

Storm Water Design Team Meeting Notes for Conditional Exclusion Rule Discussion - 12/18/03

The purpose of the afternoon discussion was to provide an overview of the conditional exclusion draft rule, and to request some input and feedback on the draft rule provision.

1. What types of conservation projects should be conditionally excluded?
 2. Are there other specific construction activities, other than feedlot and conservation projects, that should be considered under the conditional exclusion, and why?
 3. What challenges exist that could make compliance with the draft rule difficult?
- Why exempt feedlots? Feedlots not exempted, are excluded from requirement to apply for permit coverage if specific requirements (i.e. covered under feedlot permit, must implement BMPs).
 - Federal agricultural exemption for construction activity for the purpose of growing crops – interpreted to include grassed waterway construction.
 - Feedlot exemption – should only pertain to those with permits.
 - What projects should be conditionally excluded?
 - Prairie
 - Wetland banks
 - Habitat restoration
 - Streambank stabilization
 - Restoration
 - DNR permit rule – SWCD obtains a general permit through DNR for specific projects (10 day permit process).
 - Restoration projects – some are “problem” projects.
 - Better project oversight needed.
 - Problems more likely with projects of longer duration.
 - Greater likelihood of project oversight by implementing agency than under MPCA permit.
 - No permit fee for projects of a certain size or cost.
 - Generic SWPPP– reduced plan requirement for certain projects.
 - SWCD currently does plans for projects.
 - There are other agencies, besides NRCS and BWSR that are doing conservation practice projects – SWCDs,... and others(?) that should be considered.
 - Adopt plans, with pre-approved standards, for specific types of projects.
 - Model plans could be in rule appendix.
 - Permit all projects.
 - Haybales – out.