



Environmental Quality & Public Works Committee

November 1, 2022

Summary and Motions

Chair F. Brown called the meeting to order at 1:02 p.m. Committee Members Kay, Ellinger, Moloney, McCurn, LeGris, Sheehan, Kloiber, and Bledsoe were present. Committee Member Worley was absent. Council Member Reynolds was present as a non-voting member.

I. **Approval of October 11, 2022 Committee Summary**

Motion by Ellinger to approve the October 11, 2022 Environmental Quality & Public Works Committee Summary. Seconded by McCurn. Motion passed without dissent.

II. **Annual Municipal Separate Storm Sewer System (MS4) Update**

Lindsie Nicholas, Municipal Engineer in the Division of Water Quality, provided a brief overview of the Municipal Separate Storm Sewer System (MS4) program. She explained that Lexington is a large MS4 (population of 250,000 or higher) so we have an individual permit. This program is intended to maintain and improve the quality of the state's waterways by reducing the quantity of pollutants that stormwater picks up and carries into the MS4 during storm events. She reviewed the 10 elements of the MS4 program that fall into 3 main categories (public engagement, pollution prevention, and monitoring and reporting). Nicholas said the current MS4 permit requires the City to ensure legal authority to control discharges to our MS4 and this legal authority is accomplished in Chapter 16, Article X of the code of ordinances. She described the year in review and said Lexington was released from the storm water portion of the Consent Decree in 2021, but they continue to meet compliance goals in all program element categories per MS4 permit with the State. She spoke about the MS4 stakeholder committee meeting which allows for transparency of the program and said the next meeting is scheduled for December 2, 2022. She reviewed the summary of water quality conditions and she spoke about the Watershed-Focused Monitoring Program. She provided details on the Stormwater Quality Incentive Grant Program and highlighted the various grants awarded in FY22. There was committee discussion about compliance and the difference between active versus targeted construction sites. Nicholas pointed out that active sites include all construction sites while targeted sites are projects that disturb more than five acres and this also includes projects that involve construction along or in a stream that require obtaining a permit. All capital projects are considered targeted construction sites as well. When asked what the compliance mechanism is, Nicholas referenced the enforcement procedures outlined in the Code of Ordinances. There is a separate set of enforcement procedures for construction site inspections or inspections of stormwater control. When asked how we solve runoff through Town Branch and UK, Nicholas said this is a tall task and she explained how valuable watershed planning is to process. Nicholas also explained the process for how Lexington's MS4 permit relates to how the state reports. No action was taken on this item.

III. Division and Program Reviews

The Division Reports for Streets and Roads and Traffic Engineering were included in the packet as information only. These reports will be kept on file with the Council Core Staff. No action was taken on this item.

IV. Items Referred to Committee

Motion by Kay to remove the *Fayette County Broadband Report* from the list of committee referral items. Seconded by McCurn. Motion passed without dissent.

Motion by LeGris to remove the *Evaluation of the Vacuum Leaf Collection Program* from the list of committee referral items. Seconded by Bledsoe. Motion passed without dissent.

Motion by LeGris to remove the *Urban Tree Canopy Change Analysis and Planting Plan* from the list of committee referral items. Seconded by Kay. Motion passed without dissent.

Motion by Bledsoe to remove the *Annual Vacuum Leaf Collection Program Update* from the list of committee referral items. Seconded by Kay. Motion passed without dissent.

Motion by McCurn to adjourn at 1:44 p.m. Seconded by Kay. Motion passed without dissent.