



Standards Oversight Council (SOC)

Developing effective technical standards that protect Wisconsin's natural resources

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NRCS Stream Protection/Restoration Standards Team

MEETING NOTES

Monday, June 7, 2021 ▲ 1:00pm – 4:00 pm ▲

Online Meeting

1:00 Welcome (Kate, Steve)

Goal: Welcome, attendance, meeting goal.

Welcome back! We perform a microphone check and confirm attendance:

Steve Becker (Sponsor and Team Leader) – NRCS

Seth Ebel – Dane County LCD

Bob Micheel – Monroe County LCD

Jeff Hastings – Trout Unlimited

Faith Fitzpatrick – USGS

Bart Chapman – DATCP

Nate Anderson – DNR

Ben Lee – Fish Creek Restoration

Mike Dreischmeier – NRCS

Ken Potter – UW Madison

Stacy Dehne – DATCP (via phone)

Absences: Jeff Schure, Marty Melchior, Joe Schmelz

Guests: None

Some general items:

Steve and I will try to keep the group on-topic but please speak up. We want to hear your thoughts and this will probably be the last time we meet before the public sees these updated standards.

Thank you for everyone on this team for preparation before this meeting to draft responses and edit the text! Before this meeting, we broke out the responses to comments into subgroups of this team. These subgroups worked on draft responses and some text edits, which Steve adjusted a bit further and filled in some gaps and consistency issues. He also removed some details of policy and kept these more targeted to technical details.

Steve got a couple emails after the latest drafts went around and we'll go through key comments and edits today. Our meeting goal is to get the 4 standards ready for Broad Review - cleaned up text to address the Initial Review comments (or in some cases responses are to decline reviewer suggestions).

On a related topic, DATCP is scoping a new ATCP50 and the scoping will go before LWCB in August, after which they would start revising the rule. DATCP expects to expand and provide flexibility for cost sharing under the new rule to include CPS 580, 582, and 584. Current funding related to the standards for this team is only for CPS 580.

Review Key Revisions (Steve, Team)

Draft 6 of CPS 395 Stream Habitat Improvement and Management;

Draft 7 of CPS 580 Streambank and Shoreline;

Draft 6 of CPS 582 Open Channel; and

Draft 6 of CPS 584 Channel Bed Stabilization

Goal: Review the more substantial revisions to the standards based on Initial Reviewer comments. Approve standards for Broad Review.

Steve reviews the file for each of the above standards on-screen. Edits since the Initial Review are redlined and highlighted yellow on screen to more easily identify what has changed. Minor edits to each of the 4 standards were made together on-screen.

Larger points from the team discussion on CPS 395:

- NRCS did not want to have a DNR fish biologist requirement to enlist other agencies automatically. General Permits don't typically go through the DNR fish biologists. Team members feel strongly to leave "DNR fish biologist" in, at least to let it move through public comment period. Steve will revise the responses to these comments and take this up with NRCS ecological side (this is standard is in ecological science category but Steve is helping shepherd it through revisions since its tied to the engineering practices).
- Faith provides this source of < 5x the bankfull width affecting the upstream channel gradient to bolster response to that comment: The reference for estimating meander wavelengths for estimating reach lengths for geomorphic assessments is: Leopold, L.B., Wolman, M.G., and Miller, J.P., 1964, Fluvial processes in geomorphology: San Francisco, W.H. Freeman, (p. 296). The meander wavelength is on average about 10-11 times the channel width, and the average sinuosity is 1.5. A distance of 5 times the bankfull width would make it about 1/2 of a meander wavelength or about 1/3 of the channel length through a meander wavelength. Rosgen may have something similar for those that use this NCD.

The Initial Review comments on **CPS 584** were not too substantial and the team reviewed the few changes made with no further edits recommended.

Larger points from the team discussion on **CPS 580**:

- Some policy items that came out of the State Tech Committee discussions on application of CPS 580 are going to be put in a policy bulletin.
- The 390 sq mi watershed restriction statement was removed, although it is still true for NRCS projects and will go into the policy bulletin. It was good to see reviewers input on this as a “pulse check.”
- Some clarity was added to point source pollution. Team doesn’t want to allow a blind eye to hazardous materials or pollution issues, but we are specific that this is “within the work limits.”
- Rosgen requirement was removed for all projects in bank erosion severity (but left in later in standard related to critical sites). Team had discussed this option before and there were several comments suggesting removal as well.
- Critical Sites bullet regarding Rosgen – Rosgen criteria removed from previous section (for all projects) but will be left in for Critical Sites. Team discusses removing the Rosgen stream types and approach as process vs form but it sounded like the same requirement by a different name (incised headwater channel, gully, alluvial fan, high width-to-depth ratio) and user would likely ask how it’s determined. After the meeting, **Steve** will add a short sentence to this bullet for context and intent.
- Under critical sites, team discusses that the geotech investigation is appropriate for permanent building near the bank. NRCS by policy doesn’t stabilize a streambank solely to protect a building, though there are situations where this is a factor and geotech information is important.
 - 2x bank height was based on Rankin active pressure zone with a safety factor, which is *less* restrictive than what is often in permit requirements (like in the Fox River).
 - Modeling doesn’t take into account vegetation vs bare soil so there are problems with application of the data. The designer would need to apply and interpret appropriate model but methodology not specified in the standard.
 - The infinite slope stability model is a simple solution that would be adequate on some projects. The geotech sampling/testing protocol and modeling are up to the designer and approving engineer and would be specific to the project.
 - Is there ever a point where NRCS would NOT work on a project? The state tech subcommittee that was evaluating policy didn’t define a threshold but projects with a high level of risk it would need to be

evaluated with project specifics (amount of erosion, building type, other possible complicating factors of site conditions).

- NEH Part 631 reference – what part of 631 is relevant to structure on a streambank? Groupings for details in investigation don't directly apply to streambank. **Steve** will look up and add clarification, or remove this reference.
- HEC-RAS should be one option but not required. Team has varying viewpoints and we may just see what public comments come in.
- Height of “watercraft generated waves” is nebulous and something that wouldn't get permitted (since boat wakes not considered by DNR). **Steve** will soften language in this bullet.
- Considerations – several comments on the paragraph about magnitude and duration of storms due to climate change impact since reviewers didn't know how to act on this statement. Team doesn't want to delete the paragraph about increased rainfall and climate change. Some clarifications and adjustments made to keep the language in but with some edits, including citation of updated data source. UW Civil Engineering has published more current rainfall numbers now in use by some municipalities and by NRCS in some watershed analyses. **Steve** will adjust to keep climate change statement in with some clarity added.

Key points from the team discussion on **CPS 582**:

- Some confusing national language on stability check. New language to clarify was adjusted further to address the conflicting language over as-built condition.
- In Open Channel, water profile model such as HEC-RAS is a requirement.

Next Steps (Kate, Team)

Goal: Review Action Items; Identify the timeline toward Broad Review and beyond.

Action Items:

1. **Kate**: prepare 6/7/21 draft meeting notes, **Steve** reviews, then full **Team** reviews.
2. **Kate** will refine the responses based on the meeting today, then send the “Comment-Response” versions of the 4 standards back to each Initial Reviewer and post online.
3. **Steve** will make final polishing edits to all 4 standards then **Kate** will release for Broad Review.
 - a. Broad Review will be for 4 weeks (longer due to multiple docs to review, and July 4 holiday overlap)
 - b. **Kate** will send out an announcement to SOC ag listserv, CountyCon staff listserv, and council representatives, and also post on SOC website.

1. Kate will forward the announcement to everyone on this SOC **Team** and ask that you forward on to your colleagues and others in your networks that may not have it.
 2. Kate will also invite Initial Reviewers to comment again, people we considered for Initial Reviewers but were not on priority list, and individuals who applied but didn't make it to the team.
- c. **Kate** again logs all the comments and prepares a separate "Comment-Response" version of each standard, then the team drafts responses to comments and corresponding text edits.
 - d. Revised drafts will be circulated for team input to draft responses, much like we did for Initial Review. There will likely then be another team meeting to finalize the text—timing and duration depends on the comments received.

4:00 End