. We're going to have to come up with some data and calculations. We're going to dive in a little bit deeper and apply a lot more offense.

**JW:** You'd have to show that the value of the properties was dropping because of that. You know what I'm saying?

**GO:** I agree with you from the standpoint that you'd have to calculate what that loss is. There's going to be some type of loss to that value.

**JW:** There's a loss of economic activity.

**GO:** That's true.

**JW:** And it's a less affordable home, because clearly we have to use more land to get the same price. But when you sell a house that's when it goes on the tax. It goes on that value. Unless, I don't think you'll be able to make an argument that people are leaving unless they leave Wichita and go to Derby. Then Derby picks up the tax base because they don't have these regulations. You can make that argument that it's shuffling around inside of the local region. I just am real careful about that part.

**GO:** Yeah, and again we're not drawing any real conclusion other than to put it out and start to discuss options: what is the impact here? So, it certainly needs to be ferreted all the way out. Again, here's commercial 379 acres on the average converted into square feet. Now what we're talking about is going from acreage to square footage. The margin becomes a lot larger here when you start to talk about commercial. The average platted lot is about 168, average lot size 98,000; average number of developments about 15; development size about 25. We used a \$2.00 value number, which is a fairly, conservative number. So, you're looking at yearly land values and around the \$33 million mark. You start to add detention requirements onto that, uh, 6 to 10% and you're looking at about \$2 million to \$2.3million. Let's add in development costs. I'm assuming that if we do the numbers we think this is fairly light, but you're talking about 825,000 1.3 and then the less future maintenance costs of 5 to 10 between 94 & 189,000. In the time of value we didn't figure that yearly impact of commercial developers is about \$3 million to about \$4.8 million. That's the presumed impact at this point. Possible impact of land values for spec land value: you've got yearly raw at about 33 million in value plus the impact of the regulation. Your land value after stormwater, there is an effective cost value that is reduced and then yearly acreage platted again the 379 and then reduced value commercial roll in 1.82 to 1.71. Then the reduction in the lost ramp per square foot is 8.8 to 14.6. Where the numbers really jump is now you're starting to look at a home is a little bit different scenario. A home is based on an asset value, commercial property. A certain percentage of it is income-producing property. So, we broke out the average income producing properties and applied the economics for that. What happens here is that you're dealing with an income base based on income production property and so that tax base goes up dramatically because of those numbers. That's something that you cannot replace, because you put that land into water quality. It's not into income production, so property tax is being based on that income performance is effective. You get down to a number based on that and you're looking at about \$673 to \$1.1 million per year based on those numbers.

Gary, Line 21, that's your developed cost of the land after you've put your store up, everything that's in place.

**GO:** Yeah, that's based on a low resale rate.

Okay.

**GO:** So, you put your water quality on there, your infrastructure and entitlements on there. Now you're ready to present that to the market. That's the price of value based on that development site.

Okay, that's not the fully developed price. That's ready built.

**GO:** That's ready to build value and of course, we probably all recognize that that's a fairly, conservative number. At the high-end side we're probably at 14 or 15 a foot, depending on what it is. At the low end \$6 -\$8 per foot for preferred land on a development.

**CB:** Gary, does this take into consideration say you're had a commercial development. We go back to Super Target, you know the one up Northeast and the pond's coming through there. I mean, those are probably reserves. There's probably no tax or the tax on the reserves is very, very low.

**GO:** In some cases they are zero.

**CB:** Okay, so it doesn't factor into this equation?

**GO:** No, it doesn't take into account that, but what happens is, of course, when you take...that's really, in my book not applicable. The reason why it's not applicable is really what we're looking at is land that you could have built on. And if you add the water quality component that you have to add and you're taking that out into additional detention ponding, you could have put buildings on that. What would that look like vs. water quality? So, what we did was took calculations we already used prior to the water quality side to be applicable as part of the reduced area. This strictly takes into account area strictly you could build on.

**CB:** Okay, I think that makes sense.

**JP:** I'm trying to compare this against other regulatory types of costs and I think you're providing this analysis couched in raw land and square footage because you're losing square footage of raw land to water quality. I'm thinking in my mind if this discussion was about fire suppression for residential, sprinkle homes, there would obviously be an additional cost to developing each home. But would we ever say that would cause property tax revenues to go down? I mean property tax revenues go up in that case, because the house costs more because it's worth more because it has more cost in it. Maybe that's what makes this different is this is like an external loss.

**GO:** Well, I would say that I agree with you there, not so much in the value but in the efficiency of usage. So, let's say you put in a fire suppression system in a 2200 sq ft house.

**JP:** Right.

**GO:** But you haven't taken away your effective, usable area of that house. You're still looking at a house with 2200 sq ft. In regard to this, because you have to comply with the water quality you're actually taking land away that you could build a asset on or generate income revenue from that's gone. That's out of your equation.

**JP:** Okay, but if I was the fire marshal making the case for sprinkling a residential property would you be telling me using this type of logic? Would you be telling me that the average homebuilder is now going to build a 2000 sq ft house instead of a 2200 sq ft house to be able to hit the same price point in the market?

**GO:** He may have to.

**JP:** And therefore there's the same...but even in that case there's the same tax value, because it's the same assessed value. You're just taking away home from the homebuyer by the fire marshal.

**GO:** You could set there and you could say when you look at market it's really perceived value of what someone wants to say not always what the cost is. So, the reverse of that is to argue well, you know what, I have now extra maintenance costs of doing my sprinkler system and I have to come in and redo and recertify the back flow. IS that a cost that I'm going to equate to owning the home and subtract that from the value? Is that some impact? It probably is. So, I think the difference here is we're actually talking about taking land that could have a revenue production stream and we're utilizing it for something other than the highest investment use.

**JP:** Right, to meet a public good, a federally mandate public good, but to meet a public good just like fire protection.

**GO:** In this case we all want clean water. The question is not, I don't think there is anybody here and I've said it in multiple developer meetings through the last three years and I've never heard one person say, "I don't want clean water."

**JP:** Right.

**GO:** and "I don't want clean water for my kids." What we've started to talk about is, is there a better way and more cost efficient way to do this?

**JP:** Okay. I see that. We're going to compare other strategies to this basic.

**GO:** Yeah.

**JP:** This is where we are today. Do we have a better, smarter way?

**GO:** Yeah, is there a better way to do this? Is it better to do water quality in a flood plain area or land that has very low values or are we going to do it by acreage? Or are we going to look to do it on projects that we're going to be filling with dollars per foot. That's to pose a conversation.

**JP:** That's why we exist.

**CB:** Gary, okay. Let's go back to your residential. Commercial kind of stands on its own, I think. If someone and if the market would bear it...the market would have to accept, but if you used some of the limited development impact standards, smaller lot sizes, less of a building setback, narrower streets, etc. that let you get your densities up on residential and offset it. Then you could zero out.

**GO:** That's purely possible.

**CB:** I mean you recover your density and the market would have to bear that. In contrast to a commercial site where you need two things: one is space for a building and two is parking lots. It's much more difficult to compromise design standards or modify design standards to make the project work. Is that a fair correlation between residential and commercial?

**GO:** I would totally agree with that. We have a lot less flexibility in the commercial side and the costs are so much larger. The margins on the costs are so much higher.

**JW:** I guess I just want to point out though that you take this argument forward to a public body: the developers own a finite amount of property, but the governing body is not finite, but an almost infinite amount of space here that they can grow into. So, they don't theoretically care whether the development, commercial or residential, happens on developer A's property or developer C, who's a little bit farther out. They still get the tax base out of it and they're not paying to get that tax base. So, I'm just saying, again, the argument that you're making has to do with an individual profit set up, not with how the government that functions and collects money and provides services to their citizens, except for the fact that you did mention the idea of sprawl. I mean there is infrastructure cost to this stuff, no doubt. I'm just saying, just cautioning that, again, it's on the commercial side, so another great calculation, but it just means that some of the commercial goes to somebody else's property.

**GO:** I would suggest that it's a community issue. And I don't know if I totally agree that government or the entity, the body doesn't care. I'm assuming we care. We just applied for a grant for a regional planning approach to start to look at density and things that we're doing. So, I think we need to look at this as a whole 360 view and I'm hoping that our organizations and our government entities care about the whole view, because I think it matters. We're going to continue to feel the effects if we don't. I think it's very healthy for us to have that discussion, but boy I sure hope our county, city and state government care.

**HH:** I appreciate what you're doing with this and I think that we've got some incredible numbers here but, as we condense in an almost flat plain and increase the roof surface areas and concrete and the impermeable surfaces in a flat environment like we have here. You're lucky to get a 2% slope on. There are obviously flooding consequences for doing this \_\_\_\_\_, accordingly. Going upstream won't necessarily solve all your problems, so not only does this discussion need to talk about the various shades and the various processes that take place here, it's a grade problem. It has to do with things that could be implemented successfully in Oregon or Colorado won't necessarily work here simply because it's too flat. We can't get the water away from our areas quick enough on the rare occasion it does rain.

**GO:** I think it's a multi-prong approach. There are a lot of things. We need to look at our landscape ordinance. We need to look at our zoning ordinances, our parking lot ratios. Can we get more efficient there? So, there are a lot of things that we need to look at. I think we need to understand, in the big picture we're about 3/10's of a percent on the sediment issue. Right now, we're testing at Mulvane, Valley Center, and Derby, are we

really, truly getting a good evaluation of what our water quality impact is on the river? I think we need to move those testing right to our borders of our property. We talked fairly-extensively with Phil Barnes and his thought is why your City would want to do that. You would want very accurate data to ask yourself what is my true impact, because there is a lot of agriculture in between those areas. So, there are multiple things that we should be doing to either mitigate or look at alternatives of how we can deal with this issue and in the end become more economic, more effective and efficient. A lot of the approaches that were developed 8, 9, 10 years ago they are starting to find out aren't the best ways to go. That's starting to become an overall viewpoint. Can we be innovative in what we're doing? Especially when we know that in regard to that particular issue with the river and the impact, are we that high of an impact level? Or is it somewhere else? Is someone being affected by that? You're going to bring up points of debate. You need to bring some solutions or some potential solutions. Adjusting the testing locations in the city to make sure that we truly are accountable and can record what we're responsible for and our true impact. I think eventually if you're going to take that approach, you're probably going to have to test some of the post development sites and some of the previous development sites, just to look at that and make sure that what you're assuming is correct. Are you getting the affect that you want? We probably want to keep that internal, but we should look at it? Are we accomplishing anything? I think something that was very novel that we did downtown, I remember that we were trying to buy buildings downtown and you couldn't purchase a building downtown because of the groundwater contamination underneath. The City came up with a very novel approach and that was to grant a waiver to the property owners in the buildings downtown and immediately once that program went into place, people immediately started buying buildings and rebuilding them because you could get a waiver and now you could get a loan on a building. If we know the impact is fairly-low, would it not make sense, because private enterprise and private people are not going to be able to push back against KDHE or EPA, nor are we the ones with the water permits. So, does it make sense for the City to grant a waiver on water quality and figure out a way of mitigation if it's going to be a cost effective approach. If it's a prospective trade-off can the City make money doing this? That could be a possibility. Could you save some lost revenue potentially? I think that's a possibility. I'm amazed that we don't have an environmental legal firm that represents us that would be engaged with us on an ongoing basis to look at these items. Are we above thresholds? What is our true impact level? That's something we should have and we should be using that to negotiate with EPA or KDHE vs. always saying, okay, whatever you guys say that what we'll do and just react. We should have a healthy debate about whether we're truly impacting to the magnitude that they're saying. I think we need to interview all the water quality critics that we could potentially have. Are there things that we're doing in the City that we could credit for? We need to look at that and we should get credit for it. We should be collecting that data and look at efficiencies within the basin of result and credit projects that can be used to offset. Do we have floodplain areas or areas that we could create Bioswale areas or areas that would benefit us from a water quality standpoint? We need to have a unified approach in regard to water quality and the state mandates. We should be working as a team. You know there always seems to be a little bit of division between the public side and the private side. Is it better to stay silo here or is it better to get in the trenches together and debate all this out. Come up with a plan that has a 360 view. I set in a meeting where the EPA... we were talking about efficiencies and economics and he, basically, said when it comes to water quality economics doesn't matter.

**JP:** Was that the Cowtown meeting?

**GO:** No, it was the one at the City building. I looked at the business guys around the table and they've all got their mouths open going, Okay, I've never seen where economics doesn't apply in anything. Again, it just gets back to the point is there a more efficient or more effective way to do this? The regional approach: we've had some discussions with Phil Barnes and some of the farmers that he's dealing with. The emphasis on agriculture is becoming a little bit more high profile. Could you go to a farmer and say you've got 600 acres. We would put in water quality features for you, berming or whatever to keep the high erosion areas from sheet draining off of your site. If we could take you out of that impact level and we could share in that mitigation credit would that be valuable? We'd install it and the farmer would turn around and you would record it with the deed just like we do and he would have to maintain those water quality BMP's. If he could take himself out of the target and us along with it, would that be worth it? Is that a fair trade? We've talked to a number of farmers who've said that would be something. Of course, you have to look at the numbers, but they said that's something they'd be interested in. So, again, do we have the possibility to do something there? You're doing water quality by the acre, not by the foot. A number of people brought up the ERU funds. If I remember you look on the site and it says for Water Quality and flooding, but we have some economics coming out of that budget for other things. Should we not be redirecting that money to exactly what it's

intended for? Do our City building codes mitigate impact? I think we all recognize some areas of efficiency we could come up with there, if we looked at some of the zoning and code issues of how we handle sites. These are just some general thoughts for discussion. No conclusions.

**JP:** Thank you, Gary. I've got a comment clarification and then a question. The comment clarification is on the release program that we have for the Gilbert/Mosley site and the NIC site. The purpose of that was to counteract the toxicity of the federal legislation. CERCLA said if you had nothing to do with that contamination and you were in the chain of title or a lender to someone in the chain of title, you were exposed. So, we didn't say it's okay to pollute. We said you're not the folks we're interested in and we want you to do what's in your economic best interest, which is in our economic best interest. We're going after the folks that did create the problem. So, I don't know that there's an equivalent counterparty to giving out waivers.

**GO:** I'm more talking about the model, utilizing the model. Is there a benefit by giving out a waiver? We're not talking about people having a carte blanche letter to pollute on their property, but in certain fashions, let's just say we're going to denote specific things. We would give a waiver to that because we're still going to account for it in another method.

**JP:** In a regional method; as a part of a regional method.

**GO:** Yeah, so I'm saying you're offsetting it some.

**JP:** Not just putting the City on the line.

**GO:** No, no.

**JP:** When we do groundwater we put ourselves, us – the City, on the hook with the feds and told the feds don't look to Gary Oborny, don't look to his banker, look to us. Then we looked at the responsible party. I guess it's part of the process where we're saying to the feds: Don't look at Gary Oborny. Don't look at his banker. Look at us for water quality compliance and we'll do a deal with somebody else to have the impact and then we'll go to court and say well you shouldn't have fined us under the federal requirements because we had this offset. You see how that works?

**GO:** Yeah, you'd have to come up with an agreement that the tradeoff or credits or whatever you want to do is going to be...KDHE and the EPA are going to have to figure out how you do that.

**JP:** And this is a rhetorical question, because I don't know because I didn't pay attention at the time, but did the development community and in particular, this is only a commercial question: Did the commercial development community make an equivalent of this incredible shrinking land argument when the landscape ordinance was proposed?

**GO:** I have no idea. I wasn't involved in that one. Does anybody else know?

**JP:** It would seem to me that if you're taking frontage off my property and requiring me to do something other than what is my commercial best interest it has some similarities to the water quality issues. Because it not only came off a prime parcel, it came off the prime pieces of the prime parcel to some extent.

**JW:** My thought is though, that there is an order of magnitude difference between the landscaping.

**JP:** Yes.

**JW:** Not my field, but I recall a lot of people griping about it, but I don't remember ever seeing this kind of argument. And clearly the detention area thing has a much greater impact on property than the landscaping thing does.

**JP:** Sure.

**JW:** I would just say I like the idea of using all these other external tools. I think the problem that we continue to have is whether you can actually go there or not. It's a dialogue we need to continue. I may argue some

points with you. We, for example, now own the old site of acrylic and it's being converted from Ag ground to grasslands and that's going to happen regardless. It's going to be a horse park and all that stuff. It's an improvement, but it's not in the right place. There's nothing in place to say we're going to give somebody credit in the sight because they've done something good. Those things are happening in different places and I can visualize that locally we could come up with some area that works. But the problem to this point has been EPA is not interested in anything but their program. The second point I have is: I'm sure you've messed with mitigation banking based on part of the \_\_\_\_\_. We've got mitigation banking and if that were to move forward and the federal government got in the middle of it, it becomes very expensive because this becomes a very specialized business. What you're talking about is just a version of mitigation banking that's a water quality not just saving some pieces. Actually, my thought is that if that was to happen I would want to get with some of you and probably you, Gary, so I could figure out how we could get into that business. I think there's a lot of money to be made there.

**GO:** More money to be saved.

**JW:** And it's probably easier than the commercial stuff you're doing now. So, I think if we ever look at that, if I sound negative from time to time, it's not that I am. I'm just trying to, as we go forward, I just want you to be able to make the best possible argument for whatever it is we're trying to do. The success of the Cheney basin...this stuff can be done.

**GO:** There are a lot of hurdles.

**JW:** It can be very effective. Yeah, but we're probably, in my best estimate I'm retired before this gets anywhere, seriously. It's going to take a decade of working with all these people. The right foot will change and so on and so forth and I'm not talking locally, but for all that to happen.

**SL:** Gary, I think you do have us work from the government or the public side. I know that we are looking at this regional approach; in fact, Dale Goter has sent some recent emails to the Kansas Water Office as well as KDHE, and the State Forestry Group. Mike Tate with KDHE did respond. They have been supportive of looking at maybe a regional approach. I don't know if they fully understand what that looks like, yet. I think that's something that we're going to have to continue to look at further over the next month or two months and hopefully get that support. \_\_\_\_\_ to meet the water quality requirements. One thing that Mike has said, and I will forward KDHE communication that we've had with meeting minutes, is that we're not going to be able to do upstream watershed enhancements to be able to mitigate nutrient loading reduction requirements at wastewater treatment plants. Wastewater treatment plants discharge on a daily basis, 24 -7. Rain events don't happen so frequently. So, there is a different challenge to the way. Plant life takes up nutrients from watersheds as they do from taking up nutrients from a wastewater treatment plant. It's a different sort of technical process. He did say yes on stormwater management, looking at ways of doing the regional approach. Now, it's just sitting down and nail out a plan. Submit it to them; see if they can get some volume support and maybe seeing what \_\_\_\_\_ from a state standpoint would be willing to help with participating in their watershed areas.

**CB:** Has nobody else done this in the nation? I mean, I know we're all busy and we don't have a chance to research this. It was my hope that the liaison committee could reach out to some other Midwestern cities and find the Scott Lindebak in that community. Somebody would say, here's what we did and we had to do this or we changed our plan that way. This has got to be a common issue between every, at least in the Midwest anyhow – similar cities, flat cities in the Central Plains: Denver. Well, Denver's more rolling than us, but...Lincoln, NE; Oklahoma City, Tulsa. We share so many common elements of challenges of development and big space around us, typically. We don't want to sprawl that space. So, I'm just posing a question to the committee: How do we collectively with no funding or nobody that really has the time to donate to this, because we all have other jobs as I understand it, how do we find out from other communities and if there's interest from other communities? You know, you talked about environmental attorneys. Well, wouldn't it be nice if we had an attorney that took on the collective questions or ideas from eight communities instead of one. You know it's the same amount of work, probably the same issues. If you instituted some kind of stormwater banking outside the City limits or maybe even inside the City limits, regional approach that the same building of that program could be used by other communities.

**SL:** One thing we had a consultant that's building commercial developments in Wichita that's out of St. Louis. They're doing five sites in Wichita right now. For one of the five locations, one of them asked if there was a banking program. They have a difficult site. They said they had a regional approach in St. Louis and one in Lenexa. We contacted the engineer and asked if they had information about those two communities. They haven't replied to us yet. We did seek out at St. Louis and it looked like they had a regional approach, but their approach is more like a mini-regional approach. It was more like you take five commercial lots and have one common detention pond, kind of like what we do today for most of our commercial/residential. It didn't sound like St. Louis had a real regional program. I think this is a pretty, novel idea. I did talk to AMEC Earth and Environmental, our consultant for the manual. They work closely with Tennessee; the southeast part of the state; the Chicago area-they hadn't seen any of this being brought up throughout their nationwide approach. It's a pretty, new thing. I'm thinking if our liaison committee could help put together some questions I would offer up our staff at notifying maybe the cities surrounding Kansas. You know Lincoln, Omaha, Des Moines, Iowa City, Columbia, St. Louis – we could send a survey to Springfield, MO; Oklahoma City, and try to send it to their MS-4 permit person. Actually see if they could just answer that. Then we can bring it back and tally that up. I'd throw that out if that would give us some more ideas about approaches. I'm not sure.

**CB:** It would sure be nice to get some input from those other communities to see what they've done and how they've responded to this regulation. Whether it would be... just accept them in a book, here you go; it's kind of the EPA model, off we go. Or if they've challenged the idea: What's the result of what we desire and how do we get the result. Is it a book that is descriptive and we just do it because it says to do it or is it a true result that we can measure, ultimately and realize that we've made a benefit? Okay. Well, I tell you what, we don't have a set agenda for the next meeting next month. I would like to propose that we meet and write those questions as this group.

**JP:** That's a good idea.

**CB:** We write the questions for a questionnaire and in the meantime between now and the next meeting we think what we should ask. Regional approach, obviously, would be one. Did you simply accept a stormwater quality manual, implemented it and just went on with life? What are some of the main treatment methodologies you used in your community for residential and commercial? It would be nice to know what other communities are using. If they had any costs or idea costs per site that they could share with us that would be nice. We can't make it overwhelming for somebody, because the Scott Lindebak of Omaha has a lot to do as well and probably is not going to be real keen on spending a lot of time answering a questionnaire like this.

**JB:** It almost would need to be a fill-in-the-blank kind of thing. \_\_\_\_\_

Phone interview

**SL:** If you've ever used Survey Monkey, they maybe have ten, really, short questions. They can see all the questions on the screen. It's a matter of click the box. The Survey Monkey is sometimes really, nice because we can turn it into nice graphs afterwards. Maybe we can first send that Survey Monkey out and if we don't get responses from certain people we can actually call them. I've responded to Survey Monkey's and those kinds of things from other communities. If they send you a blank email and they have a bunch of questions that are kind of broad, they usually stay in my inbox for a month or so.

**CB:** Is there a national organization to which you belong where people in your position from towns get together at seminars where it would be...you could run a continuing education block or a one-hour inquiry if you will where you have these people gathered anyhow? "We're the City of Wichita. We have this open forum and we'd like to collect some of this information." Does that sort of organization exist?

**SL:** There are two organizations: APWA, on a national level they have a stormwater group that meets. They usually meet once per year, nationally in other locations. Another group, there are a lot of communities that have state floodplain administrators associations, but Kansas doesn't have a combined stormwater/floodplain administration. It only focuses on floodplain. Missouri is unique, where their conference is dedicated to water quality. One of the interests I have is in going to Missouri because they often have interesting speakers that deal with water quality directly. I could see more from what other communities in Missouri are doing to meet those regulations. It's an evolving industry and it's not very well organized yet.

**CB:** But APWA does have a national stormwater quality group?

**SL:** It's stormwater general. It's a broad topic. So, it deals with stormwater and floodplain. They'd have a program that people like me become certified stormwater administrators. They do have a handful of people that specialize in that. It is an avenue that we can take at the next APWA conference.

**CB:** If we do Survey Monkey or combination call & Survey Monkey, because I think a phone call from a peer or a staff member from the water quality department would elicit a better response from your counterpart in a different city. We gather some of this information, would that be enough leverage to get with APWA and their stormwater quality committee to say, "Look, can we get a block of time at your next national meeting?" and here's what we have. We've gathered some information. Could we get some other people in the room that would be willing to talk with us?

**SL:** I think that is a good suggestion. I think that's something we should follow up on. I would also say that the ASCE(American Society of Civil Engineers) they have a subcommittee that does focus on water quality. They have developed a very extensive BMP database that they've been evaluating for more than ten years. That's another resource we probably should tap into; seek input from at least two national organizations.

**DG:** This is Dale Goter. I'm the government relations manager for the City. I wouldn't know if the state has a great interest in nutrient loading. The Water Authority is going to ask for \$4.5 million to study from the legislature to study at their primary concern, the blue-green algae and the impact of Ag runoff into that. But one of the conversations we have had is whether the Water Authority and the state pay enough attention to the urban needs of the state with regard to water quality. In the end it's all running into the same river and it's the same problem. So, there may be some support for looking at this, but it takes a little more aggressive action to ask for that help. If they do get their \$4.5 million there should be an opportunity for them to look into something like this that contributes to their problem. It's not just all ag and we pay a million a year into the water fund for the water fees.

**CB:** Scott's been gracious enough to offer up some staff time to help track some of this down, but it would sure be nice if there was a little bit of money that this group collectively has access to, to help defray those costs in some fashion.

**SL:** I know that in speaking with Alan King, I think he can't. Probably something needs to be formed up so he can make a decision, but in informal conversations, I think that he would be interested in some type of partnership 50/50 of public/private and seeing if we needed to hire someone, a consultant or do some additional legwork maybe there would be. We develop a scope, get something put together, maybe we could go after doing some more investigative work, but it would be a stormwater utility maybe as well as some private sector folks to help fund that initiative. Since it's specifically directed towards development it's not like we're dealing with new development or existing drainage issues. We're focusing on review regulations on new development which impacts us all.

**CB:** Do I have agreement from the board that at the next meeting we would write some questions that we could have Scott and his staff try to track down some of the stormwater managers in different cities? We'll pick the cities that are good targets and do our best to get some information from them. Reach out and see and maybe the last question could be: if Wichita began the process of looking at regional solutions would you consider that as an option within your plain? We don't ask them if they would participate, yet. But see if they had any interest in pursuing it if Wichita did.

Sure.

**CB:** I have an agreement that would be a good use of our time at the next board meeting?

Yeah, it would.

**JP:** I agree it would be a good idea and I like the enhancement you provided to Scott's idea. Because if you make personal contact and tell them that the next week you're going to get an email, when you get that email it's a little harder to let it sit there. If it's a Survey Monkey link, to me even easier, friendlier for us to analyze results I think that's all a good idea.

**CB:** Other questions of Gary?

**GO:** Can you give us a little feedback...the Valley Center, the Maize and the Derby testing locations? What would it take to move those new locations to the perimeter of our city?

**SL:** Right now those testing locations are measured by KDHE. Maize Road is measured by KDHE. We only measure outfalls. The requirement to test the streams; the health of the streams are sampled by KHDE, so it would be up to them to move those locations. I agree with and would love to sit down and visit with you further about some of the suggestions that you've brought up. Because a number of your suggestions are on my long-term plan of better understanding where the pollution sources are coming from and better identification of the real urban impact to stormwater is. So, I think we have some common goals. Historically it's the state's responsibility to determine the overall health of the streams. It's our job just to sample what's coming out of the storm sewer conduits to make sure we aren't making it worse. Certainly we need to discuss in the future do we have a bigger role in helping to identify what pollutions are coming through our creeks and rivers; coming up with a sampling methodology that everybody can agree on. I think everybody trusts what USGS and how they sample, but certainly its variable as you know. When we go out and perform a "grab sample" during a rain event do we get it at the right time to pick up the pollution slug? People need to trust that the information that we collect is valid and correct.

**GO:** So, what would we need to do to request KDHE to move those locations?

**SL:** I think what would be helpful is maybe invite Tom Stiles who is responsible for the testing of the entire state of Kansas back to our group to visit more thoroughly about making some modifications to water quality stormwater testing. He had stated to me that stormwater quality monitoring is just in its infancy. They've been doing testing for wastewater treatment plants since the 70's. The stormwater stuff is just brand new, so I think he'd probably be open to ideas and suggestions to try to get a better handle on that.

**CB:** Could we try to invite him to our September meeting? Keisha, could we put out an invitation to Mr. Tom Stiles from KDHE to attend our September meeting to visit about monitoring locations? Any other questions of Gary? We have a couple other agenda items that we can hit. It may not take long, but I'd like to move on. Gary, thank you very much for that information. We had talked about a request for qualifications from some group about dollars spent in a Wichita setting vs. dollars spent in a regional setting. What kind of sediment reduction or pollutants could be affected? Based on what we've just talked about and can truly reach out to some of the outlying communities of similar size maybe that should be parked temporarily to see if we find out anything in this regard?

**HH:** Lisa French and the City of Wichita have been quite successful in dealing with the farmers and runoffs in areas and working this for some time, which is my point. So, she's got some data on how she's been able to change the drainage and the watershed area going into Cheney Lake. They have some data on improvements and associated costs. This program's been going on nationally for some time. So, there ought to be data out there that relates to this on how going upstream working in different areas, what it costs and what the impact is on an acre of water or land or whatever you want. I think the data should be there, is my point and/or has it been accumulating over the last ten years or so. I think we're at that point where we can maybe start doing some initial estimates and comparisons. I think we ought to be pursuing this.

**SL:** Would you suggest inviting Lisa French to visit with us? She is the coordinator for Cheney watershed. It's about 1000 square miles the size of Sedgwick County that drains into Cheney Lake. She's had a lot of success and some failures that she's learned from. I've listened to her speak in the past, but maybe invite her to visit later this fall.

**CB:** If Tom Stiles came to the September meeting is there enough time in a two hour block that we could have them both speak?

**SL:** I think that's very possible.

**CB:** And it's Miss French?

**SL:** Yeah.

**HH:** Lisa French.

**CB:** And then Keisha, I guess we would also like to consider extending an invitation to Miss Lisa French to come to the September meeting as well to speak about the successes at Cheney Reservoir and their upstream water quality.

**HH:** Right.

**CB:** Okay and that sets September up. August meeting is writing the questionnaire and let's just devote the whole time to that cause there will be debate that ensues, I'm certain from that. Then, if we could have these meetings in September with Mr. Stiles and Ms. French about their respective expertise: request of Mr. Stiles of changing the monitoring locations. Other items..? That holds off on that RFQ temporarily until we listen to Ms. French's presentation. The AMEC comments, the modifications, Scott, to the manual based on Joe Hickel's comments do we need to review those as a group before those are affected?

**SL:** Not right now. What I'm planning on doing is going to AMEC; having four areas revised in the manual. I'll have her do a clean copy and a redline version. We'll circulate that among the SWAB. I want everybody to look at that; provide comments/feedback and then once everybody has looked at and approved it. Then we'll want to take that back to Mr. Alan King and have him formally adopt. Then we'll do a *radish* sheet and replace those modified pages in the manual. It provides better clarification in a number of areas: it provides more examples just for consultants doing stormwater calculations on areas of redevelopment; another area that I'm suggesting or recommending is in the ordinance it requires channel protection for redevelopment. I've told people that they don't need to provide channel protection for redevelopment because it's already developed. The channel is incised, it's deepened and the channel has already been physically modified. So, if you're going to redevelop you don't need to provide the channel protection volume. In the ordinance it says you have to provide the channel protection, which there's an inconsistency, but in the ordinance it says go to the manual for guidance on it. Well, I want the manual revised to say it's not required in a redevelopment situation so it just clarifies what that goal is.

**JP:** How soon will that be ready to circulate?

**SL:** Probably not until September.

**JP:** Okay. I was going to ask if that should go ahead of the other work we just scheduled for September, so it sounds like it will fit better for October. I do think it will be important even after we circulate it to the members to review in detail that we do discuss and have a motion to transmit that to Alan King for guidance from this committee and consensus.

**CB:** Right, whether we should approve any or all of it.

**JP:** Yes, and it might take a while to work our way through that. That's probably a meeting, just to be safe. If we've got it all figured out and it's all technical and we just bless it then we might get out early on a Friday afternoon.

**SL:** My goal is that this should be at the September meeting, and then maybe at the October meeting that gives everybody a month to look it over. We'll email it as well as pass it out.

**GO:** Does redoing parking lots still fall under the redevelopment part from a water quality standpoint?

**SL:** Yeah. Well... if you're gonna just mill it down and you're not getting into the sub grade no, it doesn't.

**GO:** But we're going to have situations where that's going to happen.

**SL:** If you're tearing out an entire parking lot, uh, and putting a new building in or reconfiguring a parking lot, that's redevelopment.

**GO:** No, but if you're just putting the parking lot back exactly where the old parking lot, it seems that we still have to...doesn't the language still say we have to comply with water quality?

**SL:** If you're just taking the parking lot out and putting a new parking lot in, yes.

**GO:** Back under the same?

**SL:** Under the same footprint?

**GO:** Yes.

**SL:** And you completely remove the parking lot and put a brand new parking lot in with full depth crushed gravel and 8" or 7" in new asphalt, yes, that requires some water quality, but you only need to provide 30% of the water quality treatment. The way some people have met that requirement because they didn't want to redesign their storm sewer system in place, they've gone in and bought a \$1000 inlet filter that they mount within the curb drop area in it. They've done that up at Home Depot and it meets the treatment requirement. They don't have to do it for the whole parking lot. They just pick an area that they want to do something. What the EPA is trying to do is the community turns over and redevelops, do something rather than nothing. But there's a...

**GO:** So, is there an O&M plan that has to go with that, then?

**SL:** Yeah, and it's very brief because what people have done is submitted the maintenance requirements provided by the manufacturer. It just, basically, says, "Hey, just check every 3-8 months depending on how dirty of an area you're working within", it varies. It also varies how often you have a street sweeper go through to pick up the pollutants. You know, if you have a company that goes through and vacuums out your parking lot once a week you're not going to have to clean that area technically as frequently.

**HH:** In regarding the County Stormwater Advisory Board, while I appreciate the expanse that the City, this group has done looking at regional issues, of course, the County is chartered to look at regional issues as well. And there may be some regional issues that we could hear and discuss that, uh, that they've addressed or tried to address. Right now, the committee is sort of not meeting and there may be areas where we carry some regional topics forward. So, I would appreciate it if he could share anything that he has, um, that might be...might be an area that we can look into. Is that possible?

**JW:** I think the County's, well obviously we'd want to work together, but we're kind of in a phase right now where we're had some funding for the last three years. The County Commission because of the budget issue is going to suspend funding in 2013. We're not going to stop. We think we still have some money left in 2012 and the goal of the group has been to get some RFP's out and look at two watershed studies. We may only be able to fund one, but get those started. To me, maybe some of the interplay there that we really haven't talked about is watershed studies are a way that you start to identify places. Gary would like to see us mitigate in town somewhere. It may be I can't say that I could think of something that we would say bring up at our group and \_\_\_\_\_. I think this group's mission is a little bit different in that we're really dealing with the policy issues of the City's regulations and the manual. If you're looking at solutions, I think my group would certainly want to share in that, but I'm not quite sure how to...I don't know what to do with that. Our issues, really, long-term is trying to establish a funding mechanism that could be used to do regional stormwater improvements that applies to stuff that has a drainage basin larger than a square mile. That could be water quantity. It could be water quantity. It likely would be both. But the idea is to get a wide range of communities in the County, pull them together and it makes sense to make the improvement in Park City, even though it benefits Park City, Kechi and down into Wichita. That would make some sense. It's the ideas that do cost sharing where the County through its dedicated funding source would provide the bulk of the money. It's kind of like a federal highway project: you've got to bring some of your own money to the table. To summarize what I think your question is, I can't think of a task that we would come in here to say, "can you do this?" to this group, but I could see some interaction that might need to happen. And we'll be working with Scott. We need to go back and revisit that RFP a little bit. Just some things that come up from this conversation, we may need to make sure to put a focus in there on thinking about where things might be mitigated later. Because we'd eventually get around the whole County going and know what was going and we'd have a snapshot for every drainage basin in the County, and that would be a place where you could really start working. It provides a platform for some of this stuff. Otherwise you've got to figure out where to go mitigate it. We may be able to integrate some of the stuff and then you would need to go there, but I'm not

sure that comes back to the direction other than we need to coordinate with you and get the best thinking of everybody involved.

HH: Well, you certainly would be a good resource for us.

JW: I'm not sure how good of a resource I am personally, but I have emails for everybody on the board. It's been a good group, but we're kind of in a little bit of limbo right now. I think if we had the opportunity to push forward with some of this stuff with the way the economy is and the politics, we're not going to be putting an extra sales tax on or a mil levy to do just drainage anytime soon. But we can keep pushing forward with some of the background work that needs to happen and some of the stuff that justifies why you do that we may get there. Ultimately, though I'd have to say that it's one of the things we need in place and that's kind of a regional source actually helps to push forward the kind of things that Gary's talking about this external mitigation stuff. We need everybody to push in the same direction. We've got about half of the entities in Sedgwick County working with this map right now. We don't have all 20 cities lined up. The small ones really don't care. The stuff that's kind of packed in around Wichita, those people are active. Did I spin it good enough, Hoyt?

HH: Thank you.

CB: Are there other items that we need to add to an agenda or put on our longer-range plan for research? Okay, so we have an agenda pretty much in place for the next meeting which is just substantially #1 would be the approval of minutes. I don't think we need any committee reports next time. I think we just dive right into the questionnaire for other regional cities. First we select some cities and then we write some questions that could be appropriate for a phone conversation or a Survey Monkey or what have you. Then that's the whole meeting for August. Other questions or comments?

SL: I can bring a list of suggested communities for the group.

CB: Okay, great.

GO: We talked about doing a pre-attendance email just to make sure, because last time because of vacations we had a lot of people gone. So, some people showed up and it's kind of a guesswork whether we're going to have a quorum or not or a functional group to do these things. Is there a way a couple weeks in advance where we could send an email out so people can plan their schedules and say whose going to be at the next meeting?

CB: Keisha, what's the best way? Is a meeting request the best? Will people respond to the meeting request so you have a record?

KS: Not everybody is responding to the meeting requests. Some of the people that accepted the meeting request are not here.

CB: Does everybody prefer a meeting request and you can reply to it.

Several people: yes.

CB: Okay, can you send your reply to everyone, so if Gary says "I will be there" that everybody else can see that or is it not set up that way?

KS: Yes.

CB: Respond to all?

KS: It has your name in the list.

CB: Oh, so if you click it open in your list you will see who has responded and who has not.

JP: I'm a little confused on the schedule. The 17<sup>th</sup> would be the August meeting?

Yes.

JW: I think all of Keisha's emails have included the schedule for the next three or four meetings. It doesn't mean they're stuck on the calendar, but...

CB: August 17<sup>th</sup>, Friday, at the W.A.T.E.R. Center. Any other items, if not I would entertain a motion to adjourn?

Seconded.

CB: Okay, we have a motion to second. All in favor, aye:

AYE

CB: Opposed, same sign. Thank you.