

**From:** [BACHMAN Jeff](#)  
**To:** [ROOT Jenny](#)  
**Subject:** FW: Stormwater managers feedback on Division 12  
**Date:** Tuesday, January 07, 2014 12:38:31 PM

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Jeff Bachman  
Office of Compliance and Enforcement  
Oregon Dept. of Environmental Quality  
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**From:** NOMURA Ranei  
**Sent:** Thursday, March 21, 2013 4:35 PM  
**To:** HICKMAN Jane; BACHMAN Jeff  
**Subject:** FYI: Stormwater managers feedback on Division 12

Zach was anxious to leave for his Palm Springs vacation so I think he forgot to include the both of you...

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**From:** LOBOY Zach  
**Sent:** Thursday, March 21, 2013 4:10 PM  
**To:** CARLOUGH Les  
**Cc:** ADES Dennis R; NIGG Eric; JOHNSON Keith; NOMURA Ranei  
**Subject:** Division 12 feedback

The stormwater managers met this afternoon to review the Div. 12 changes in the draft distributed Tuesday. Here is our feedback on the draft:

1. *Reclass of failure to implement stormwater pollution control plan (SWPCP) from Class II to Class 1*

We do not support the change at this time and would like the draft rules sent to the advisory committee to reflect the current classification rather than the proposal. In the meantime, we will continue the discussion of how best to address this issue and reach consensus.

2. *Penalty matrix change for land disturbance <1 acre and disturbance w/1200-C permit*

We are in agreement with the inclusion of new categories for the lower disturbance thresholds that do not require NPDES permit (\$1000 for residential, \$2500 for business). However, we do not support the increase of the 1200-C violations to the next higher penalty matrix. 1200-C projects between 1 and 5 acres are still quite small in nature and are appropriately categorized in the \$2500 matrix. We could support the addition of a category of 1200-C projects that are 20 or more acres in the highest matrix of \$8000 with the projects between 5 and 20 acres remaining in the \$6000 matrix.

I will be out on vacation leave until April 1<sup>st</sup> but if you have questions regarding this please feel free to contact Ranei or any of the stormwater managers. Thanks.

Zach Loboy | Water Quality Manager |  
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