

# **Salt Management Strategy**

## **2<sup>nd</sup> Government Coordination Workgroup Meeting**

July 31, 2019

The second Government Coordination (GC) Workgroup meeting for the Salt Management Strategy (SaMS) was held from 9:30 am – 12:00 pm on July 31, 2019, at the office of the Northern Virginia Regional Commission (NVRC) at 3040 Williams Drive in Fairfax, Virginia.

### **Attendance**

Eighteen (18) individuals, including two DEQ staff members and one staff person from the Interstate Commission on the Potomac River Basin (DEQ's contractual support), participated in the meeting.

Christina Alexander, City of Fairfax  
Heather Ambrose, Fairfax County  
Heidi Bonnaffon, Metropolitan Washington Council of Governments (COG)  
Renee Bourassa, Interstate Commission on the Potomac River Basin (ICPRB)\*  
Joni Calmbacher, City of Alexandria  
Cathy Cogswell, Loudoun Water  
Mike Collins, Arlington County  
Scott Crafton, Virginia Department of Transportation (VDOT)  
Dennis Cumbie, Loudoun County

Dave Evans, DEQ\*  
Norm Goulet, Northern Virginia Regional Commission (NVRC)  
Tracey Harmon, Virginia Department of Transportation (VDOT)  
John Hopp, Virginia State Police  
Marty Hurd, Fairfax County  
Pamela Kenel, Loudoun Water  
Greg Prelewicz, Fairfax Water  
Ken Prisby, Loudoun County  
Sarah Sivers, DEQ\*

\*Facilitator

### **Meeting Highlights**

- Workgroup members support coordination among jurisdictions to decrease costs associated with implementing aspects of SaMS such as pursuing alternative deicers and salt management training for snow maintenance professionals. Members representing local jurisdictions expressed interested to better train their operations staff on winter salt best management practices (BMPs) and intend to pursue this for 2020.
- Ongoing coordination post SaMS development among regional government agencies and other winter maintenance stakeholders and an annual post-season GC Workgroup meeting would be valuable to share lessons learned and help improve future snow event responses. The SaMS report should recommend such forums, and note the need for an entity to take the lead role for convening the forums and broadly supporting SaMS implementation.
- A recommendation to encourage coordination within the region to support consistent messaging should be included in the final SaMS document. For example, consistent messaging that clearly communicates expectations for levels of service (enhance “clear road” understanding) while recognizing local jurisdiction’s prerogative to define expectations for their constituents.

- The SaMS document should generally support (without prescribing specific details) future legislative actions to bolster implementation of SaMS recommendations. Liability relief to salt-application trained winter maintenance professionals and the organizations who hire them, and winter salt product labeling with information on proper application and the negative effects of excess salt use will be further discussed for inclusion in the final SaMS report.

### **Notes for Other Workgroups / Potential Areas of Overlap**

- The SaMS Non-Traditional Workgroup is putting together a list of alternative deicers that could be relevant to future bulk purchasing contracts overseen by COG. (Non-traditional Workgroup)
- VDOT holds a pre-season event geared towards media and public outreach. The Education and Outreach Workgroup could coordinate with VDOT on this event. (Education and Outreach Workgroup)

### **Follow-up Action Items**

Workgroup volunteers are pursuing follow-up action items before the next meeting of the Government Coordination Workgroup:

- Investigate the alternative deicer used by the National Park Service and the cost of the product. (Heidi Bonnaffon)
- Provide the draft language for winter salt management in Maryland's next generation of MS4 permits. (Heidi Bonnaffon - completed)
- Find City of Fairfax Council member Jon Stehle's connection with an Homeowners Association. (Heidi Bonnaffon)
- Identify the point of contact for VDOT's pre-season winter messages/media event. (Tracey Harmon and/or Scott Crafton)
- Draft language for workgroup recommendations on conceptual support for legislation, shared-service contracting, operator training, and ongoing GC Workgroup support for SaMS implementation. (DEQ Staff/workgroup volunteers welcome)

## **Meeting Summary**

### **Introductions**

The meeting began with brief introductory remarks from DEQ and introductions from the group. The Government Coordination Workgroup's purpose is to promote effective government coordination for development and implementation of SaMS goals and objectives.

### **Purpose and Scope**

The main meeting objectives are to identify and follow-up on topics brought up in the first GC Workgroup meeting, discuss in more detail what the workgroup would like to include in final SaMS product, and seek volunteers to draft these recommendations.

The group went over the schedule and timeline for the SaMS process. The Steering Committee for the final SaMS product will convene in the spring of 2020. There will be a review by the full Stakeholder Advisory Committee in late summer. This will leave time for the various organizations to review/comments before the SaMS products are finalized in December 2020.

Montgomery County, Maryland, administers a bulk purchase contract for traditional winter salt products used in road maintenance that 12 northern Virginia localities have joined. COG also has a bulk purchase contract option for sidewalk/property maintenance products and there was a discussion on sharing the cost of alternative deicers through the bulk purchasing contract. The SNon-Traditional BMP Workgroup is putting together a list of alternative deicers that could be used when looking at future bulk purchase contracts.

The National Park Service uses a non-traditional deicer (sodium formate) in limited places (i.e., Memorial Bridge), due to the high price of the product. Heidi Bonnaffon volunteered to find more information on the product to allow consideration for its inclusion in the COG bulk purchase contract.

### **Other Workgroup Recommendations**

Dave Evans gave an overview of work done by other SaMS workgroups. The workgroup members felt that there was a role for the GC workgroup in many of the action items from other workgroups, and that more detailed discussions should occur after SaMS recommendations are further refined. A workgroup member noted that many of the actions would benefit from the GC workgroup involvement early on in the process, especially the training/certification programs.

During this conversation, additional ideas for collaboration and/or outreach were suggested:

- Training programs are a good opportunity for collaboration among the jurisdictions and decrease the price point of the training for everyone involved.
- Workgroup participants learned of recent winter maintenance BMP training hosted by Prince William County. Members briefly discussed the possibility of collaborating among local jurisdictions to host multiple sessions of this or similar training, and there was strong support to further explore this, with NVRC to coordinate additional communications.
- ICPRB is developing a matrix of alternative deicers as well as a memo on training/certification programs that were deemed to be most appropriate to the northern Virginia region.
- DEQ has had preliminary discussions with the Chesapeake Conservation Landscaping Council about including a winter maintenance training component with the current nutrient management training for landscape professionals, and will follow up in more detail. Workgroup members also observed that George Washington University and Virginia Tech each have very strong landscaping professional programs that may be valuable to reach out to consider the issue for inclusion into the curriculum and address it from the perspective of a design challenge.
- DEQ is seeking volunteers to help draft language for the SaMS document for shared service contracting, training, and liability protection/relief.

### **Regulatory/Legislative Action**

A suggestion was made to support legislation that requires winter salt manufacturers to provide a “warning label” on their product. This strategy worked well as an initial step in efforts to

reduce excess application of phosphorous. The label could mention how the salt affects aquatic life, pet's paws, plants, etc.

Rhode Island and New Hampshire provide liability protection/relief for businesses and organizations that hire certified winter maintenance professionals, and Minnesota has been pursuing legislation in recent years. The group recognized that, while enactment of legislation to provide liability protection/relief will be difficult, conceptual support for liability relief for certified professionals and the organizations that hire them should be included in the final SaMS report.

Since the SaMS is a toolkit for salt management, a legislative option for salt management should be included, without prescribing specific details. The recommendation in the final SaMS document should have umbrella subjects (i.e. liability relief, labeling) presented at the conceptual level of detail. It was acknowledged that any legislative action could take many years to implement and there would need to be a comprehensive legislative analysis and strategy developed.

There may be a role for the Virginia Association of Municipal Wastewater Agencies and Virginia Municipal Stormwater Association in the development of legislative recommendations. They have a team of attorneys that work specifically on legislative issues related to water. Winter maintenance service providers have also expressed interest to pursue slip and fall liability reform legislation

A question was raised regarding the ability/legality for an organization to develop a voluntary program to train winter maintenance operators in Virginia. It was noted that there is a precedent for the Virginia General Assembly to enable local governments on environmental issues. For example, Fairfax County received enabling legislation for their tree canopy forest preservation.

DEQ will work with workgroup volunteers to draft a statement of conceptual support for legislation, and this topic will be further discussed at the next GC Workgroup meeting.

### **SaMS at Other Forums**

Information on the SaMS project has been presented at several existing forums to introduce the project and let these groups know that they will hear more about it in the future. Bryant Thomas of DEQ presented at the Northern Virginia Chief Administrative Officer's March 2019 meeting at NVRC. Other DEQ staff presented at a July 2019 Green Professionals forum at American University.

DEQ staff also presented at a meeting that included local Municipal Separate Storm Sewer System (MS4) permit holders in the Accotink Creek TMDL watershed and Arlington County. DEQ prepared a handout of their expectations for future local TMDL action plans to address sources of chloride from winter salt management.

Norm Goulet of NVRC noted that these conversations are ongoing and have been broken down into 3 phases: (1) MS4 permit holders within the TMDL, (2) Agencies included in Phase I Permit Rule, including Arlington County and Prince William County, where there is language regarding

pollution prevention on impervious surfaces within the permit, and (3) All other's included in Phase II Permit Rule that are not in the TMDL watershed.

It was noted that Maryland is giving a lot of attention to winter salt management in their future MS4 permits. Heidi Bonnaffon will share the draft language for Maryland's next generation of permits.

A list of existing forums relevant to SaMS was provided to the group, and members identified additional relevant forums. If these forums are a good fit for SaMS, members could be invited to SaMS meetings on an ad hoc basis or there could be a presentation on SaMS at their meetings. Other forums suggested by the group include:

- MS4 stormwater workgroups
- Occoquan Watershed Non-Point Program
- Four-Mile Run Watershed Non-Point Program
- Northern Virginia Directors of Public Works
- Northern Virginia Water Supply Planning Workgroup
- Community Engagement Campaign (*added per post-meeting comment*)
- The annual VDOT "Roadeo"
- Northern Virginia County Executives
- Chamber of Commerce
- Academic institutions
- Homeowner Associations
- Pre-season VDOT media event

The "Roadeo" is a series of competitions/games with maintenance professionals. They are held on a statewide level, but also in different jurisdictions (e.g. Alexandria, Arlington, and Fairfax). There may be an opportunity for SaMS to present and/or have a booth at these events.

It was noted that City of Fairfax Councilmember John Stehle has connections with the "Community Associations Institute" that serves HOAs. Heidi Bonnaffon will get more information.

VDOT holds a pre-season winter messages event geared towards media and public outreach, which Arlington County has sometimes participated in. It would be valuable to ensure that information from this event is shared with all local jurisdictions. The Education and Outreach Workgroup could coordinate with VDOT on this event. Tracey Harmon and/or Scott Crafton will get more information on who to contact within the organization.

### **Communication/Messaging**

Previous workgroup meetings discussed the importance of messaging on levels of service (LOS). The group agreed that it might be difficult to have a region-wide message regarding LOS since it is a local jurisdiction Board-level decision. Some workgroup members believe that having a similar message (e.g. "This is what a clear road looks like") with a different local photos could be beneficial. Messaging around behavior modification during a snow event could also be useful.

It was agreed that a recommendation on messaging should be included in the final SaMS document. It should acknowledge that VDOT and local jurisdictions have their own LOS and

there is an important role for local decision making, but there is a value in collaborating toward greater message consistency across the region.

### **Funding**

Time limitations precluded a planned discussion of funding opportunities to support SaMS implementation. Sarah Sivers pointed everyone to the [presentation](#) done on funding opportunities at a previous Education and Outreach workgroup meeting.

### **SaMS in the Future**

It was agreed that the final SaMS document should recommend a group be formed to coordinate and promote implementation of the SaMS recommendations. In previous SaMS meetings, there was discussion of utilizing an existing forum to continue to the work of the SaMS. Upon reflection, it seems none of the existing forums had the breadth of membership that the Stakeholder Advisory Committee has and therefore would not fit the purposes.

It was suggested that the GC Workgroup should continue to meet after the SaMS document is finalized in December 2020 to ensure all involved NoVA governments remain engaged post SaMS development.

An annual post-season GC Workgroup meeting would be valuable to share lessons learned and help improve future snow event responses. In contrast, post-storm meetings were seen by participants as unnecessary/unrealistic. The SaMS report should support a post-season assessment forum, and note the need for an entity to take the lead role for convening it and more generally supporting SaMS implementation.

### **Meeting Wrap-up**

The group agreed that a third GC Workgroup meeting should be held in early December after the other workgroups have completed their 3<sup>rd</sup> meetings.

Handouts from the meeting are available on the SaMS Meeting Materials [webpage](#).

All information, questions, additional resources, etc. should be emailed to Dave Evans ([david.evans@deq.virginia.gov](mailto:david.evans@deq.virginia.gov)) and Sarah Sivers ([sarah.sivers@deq.virginia.gov](mailto:sarah.sivers@deq.virginia.gov)). DEQ will consolidate information received and distribute it to workgroup members as needed.

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Meeting notes were prepared and submitted to DEQ by the Interstate Commission on the Potomac River Basin.

Additional Feedback Contributed to the Follow Up Survey:

A survey was shared following the meeting to capture any additional thoughts workgroup members had following the meeting. Feedback is arranged below based on the sections of the agenda. Only sections where additional thoughts were provided are included:

2. Any additional thoughts pertaining to the Purpose and Scope section of the agenda?

“Nope -- it appropriately addressed the key issues at this time.”

3. Any additional thoughts pertaining to the Idea Lightning Round section of the agenda?

“As a topic, this one is tough to confine -- most groups tend to insert ideas along the way through the agenda, as topics come up in the discussion. However, I thought the important ideas were raised.”

4. Any additional thoughts pertaining to the Content Development section of the agenda?

“I thought we narrowed ourselves down to the important ideas that everyone agreed we can practically address.”

5. Any additional thoughts pertaining to the Legal Authority/Legislation to support SaMS Implementation section of the agenda?

“It might be helpful to have some time to discuss various legislative policy options (not legislative strategy). Legislators will be preparing their bills for the 2020 session this fall.”

“Everyone correctly understood that any legislative activity will take a while to develop, but that there are a couple of key areas that could benefit from enabling legislation in the next few years, assuming appropriate local leadership and support from key legislators.”

6. Any additional thoughts pertaining to the Wrap up and Next Steps section of the agenda?

“same as 5 above A briefing from a local government staffer on how state law is too limiting/restrictive would be helpful.”

The following additional written comment was provided directly to DEQ:

Coordination Forums:

In terms of forums for future salt coordination (back of yesterday’s agenda), could you please add one more for COG? It is the Community Engagement Campaign, which has monthly calls and is comprised of outreach/communications staff for water and wastewater utilities and some COG jurisdictions. They would like to message about source water protection/salts this year and in the future. As for forums to reach, one of my Chesapeake Bay Policy Committee members suggested the Community Associations Institute for reaching HOAs. I have a message to him asking for more details about this Institute and his connection (i.e., why them for reaching HOAs).