

MINNESOTA STORMWATER STEERING COMMITTEE (SSC)

MEETING AGENDAS AND NOTES 2010-2011

# Agenda

## Stormwater Steering Committee

January 21, 2010 - 1:00 pm to 4:00 pm

Bonestroo

2335 West Highway 36, Roseville, MN

1:00 – 1:15	<b>Welcome, Introductions, Overview of the Meeting</b> – Jason Moeckel, Chair <ul style="list-style-type: none"><li>• Future of SSC discussions</li></ul>
1:15 – 1:45	<b>Metro Chloride Feasibility Report</b> – Barb Peichel and Brooke Asleson, MPCA, Regional Division, Watershed Section <ul style="list-style-type: none"><li>• The purpose of the Metro Chloride Feasibility Report is to obtain a better understanding of the extent and magnitude of chloride contamination to surface waters in the seven county Twin Cities Metropolitan Area, and to explore options and strategies for addressing chloride impairments and other impacts to water resources. Among the objectives of this analysis was to determine the feasibility of addressing chloride contamination on a Metro-wide scale.</li></ul> <b>Q &amp; A</b>
1:45 – 2:15	<b>Groundwater Protection Strategies</b> – Dave Leuthe, DNR and Don Jakes, MPCA <ul style="list-style-type: none"><li>• The Legislature allocated 5 million dollars in stimulus funding for groundwater protection strategies. An update will be provided on the Agencies recommendations on how the funding is to be spent.</li></ul> <b>Q &amp; A</b>
2:15 – 2:45	<b>25 Year Strategic Plan for Water Framework</b> – Dan Edgerton, Bonestroo <ul style="list-style-type: none"><li>• As Co-chair of the Domestic Use Technical Work Team for the Water Resource Center 25 Year Strategic Plan for Water Framework, Dan Edgerton will share his insights and intentions for the Water Framework Project.</li><li>• A Stormwater Subcommittee within this Work Team will likely be formed. The SSC would like to recommend that a number of SSC members serve on the Water Framework Project Stormwater Subcommittee. SSC members as participants would provide an efficient method to assemble a functional subcommittee that builds on the work the SSC has already done in considering and addressing state-wide stormwater issues and concerns.</li></ul> <b>Q &amp; A</b>
2:45 – 3:00	<b>Break</b>
3:00 – 3:15	<b>PAH Pond Inventory</b> – Dale Thompson, MPCA <ul style="list-style-type: none"><li>• Update on PAH notification required by 2009 legislation requiring NPDES regulated MS4s to inventory their stormwater ponds.</li></ul>
3:15 – 3:55	<b>Work Group Reports</b> <ul style="list-style-type: none"><li>• MIDS Work Group – charter for new work group</li><li>• Stormwater Manual Work Group</li><li>• Funding Work Group</li><li>• ISW General Permit update</li><li>• MS4 General Permit reissuance update</li></ul>
4:00	<b>Next Meeting/Adjourn</b> <b>Thursday, April 15, 2010, at MPCA in St. Paul</b>

**Work Group Charter - 2010**

<b>Name of Work Group</b>	Minimal Impact Design Standards (MIDS) Work Group		
<b>Work Group Co-Leader(s):</b>	To be determined by a nomination and voting process at the first official MIDS work group meeting (February 18, 2010)		
<b>Work Group Members:</b>	Groups represented on the MIDS work group commit to sending a member or alternate to at least 8 of 12 meetings each year. Technical advisors and nonvoting members will be invited to participate in work group discussion.		
<b>{Invited Organizations}</b>	<b>Primary</b>	<b>Alternate</b>	<b>Organization:</b> Metro Watershed Districts (MAWD) Watershed District (greater MN) Watershed Management Organizations Met Council Soil & Water Conservation District (Metro) Soil & Water Conservation District (greater MN/county water planner) Developer Department of Natural Resources Northland NEMO Representative Academic Researcher City-greater MN City-Metro Phase II MS4/MCSC City-metro Phase 1 MS4 BAM/BATC MCPZA (Planner)/AMC (County planner)/ MN Chapter of APA MnDOT MPCA MPWA Environmental Group (e.g., FMR, 1000 FOM, MEI, etc) Private development engineering consultant (site designers) Engineering Assn. member (ASCE, ACEC, CEAM) BWSR MASLA
<b>MPCA Project Team:</b>	Bruce Wilson - Project Manager Anne Gelbmann, Mike Findorff		
<b>Meeting day/time:</b>	To be determined based on availability of a video conference room of adequate size.		
<b>Meeting location or method:</b>	Meeting location will be announced prior to meetings.		
<b>Purpose:</b>	Provide guidance and recommendations to the MPCA on the MIDS project.		

<b>Scope:</b>	<ol style="list-style-type: none"> <li>Oversee MIDS project: <ul style="list-style-type: none"> <li><u>Performance Goal</u> <ul style="list-style-type: none"> <li>Develop recommendations for statewide development and redevelopment performance goals (for residential, linear, and commercial/industrial development) that will assist in achieving anti-degradation rules and quantifying TMDL load reduction and will allow for community and site variability.</li> <li>Define development/redevelopment categories for application of performance goals (e.g., single family).</li> </ul> </li> <li><u>Calculation Methodology for a range of Best Management Practices</u> <ul style="list-style-type: none"> <li>Identify and prioritize BMPs to be included in MIDS project.</li> <li>Quantify load reduction credits to assist with TMDL development and implementation.</li> <li>Review and approve proposed calculation methods and credits.</li> </ul> </li> <li><u>Local Implementation</u> <ul style="list-style-type: none"> <li>Provide input on ordinances, controls, and tools for use by LGUs or other entities.</li> <li>Determine how adoption of MIDS 'package' will allow LGU compliance with anti-degradation rules.</li> <li>Establish a community assistance subgroup that ensures integration of MIDS outreach and work with LGUs.</li> </ul> </li> </ul> </li> <li>Ensure integration of MIDS work with MN Stormwater Manual.</li> <li>Facilitate high-level coordination/discussion to maximize acceptance of MIDS concepts and approaches (e.g., MCEA, MPCA, USEPA, others as needed).</li> <li>Provide periodic updates to legislature.</li> <li>Other activities as identified by the work group.</li> </ol>
<b>Interactions with other Work Groups:</b>	<p>The MIDS work group will interact with most or all SSC work groups.</p> <p>There will be substantial overlap in membership between the MIDS work group and LID work group. The LID work group will be meeting less frequently and does not have a formal membership structure.</p>
<b>Decision Making Process</b>	Group recommendations and decisions will be made by a consensus based process. Anyone attending the meetings will be invited to participate in an open, candid discussion. Only designated work group members or alternates will be allowed to participate in the consensus decision making process, in the context of MPCA authority for project management and completion.
<b>Deliverables:</b>	<ol style="list-style-type: none"> <li>RFP issued and proposals reviewed</li> <li>Consultants selected</li> <li>Preliminary materials developed by consultants reviewed and input provided</li> <li>Final products reviewed and approved</li> <li>Recommendations to SSC for long term implementation of MIDS.</li> </ol> <p>Note: The deliverables of the MIDS work group will be based on the work plan, which has not been finalized. This charter will be updated when the work plan is finalized.</p>
<b>Estimated time commitment</b>	One meeting every month for 2.5 hours. The MIDS project could take up to 3 years to complete.

## **Stormwater Steering Committee Meeting January 21, 2010**

Attendees: Jason Moeckel, Cliff Aichinger, Randy Neprash, Christina Carballal, Emily Javens, Dave Poggi, Caty Johnson, Scott Anderson, Jay Riggs, Jake Lantry, Doug Snyder, Joel Schilling, Karen Jensen, Bob Swanson, Mary Davy, Jay Michels, Udai Singh, Scott Frampton, Andrea Hendrickson, Steve Klein, Judy Sventek, John Hensel, John Chapman, Jack Frost, Doug Carnival, Don Jakes, Mary H. Lynn

### Introductions and overview of meeting – Jason Moeckel (SSC Chair):

Jason introduced Karen Jensen of the Met Council who in turn asked that the membership of the SSC contribute ideas for the next MN Water Resource Conference.

Jason gave some background and history of the discussions that have taken place in the Operations Committee meetings regarding the future of the SSC and the question “What is the value of the SSC, what are the needs out there?” He asked those present if this topic is worthy of discussion at the next meeting of the SSC in April. Cliff Aichinger gave a brief overview on the Ops Committee discussion of the SSC operating as a nonprofit. Mary Davy stated she supports the SSC, that it is a quality organization, and that there is private money out there to support the work of the SSC. Andrea Hendrickson likes the presentations of the various speakers and topics that present at the SSC meetings. Caty Johnson stated the presentations were of value and the current structure of the SSC was a good one. She also mentioned there are public and private funds available to help fund the work of the various work groups and would like the SSC to engage in discussions with her regarding the available funding mechanisms. The SSC Chair asked for e-mail comments, opinions, and ideas from all SSC members on the subject before the next Operations Committee meeting in early February.

### Metro Chloride Feasibility Report Presentation– Barb Peichel and Brooke Asleson (MPCA)

The purpose of the Metro Chloride Feasibility Report (Study) is to obtain a better understanding of the extent of chloride contamination to surface waters in the seven county Twin Cities Metropolitan Area and to explore options and strategies for addressing chloride impairments and other impacts to water resources. The Study focuses on road salt as a primary source of chloride in the Metro Area. The Study team consisted of:

- Minnesota Pollution Control Agency
- Minnesota Department of Transportation
- Metropolitan Council
- Board of Water and Soil Resources
- University of Minnesota, St. Anthony Falls Laboratory
- Wenck Associates, Inc.

The Study includes approximately 35,700 data points (chloride) from lakes, streams, and groundwater. Stream data was available for 27 of the 43 Metro watersheds. Only 20 percent of the data was able to be collected in the winter. Since most impairment is seen in winter samples more winter samples are needed to have a true understanding of the level of the problem. The best predictor of chloride concentration in streams is road salt application rates.

Lake data samples were collected at the surface of the waters. Chloride levels are typically higher in deeper portions of lakes which means that about 15 - 20 lakes would probably be on the impaired waters list for chloride if sampled using water from deeper levels in the lakes. Winter data is lacking for lakes.

Data is either sparse or non-existent for groundwater and wetlands.

A telephone survey was done with 42 Metro cities, counties, watershed districts, and park districts in the Metro Area to gather information on current chloride reduction practices and how its application is monitored. Much is yet unknown about the impacts of chloride to the biota of lakes and streams.

Monitoring strategies should include:

- Stream monitoring should focus on winter/snowmelt season for streams and year round for lakes
- Prioritize for streams in areas of having the highest estimated road salt load per square mile
- Lake monitoring could include measuring chloride concentrations at multiple depths to capture the entire profile
- Develop sampling protocols for groundwater and wetlands and conduct samplings

Research needs include:

- Analyze de-icing impacts on lake biota
- Study the residence times of chloride and alternate de-icing materials and additives in different water bodies in the TCMA
- Examine how increases in stormwater infiltration practices in the TCMA would impact surface and groundwater chloride concentrations as well as changes in soil structure, soil loss and infiltration rates.

Potential chloride management strategies:

- Use a TDML approach Metro wide
- Regulatory approach:
  - Include mandatory chloride-reduction BMPs in the next state MS4 NPDES General Permit
  - Have specific stockpile management strategies
  - Compile and report application of chloride-based de-icers and alternative material
- Management Approach:
  - Review existing statewide and local watershed monitoring strategies
  - Create, manage a statewide database of road salt and alternative products used in Minnesota
  - Create policies and regulations that reduce chloride delivery to waterbodies
  - Financial incentives to adopt BMPs

In Phase II of the study the interagency team and local stakeholders will work together to consider findings, prioritize potential actions, monitor activities and research needs, identify funding opportunities and develop a work plan and activities for implementation.

#### Groundwater Protection Strategies – Don Jakes (MPCA) and Dave Leuthe: (DNR)

The Minnesota Legislature has allocated 5 million dollars in stimulus funding with the charge to implement groundwater protection strategies. Don and Dave gave an update on recommendations for how the funding is to be spent. A series of meetings with an interagency group and MPCA staff and leadership looked at ways to identify and narrow the spending proposal. The interagency team included staff from MDH, MDA, DNR, BWSR, Met Council, EQB, and MGIO. Groundwater protection needs and current activities underway at the state and local level to protect groundwater were discussed. Based on those discussions and because of the one-time nature of the \$5 million appropriation, the group focused on groundwater protection activities that could fill immediate needs and pilot approaches that will inform future protection efforts.

There are three main elements in the spending proposal:

- Implement groundwater protection practices at the local level and evaluate the effectiveness of those practices - \$3,750,000
- Develop a model approach for enhancing groundwater protection planning at the local level - \$750,000
- Provide for better groundwater data access and sharing - \$500,000

The proposal will help fill immediate needs in groundwater protection and will improve the ability of state agencies to assist local government in planning and implementing protection practices. This will result in stronger groundwater protection and provide state agencies with the information and experience needed to develop a long-term implementation plan for groundwater protection. The Legislature will be reviewing the proposals.

#### 25 Year Strategic Plan for Water Framework – Dan Edgerton (Bonestroo)

Dan is co-chair of the Domestic Use Technical Work Team for the Water Resource Center 25 Year Strategic Plan for Water Framework and shared his insights and goals for the Water Framework Project. The University of Minnesota will develop a comprehensive statewide detailed framework to protect, conserve, and enhance the quality and quantity of the state's groundwater and surface water. The framework will be developed by the U of M's Water Resource Center along with the DNR, and Department of Agriculture, the Environmental Quality Board, MPCA, BWSR, watershed management districts, soil and water conservation districts, federal, state, and local government and private nonprofit organizations.

A work plan, budget, timeline and periodic progress reports will be submitted to the Legislative Coordinating Commission. The final framework is to be delivered to the Legislature by January 2011. Deb Swackhamer will be the Project Leader, Jean Coleman the Project Coordinator, and Barbara Liukkonen the Outreach Coordinator.

The SSC would like to recommend a number of SSC members to serve on the Water Framework Project Stormwater Subcommittee. Dan is looking for 8-10 names of varied representation from which to select 4-6 persons to serve on the Subcommittee through June 2010. Those interested in participating are to submit their name/organization to Mary H. Lynn (MPCA) by Thursday 1/28/2010; Mary will compile the list and forward to Dan.

#### PAH Pond Inventory – Dale Thompson (MPCA):

Dale gave an update on the PAH notification required by the 2009 legislation requiring NPDES regulated MS4s to inventory their stormwater ponds for PAH. Details of the pond inventory must be included in the report to the legislature by January 2010. Information on grants to help fund clean-up of PAH will be available on the MPCA Web site soon regarding the process. Any MS4 wanting to apply for a grant must have a regulatory ordinance for PAH in place. When MPCA has all the PAH Pond study data analysis, the MS4s will be contacted with the results. MPCA expects that conclusions on the data will be available on the Web site by June.

It was suggested that a Legislative ban is needed and should be applied statewide, not just city by city (similar to the phosphorus ban was applied statewide).

#### Work Group Reports:

##### MIDS Work Group – Jay Riggs:

Jay requested SSC approval of the charter for the new MIDS Work Group. Motions were made, discussion followed, and the motion passed to approve the charter.

Stormwater Manual – Jay Michels:

The Work Group has come up with a system to standardize the process of updating the Manual. They are also discussing options for ownership of the Manual and its future funding. The subcommittee of the Manual Work Group continues to meet and will present updates to the SSC.

Funding Work Group – Don Jakes:

Due to budget constraints both in funding and staff, the Funding Work Group is on hold.

Industrial Work Group – Don Jakes:

The Industrial Stormwater Program intends to go to the MPCA Citizens' Board on February 23<sup>rd</sup> for approval of the Industrial Stormwater General Permit. Comments need to be directed to the Board in the required timeframe before the meeting. There will be a guidance document for the Industrial Stormwater General Permit users. There was some discussion on combining the Industrial permit guidance with the Stormwater Manual in areas where they both share information.

MS4 Permit Update – Don Jakes:

The MS4 General Permit expires May 31, 2011. A stakeholder meeting was held January 14 at the MPCA; approximately 80 people attended and a great deal of input was received. The reissuance of the permit is limited in scope covering nondegradation, TMDLs, construction expectations, compliance requirements, post construction, system mapping.

Randy informed the SSC membership that the Minnesota Cities Stormwater Coalition has invited the EPA to speak at their annual meeting in April.



# Agenda

## Stormwater Steering Committee

April 15, 2010 - 1:00 pm to 4:00 pm

**MPCA Board Room**

**520 Lafayette Road North, St. Paul, MN**

<b>1:00 – 1:15</b>	<b>Welcome, Introductions, Overview of the Meeting</b> – Jason Moeckel, Chair <ul style="list-style-type: none"><li>Update on future of SSC discussions.</li></ul>
<b>1:15 – 1:30</b>	<b>25 Year Strategic Plan for Water Framework</b> – Dan Edgerton, Bonestroo <ul style="list-style-type: none"><li>Update on the WRC 25 Year Strategic Plan for Water Framework project will be provided by Dan who is the Co-chair of the Domestic Use Technical Work Team for the Water Resource Center 25 Year Strategic Plan for Water Framework.</li></ul>
<b>1:30 – 2:30</b>	<b>Context Sensitive Design Presentation</b> – Scott Bradley, MNDOT <ul style="list-style-type: none"><li>“...FHWA designated Mn/DOT as one of 5 “pilot states” charged with the responsibility to help advance the understanding and application of the philosophy and principles of Context Sensitive Design and Solutions nationwide. CSD&amp;S can be defined as the simultaneous balancing and advancement of the objectives of safety and mobility with preservation and enhancement of aesthetic, scenic, historic, cultural, environmental, and community values in transportation projects.”</li></ul> <b>Q &amp; A</b>
<b>2:30 – 2:45</b>	<b>Clean Water Legacy Grants</b> – Dave Weirens, BWSR <ul style="list-style-type: none"><li>Update on stormwater projects funded by the Clean Water Legacy with emphasis on the LID focused projects.</li></ul>
<b>2:45 – 3:00</b>	<b>Break</b>
<b>3:00 – 3:40</b>	<b>SSC Funding Alternatives</b> – Mary Davy, MN Stormwater Partnership; Don Jakes, MPCA; and Jason Moeckel, DNR and SSC Chair <ul style="list-style-type: none"><li>Presentation and discussion on SSC funding alternatives including private sector funding options.</li></ul>
<b>3:40 – 4:00</b>	<b>Work Group Reports</b> <ul style="list-style-type: none"><li>MIDS Work Group – Anne Gelbmann, MPCA</li><li>Industrial Stormwater Multi-Sector General Permit update – Zach Chamberlain, MPCA</li><li>MS4 General Permit reissuance update – Dale Thompson, MPCA</li></ul>
<b>4:00</b>	<b>Next Meeting/Adjourn</b>  <b>Thursday, July 15, 2010, at Bonestroo offices in Roseville</b>

PARKING: There is limited parking in 4-hour spaces in front of the MPCA building. Additional free parking is available on Grove Street and in the Williams Hill Industrial Park area and on Lafayette Road North one block south of the MPCA building, in the Lafayette Park lot.

TRANSIT: The #64 bus runs directly down 5th Street in downtown St. Paul and stops in front of the MPCA building, every 15-20 minutes.

<http://www.pca.state.mn.us/about/regions/stpaul.html> has additional driving directions and parking information.

CHECK-IN: Allow a few minutes to check-in at the front desk when arriving at the MPCA. You will need a photo ID to check-in with security.

## **Stormwater Steering Committee Meeting April 15, 2010**

Attendees: Jason Moeckel, Cliff Aichinger, Don Jakes, Randy Neprash, Andrea Hendrickson, Mary Davy, Bob Swanson, Emily Javens, Scott Anderson, Dan Hannan, Leo Holm, Jay Michels, Brett Troyer, John Chapman, Jack Frost, Dan McGuinness, Dave Weirens, Doug Snyder, Scott Bradley, Dan Edgerton, Mary H. Lynn, Anne Gelbmann, Mike Findorff

Welcome, Introductions, and Overview of the Meeting – Jason Moeckel, SSC Chair:

Jason welcomed all and asked members to introduce themselves. He then updated the group on discussions the Operations Committee, and previously the SSC, have been having on the future of the SSC. The feedback that has been received on the topic has all been favorable toward the SSC; members appreciate and value the SSC as it currently operates. Members value the informative topics that are presented as being timely, relevant, and topical. Informative presentations help to build knowledge and to inform. The frequency of the meetings has been reduced to quarterly which has been favorable to members. The future of the SSC has not been decided; however, the place where the SSC finds itself at this point in time is acceptable.

Clean Water Legacy Grants – Dave Weirens, BWSR:

Dave provided a handout listing the funded FY 2010 Clean Water Fund Projects; funded projects total approximately 7 to 8 million. The funding pool has six different pots of money. There was a required match from each entity receiving grant money. Approximately 1/3 of those applying received funding. Eligibility requires an approved plan; projects are ranked higher if the specific project is in the plan. Many of the projects have a LID connection. Coordinated review of the project application submittals was conducted by several state agencies including; BWSR, MPCA, DNR, and Department of Agriculture. Next year the grant program will be very similar to this year's and will likely begin in August with a Board decision by year's end. The process to manage the program will be in place soon in order to be ready for the applications that will begin to arrive in August.

25-Year Strategic Plan for Water Framework – Dan Edgerton, Bonestroo:

The 25-Year Framework Committee received funds from the Legislature through the U of M. Dan is co-chair of the Domestic Use Technical Work Team for the Water Framework Project. Three subcommittees within this work team were formed: stormwater, wastewater, and drinking water. The Domestic Use Technical Work Team has developed a meeting schedule and topics for discussion with the goal of developing several white papers on stormwater, wastewater, and drinking water in Minnesota to present to the Headwaters Council. The papers will include what is known about stormwater, wastewater, and drinking water; identify knowledge gaps, and provide a statement of issues to be addressed in the Minnesota Water Sustainability Framework (the white papers will not be a set of recommendations, but will identify the issues and needs that may need to be addressed). It was suggested that "regional diversity" should be on the issues list since the landscape varies so much throughout Minnesota that a one-size-fits all approach won't work. The process includes a citizen comment period. The final report, to inform the Clean Water Fund, is due to the Legislature in January 2011.

Context Sensitive Design Presentation – Scott Bradley, MNDOT:

Scott Bradley, director of Context Sensitive Design (Solutions) at MNDOT gave a PowerPoint presentation on Context Sensitive Design (Solutions) or CSS. There are two ways to understand the CSS concept: 1) Interrelated conditions in which something exists; and 2) tying parts together to work as a cohesive whole. CSS relates to what is important about people, and quality of life, places and circumstances. There are many measures of what is important depending on what group of people you are asking, such as public health, community compatibility, environmental compatibility, social and

economic equity, function and performance, meeting federal demands, livability issues, and sustainability solutions. CSS is a collaborative, interdisciplinary approach to life, work, and projects. He gave the background and history of the beginnings of CSS in 1998.

#### Core Principles of CSS

These core CSS principles apply to transportation processes, outcomes, and decision-making:

1. *Strive towards a shared stakeholder vision to provide a basis for decisions.*
2. *Demonstrate a comprehensive understanding of contexts.*
3. *Foster continuing communication and collaboration to achieve consensus.*
4. *Exercise flexibility and creativity to shape effective transportation solutions, while preserving and enhancing community and natural environments*

#### CSS Qualities

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Context sensitive solutions is guided by a process which:

- *Establishes an interdisciplinary team early, including a full range of stakeholders, with skills based on the needs of the transportation activity.*
- *Seeks to understand the landscape, the community, valued resources, and the role of all appropriate modes of transportation in each unique context before developing engineering solutions.*
- *Communicates early and continuously with all stakeholders in an open, honest, and respectful manner, and tailors public involvement to the context and phase.*
- *Utilizes a clearly defined decision-making process.*
- *Tracks and honors commitments through the life cycle of projects.*
- *Involves a full range of stakeholders (including transportation officials) in all phases of a transportation program.*
- *Clearly defines the purpose and seeks consensus on the shared stakeholder vision and scope of projects and activities, while incorporating transportation, community, and environmental elements.*
- *Secures commitments to the process from local leaders.*
- *Tailors the transportation development process to the circumstances and uses a process that examines multiple alternatives, including all appropriate modes of transportation, and results in consensus.*
- *Encourages agency and stakeholder participants to jointly monitor how well the agreed-upon process is working, to improve it as needed, and when completed, to identify any lessons learned.*
- *Encourages mutually supportive and coordinated multimodal transportation and land-use decisions.*
- *Draws upon a full range of communication and visualization tools to better inform stakeholders, encourage dialogue, and increase credibility of the process.*

The CSS process is about hearing every voice, being broadly informed and having balanced processes, partnering and sharing resources, and streamlining processes. CSS is not about compromising public safety, spending more time and money “over all”, about adding amenities or listening only to the loudest voices. To learn more about Context Sensitive Solutions visit: [www.contextsensitivesolutions.org](http://www.contextsensitivesolutions.org)

#### SSC Funding Alternatives:

Jason provided some background on previous Ops Committee discussions surrounding funding updates to the Manual and other work products (e.g. the Blue Book). Don Jakes explained the MPCA’s position in view of the current economic climate, constraints on Agency resources (both staffing and time), and lack of Agency funds to contribute towards updating the Manual or other projects. In the past, the MPCA contributed significant amounts of staff time and funds to develop the Manual; however, the MPCA is in an unprecedented belt tightening mode and the unfortunate reality is that at this time, and likely several years out, there are no monies or staff time available. Don stated he spoke with MPCA management about what type of financial help the MPCA can accept to do the work on the Manual. The response was that the MPCA needs to stick to its core functions (regulatory/enforcement) which federal and state statutes require it to do. As all are aware, none of these statutes cover work on the Manual (or Blue Book...etc);

these products are not mandated by federal or state statute. The question is how the MPCA partners with the private sector to accomplish work it cannot, and in some cases should not, do alone.

The question was raised about whether the Stormwater Program is a priority program at the Agency. Don responded that the Agency has placed a high priority on the impaired waters/TMDL program and watershed approach and planning; and though stormwater is less of a priority, stormwater is a piece of these efforts.

Mary Davy stated it is important to understand the context of the MN Stormwater Partnership. It is made up of sectors of construction, architects, LUGs, contractors, landscapers..., etc. Because the MN Stormwater Partnership agrees on the value of the SSC Committee and its work products, Mary stated that they are able to raise money for updating the Manual. The issue remains how to funnel that money into doing the work, and who or what will be the owner or house the Manual if not the MPCA. The reoccurring question was asked "If the MPCA does not own/house the Manual, does the Manual then carry any less credibility and authority? Businesses need the guidance the Manual provides and it is very much outdated. Updates to the Blue Book also need to be discussed and a decision made. Mary went through her handout on the different funding mechanisms:

- Private sector funding under a gifting statute allowed by a state statute
- Private sector funding but the SSC holds onto the product

Much discussion followed; several asked about moving the project forward without the MPCA. It was suggested that perhaps BWSR could become the owner, or a non-profit status for the SSC may be the answer. Jason suggested exploring the possibility of it becoming an interagency project. To aid in exploring this option, the Manual work group will put together a one page document answering the "why, why now, and what" regarding the Manual and its issues so it can be passed onto various agencies and entities. It was noted the addressing the funding issue should extend beyond the Manual to include the Roadmap, Blue Book, and MIDS.

#### Work Group Reports:

##### MIDS work group – Anne Gelbmann:

Handouts were provided on the 319 pilot project in the St. Croix Basin, a fact sheet on MIDS, and information on the MIDS work group meetings. The first MIDS work group meeting was held in February; an overview of the MIDS project and work group charter was developed; Mark Doneux and Jay Riggs were elected co-chairs of the work group. In March, the Washington Conservation District was awarded a federal 319 grant for a MIDS pilot project in the St. Croix Basin; total project cost is \$220,800 with \$125,000 from the EPA and a match of \$95,800. The grant has been signed and the work will begin soon. The RFP for the other MIDS work has not yet been published in the *State Register*; however, is expected to be published in the very near future. The MIDS work group meets every third Friday from 9:00 to 12:00 at the MPCA.

##### Industrial work group – Zack Chamberlain:

The ISW work group last met on March 24<sup>th</sup>. No additional meetings have been planned at this point. The new Industrial Stormwater Multi-Sector General Permit was approved by the MPCA Citizens' Board on March 23, and issued on April 5, 2010. A reminder letter was sent to previous permittees and no exposure certifiers. Permittees are currently applying on-line with deadline dates of June 7<sup>th</sup>, August 6<sup>th</sup>, and October 8<sup>th</sup>, dependent upon the type of industry. The online permit application has been successful so far with general permit applications and no exposure applications being submitted. Phone calls have been heavy – approximately 200 per day.

The Industrial Stormwater Web site is being updated to include a BMP guidebook, a SWPPP template and checklist, and an Applicability FAQ, with more items to come. The ISW work group is continuing its outreach and education. The next event will be a SWPPP workshop at the U of M by John Chapman.

Education work group – John Chapman:

Training for the Industrial Stormwater Permit will begin on June 8<sup>th</sup>. Other training sessions include:

- Erosion and Sediment Control, Regulatory Enforcement on May 20<sup>th</sup>
- Illicit Discharge Management on April 29<sup>th</sup>

More information on stormwater training opportunities is available at: [www.erosion.umn.edu](http://www.erosion.umn.edu)

MS4 General Permit Reissuance Update – Dale Thompson:

A large stakeholder meeting was held in January to gather input on the 2011 MS4 General Permit reissuance effort. The MPCA is currently holding a series of MS4 stakeholder work group meetings on several key issues to be addressed in the permit reissuance including impaired waters/TMDLs, anti-degradation, post-construction, construction stormwater erosion and sediment control, and “one size does not fit all.” Staff will soon begin drafting permit language for stakeholder review and comment, and hope to have a draft permit ready in approximately five months.

***The next SSC meeting will be on Thursday, July 15<sup>th</sup> at the Bonestroo offices in Roseville.***

# Agenda

## Stormwater Steering Committee

July 15, 2010 - 1:00 pm to 4:00 pm

Bonestroo

2335 West Highway 36, Roseville, MN

1:00 – 1:15	<b>Welcome, Introductions, Overview of the Meeting</b> – Cliff Aichinger, Co-Chair <ul style="list-style-type: none"><li>• Overview – Clean Water Interagency Coordination Team</li><li>• Review of SSC Stormwater Management Roadmap for specific project recommendations for the Clean Water Interagency Coordination Team</li></ul>
1:15 – 2:05	<b>Implementation Funding:</b> <b>“Show Me the Money \$\$”</b> – Bill Dunn, MPCA <ul style="list-style-type: none"><li>• How has federal and state municipal stormwater financial assistance programs changed over the past few years? What can be expected in the future – short and long-term? Hear how a handful of cities <u>have received millions of dollars</u> to address stormwater management and treatment issues. It has been said, money makes the world go around – not sure about that – but it is needed if we seek to improve stormwater quality and quantity. Do not miss your chance to participate.</li></ul> <b>“Clean Water Fund Competitive State Grants”</b> – Dave Weirens, BWSR <ul style="list-style-type: none"><li>• In January 2010, BWSR approved about \$14 million in competitive state grants for projects that will protect and restore Minnesota's streams, rivers, lakes and groundwater. An overview of the Clean Water Fund competitive grant process and categories, including those with stormwater potential, will be provided.</li></ul>
2:05 – 2:55	<b>“Anti-degradation &amp; Minimal Impact Design Standards (MIDS)”</b> – Bill Cole, MPCA <ul style="list-style-type: none"><li>• This presentation will provide a brief introduction to anti-degradation; an update on the rulemaking, including key changes to the current rule; and discuss how anti-degradation provisions and MIDS relate to each other.</li></ul> <b>Q &amp; A</b>
2:55	<b>Break</b>
3:10 – 3:40	<b>“The Fallacy of NURP and the Magic of MIDS”</b> – Wesley Saunders-Pearce, MNDOT <ul style="list-style-type: none"><li>• “The term “NURP ponds” refers to retention basins (also called “wet ponds”) that capture sediment from stormwater runoff as it is detained, and that are designed to perform to the level of the more effective ponds observed in the Nationwide Urban Runoff Program (NURP) studies. This presentation outlines the history of NURP, provides key findings about characteristics of wet ponds, research on “NURP” ordinances and NURP pond design standards, and the implications of NURP for Minimal Impact Design Standards or MIDS.</li></ul> <b>Q &amp; A</b>
3:40 – 4:00	<b>Work Group Reports</b> <ul style="list-style-type: none"><li>• MIDS Work Group – <i>TBD</i></li><li>• MS4 General Permit reissuance update – Mary H. Lynn, MPCA</li></ul>
4:00	<b>Next Meeting/Adjourn</b> Thursday, October 21, 2010, at Bonestroo offices in Roseville

## **Stormwater Steering Committee July 15, 2010**

Attendees: Cliff Aichinger, Mary Davy, Bob Swanson, Joel Schilling, Karen Jensen, Judy Sventek, Mike Findorff, Emily Javens, Dave Weirens, Marcey Westrick, Andrea Hendrickson, Leo Holm, Wes Saunders-Pearce, Bill Cole, Randy Neprash, Jack Frost, Patrick McGuiness, Greg Wilson, Bill Dunn, Don Jakes, Mary H. Lynn

### Welcome, Introduction, Overview of the Meeting – Cliff Aichinger, Co-Chair:

Cliff introduced the agenda for the day and asked for general updates. Randy mentioned that EPA has a draft NPDES pesticide general permit currently on public notice. The permit will cover states and tribal lands where the federal government has permitting authority. The permit is being driven by lawsuits; it may bring in agriculture. Also mentioned was the new groundwater/stormwater work group (convened by Randy) which includes several agencies. The work group recently had its' first meeting and will identify issues, decide whether they merit interest by the group, and if so, who should address. Issues include underground infiltration in high traffic areas such as parking lots, and chloride. The group may become a work group under the SSC at some point. Lastly, urban trees and stormwater will be discussed at a forum the last week of September; an expert from Sweden will be speaking. Randy can provide more details.

### Show Me the Money – Project Priority Funding Program – Bill Dunn, MPCA:

Bill explained the how the program works, what it encompasses and how the money is awarded according to the scoring process. There are three areas of funding: wastewater, stormwater, and unsewered area projects. Until 2006, the Project Priority List (PPL) capped stormwater projects at one (1) point. Stormwater projects can now be fully scored; there are seven different criteria a project can be scored by. The funding partners include the Minnesota Public Facilities Authority, BWSR, and USDA – Rural Development. The two state funding programs available for stormwater projects:

- State Revolving Fund (SRF) – below market rate loans and principal forgiveness
- TMDL Grants – a 50 percent grant up to \$3M funded through the sales tax amendment

An example of a funded project is the city of Minneapolis received a 3 ½ million dollar TMDL grant for stormwater issues on the Greenway filtration Crystal Lake project.

Bill emphasized submitting an application for funding and stated that the demand for project funding is far more than what is being met by legislative funding, in part because difficulty exists in identifying stormwater need. EPA requires the state to submit a Clean Watershed Needs Survey (CWNS) survey to determine state need; this survey is done every four years. Minnesota also conducts the Wastewater Infrastructure Needs Survey (WINS) survey every two years; a report on the results is presented to the State Legislature. The Stormwater Infrastructure Needs Survey (SWINS) survey is another tool; however, typically has a low response since it is voluntary; the CWNS and WINS are federally required.

Cliff commented that he thought the application process was onerous and cumbersome and would like to see the process made easier. Even with funding being so tight right now many entities wonder if the process is worth going through, given the time and costs associated with that time, for the chance of actually having a project funded.

### Clean Water Fund Competitive State Grants – Dave Weirens, BWSR:

Dave gave an overview of the Clean Water Fund competitive grant process and categories including those with stormwater potential. BWSR made a number of grant decisions at its June meeting in anticipation of the new state fiscal year that began July 1, 2010. Many grants were awarded; there were three main categories of grant - Approved Grants, Feedlot Water Quality and SSTs Imminent Health Threat



Abatement Grants, and Clean Water Fund Competitive Grants. Dave went over each of these funding mechanisms. New grant awards will be announced in December of 2010; the next application deadline is September 15, 2010. More information is available on the BWSR Web site at: <http://www.bwsr.state.mn.us/grants/index.html>

Anti-degradation and Minimal Impact Design Standards (MIDS) – Bill Cole, MPCA:

Bill provided a brief introduction to anti-degradation, an update on rulemaking including changes to the current rule, and discussed how MIDS and anti-degradation relate to each other. Anti-degradation has its roots in the Clean Water Act. The CWA's objective was to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. It also authorizes the states to establish water quality standards including: designated uses, water quality criteria, and anti-degradation provisions.

Anti-degradation levels of protection include existing uses, high water quality and outstanding resources. Proposed rule and implementation changes are expected to include:

- Non-degradation becomes anti-degradation
- A broader scope beyond wastewater treatment
- Eliminating significance test used to trigger review (no authorized *de minimis* discharges)
- A new review trigger
- A greater emphasis on alternative analysis
  - MIDS is to be considered in the alternatives analysis. Where MIDS avoids increased loading on a project scale, no further review would be required.
- Assessment requirement before allowing lowering of water quality
- Allowance of temporary lowering of water quality
- Anti-degradation applied to regulated stormwater

The Agency plans to submit the rule to EPA for approval by December 2011. The Non-degradation Rulemaking Web page can be found at: <http://www.pca.state.mn.us/water/nondegradation-rule.html>

The Fallacy of NURP and the Magic of MIDS – Wesley Saunders-Pearce, MNDOT:

The term "NURP ponds" refers to retention basins, also called wet ponds that capture sediment from stormwater runoff as it is detained and that are designed to perform to the level of the more effective ponds as observed in the Nationwide Urban Runoff Program (NURP) studies. Wes outlined the history of NURP, provided findings about characteristics of wet ponds, research on NURP ordinances, pond design standards, and the implications of NURP for MIDS.

NURP started in 1978 with 23 individual projects overseen by the EPA. It was a five year program aimed at resolving uncertainties about the significance of urban runoff. EPA has not issued any regulations or other requirements regarding the design of stormwater ponds. Some states and municipalities have issued stormwater design manuals, and these publications may include a reference to a "NURP" pond. The prime areas of NURP are:

- Urban runoff dynamics
- Receiving water impacts
- Methods of control
  - Detention Basins
    - Planning level analysis estimating capabilities
  - Recharge
    - Probabilistic estimations
  - Other controls
    - Sweeping
    - Grassed swales

Implications for MIDS:

- There are many ways to assess performance
  - Monitoring
  - Arithmetic
  - Modeling (software)
- How much data is enough?
- How to be confident when data are lacking or in disagreement?

The magic of MIDS is:

- Certainty for BMP performance
- Confidence in calculations
- Complete range of land uses
- Consistency for local ordinances/references

Work groups:

MIDS update – Don Jakes: Bruce Wilson has a master contract almost in place and hopes work can begin by August. They have an RFP ranking process now and are looking at some excellent contractors and hoping the awards will be made soon. They are in the process of defining work tasks for the MIDS master planners. Once the contract is underway the pressure will be on to make fast progress. Performance goals are to be developed by October of this year.

MS4 Permit Reissuance Update – Mary H. Lynn for Dale Thompson:

Duane Duncanson was assigned in early spring as the permit writer for the 2011 MS4 general permit. Since the large group stakeholder meeting in January, five smaller work group meetings focusing on specific permit issues have been held. More ad hoc meetings expected as permit language is drafted (e.g. impaired waters). Draft permit language will be developed using stakeholder and small work group input, and EPA's MS4 Permit Improvement Guide. As internal meetings are held on the permit revisions, MPCA is continually mindful of the timing and relevance of MIDS and anti-degradation rule development. The timeline is to place the draft permit on public notice mid/late fall, respond to comments/requests in winter, and bring the permit to the MPCA Citizens' Board in April/ May. Information on the 2011 MS4 General Permit reissuance can be found at:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/stormwater/municipal-stormwater/ms4-general-permit-reissuance-2011.html>

A question was raised regarding the status of the Minneapolis and St. Paul individual municipal stormwater permits. These permits have been contested; staff are reviewing comments received and the contested case requests.

<b>Agenda</b>	<h1 style="text-align: center;">Stormwater Steering Committee</h1> <p style="text-align: center;">October 21, 2010 - 1:00 pm to 4:00 pm Bonestroo 2335 West Highway 36, Roseville, MN</p>
1:00 – 1:20	<b>Welcome, Introductions, Overview of the Meeting</b> – Jason Moeckel, Chair : <ul style="list-style-type: none"> <li>• Water Roundtable – Cliff Aichinger</li> <li>• TP-40 Update – Andrea Hendrickson</li> </ul>
1:20 – 1:40	<b>25 Year Strategic Plan for Water Framework</b> – Dan Edgerton, Bonestroo <ul style="list-style-type: none"> <li>• Update on the WRC 25 Year Strategic Plan for Water Framework project provided by the Co-chair of the Domestic Use Technical Work Team for the Water Resource Center 25 Year Strategic Plan for Water Framework.</li> </ul> <b>Q &amp; A</b>
1:40 – 2:00	<b>Minimal Impact Design Standards (MIDS)</b> – Jay Riggs & Bruce Wilson, MIDS Work Group <ul style="list-style-type: none"> <li>• MIDS project update; what MIDS is, what MIDS is not.</li> </ul> <b>Q &amp; A</b>
2:00 – 2:15	<b>Mississippi River Critical Corridor Area Rulemaking Project</b> – Randy Neprash, Bonestroo <ul style="list-style-type: none"> <li>• Reference to the Minnesota Stormwater Manual, a guidance document, as used in a regulatory structure.</li> </ul>
2:15	<b>Break</b>
2:30 – 3:00	<b>Clean Water Fund Interagency Coordination Team</b> – Rebecca Flood, MPCA <ul style="list-style-type: none"> <li>• In 2009, the Clean Water, Land and Legacy funding bill was signed into law establishing the Clean Water Fund and appropriating approximately \$150 million for the state FY2010-2011 budget. Funding was distributed among state agencies and organizations for the protection and restoration of Minnesota water resources and protection of drinking water.</li> </ul> <b>Q &amp; A</b>
3:00 – 4:00	<b>Roadmap Issues and Recommendations – Discussion</b> <ul style="list-style-type: none"> <li>• SSC discussion to identify Roadmap priorities and specific project recommendations for future action. (See attached Top 10 list).</li> </ul>
4:00	<b>Next Meeting/Adjourn</b> <i>Thursday, January 20, 2011, at the MPCA in St. Paul</i>

## **Stormwater Steering Committee**

### **October 21, 2010**

**Attendees:** Jason Moeckel, Cliff Aichinger, Don Jakes, Joel Schilling, Jay Riggs, John Chapman, Randy Neprash, Mary Davy, Bob Swanson, Brett Troyer, Duane Stenlund, Nick Tiedeken, Scott Anderson, Mike Findorff, Jim Hafner, Judy Sventek, Doug Snyder, Steve Woods

**TP-40** – Jason Moeckel:

Jason gave the update for Andrea Hendrickson. The data collection is complete and a more in depth quality control is in progress. The three year project time frame started once all funds were collected and the contract between FHWA (on our behalf) and NOAA was signed and executed. The peer review is scheduled for July of 2011. This will be the opportunity for everyone to check it out and make comments. The Web publication date is May 2012; the date when the product should be available for use.

**Water Roundtable Update** – Cliff Aichinger:

The Minnesota Association of Watershed Districts (MAWD), Association of Minnesota Counties (AMC), and the Minnesota Association of Soil & Water Conservation Districts (MASWCD) have jointly started the Minnesota Local Government Roundtable (LGR) for Water Management to improve communication and understanding of roles and responsibilities that these groups share in water management (see attached document that was intended as a handout for the meeting). This process will result in a policy framework for local and state policy makers to consider that will allow local governments to be more efficient and effective in delivering high quality water management in Minnesota. The framework will outline issues that must be addressed to establish greater efficiency and effectiveness in water management, along with recommendations for addressing those issues. The process will evaluate programs that may need to change by either limiting their scope or eliminating them altogether. Issues will be grouped into two categories: 1) those that require legislative action, and 2) those that can be addressed through other actions.

The LGR Advisory Committee is guiding the process and includes 30 members with three co-chairs. Ten members are appointed from each of the three participating local government entities. Three policy sub-committees have been formed to address the identified major policy issues:

1. Watershed and Basin Water Management
2. Comprehensive Water Planning & Management – structure and process
3. State Funding process for local water plan implementation

The LGR will review the recommendations of each sub-committee and make a consensus recommendation to the three local government organizations for final action by February 15, 2011. Cliff Aichinger and Jay Riggs are involved in the sub-committee process. More information and reports will be available on the project Web site at [www.localgovernmentroundtable.com](http://www.localgovernmentroundtable.com).

**25 Year Strategic Plan for Water Framework** – by Deborah Swackhamer, presented by Dan Edgerton: The 25 year framework for sustainable water management is a set of recommendations to protect, preserve, and enhance the quantity and quality of the state's surface water and groundwater. Sustainable water use does not harm ecosystems, degrade water quality, or compromise future generations' ability to meet their water needs. The three water management components are: 1) sustainable, 2) comprehensive, and 3) integrated.

The 25year framework group is made up of the U of M, DNR, MDA, MDH, MPCA, EQB, BWSR, WDs, and several other organizations including counties and cities. They have a mandate to address needs related to many areas including drinking water, stormwater, and infrastructure.

The Synthesis Team reviewed white papers created over several months by various technical teams. They came up with 90 needs overall which were put under 10 big issue headings which in turn were reduced to 3 categories. For each issue developed – environmental, economic, and social, - a problem statement, desired outcome and strategy, benchmark for measuring and an implementation schedule was developed. The presentation went over several example issues that have been developed. The entire presentation will be posted on the Minnesota Water Sustainability Framework Web site soon.

Discussion points during and after the presentation:

- Randy asked the SSC for their interpretation of the term “land-water connection;” concern that most will not know the correct meaning of it. This will passed back to Jean Coleman to rethink.
- The group discussed the use of the word “cultural” in the term “Cultural Eutrophication.”
- “Water-pricing” was discussed. Dan explained the term; Steve Woods elaborated on it and what all goes into the actual cost of water.
- Question on the use of the word “sector” in the task section under the issue “Cultural Eutrophication.” Is agriculture to be included as a sector in this? Dan responded yes.
- What is meant by “effectiveness monitoring?” Discussion of this term; effectiveness in meeting the standard (in the water column), not BMPs.
- Statement in presentation: 40 percent of the waters of the state are impaired. Question is that percentage of the waters that have been tested or of all the waters in the state? Response is that percent is only of the waters that have been tested, not all waters.
- Comment on “TMDLs are mandatory for all sectors” (in the issue Cultural Eutrophication), many groups are not supportive of this.
- Outcome Strategy 2 – task: Question about the term “farmer led.” Dan stated he could not elaborate on the term as it is not in final form; the Synthesis Team is looking at it. If this becomes a regulation, it would be different than what the U of M teaches right now. Deb Swackhamer is aware of and working through this. Farmers may be confused as it can mean two different things. Farmers want performance based guidelines but this says they need to meet the standards in agricultural areas which could be different and require different approaches. The water quality standard informs the nutrient management plan which is one authority under “farmer led,” but who is responsible? Term needs to be clarified and that performance based refers to water quality.

Jean Coleman wants feedback on the contents of the PowerPoint presentation information. There will be less time due to the push back for public feedback so she wants it from groups such as the SSC, MEI, etc. (the next MEI forum is on November 17 at Silverwood Park in St. Anthony). Deb Swackhamer envisions agricultural management areas will form their own co-ops to work to manage their own TMDLs. The Legislature is looking at this issue.

The Legislative hearing on the 25 year Strategic Plan for Water Framework is January 15, 2011; Deb Swackhamer will present. The Water Framework is a policy framework for the Legislature to work from; it is not a spending plan.

**Minimal Impact Design Standards (MIDS)** – Bruce Wilson and Jay Riggs:

Bruce presented a PowerPoint to update the SSC on the status of the consulting work on the MIDS project, and what MIDS is and is not.

Minnesota Statute section 115.03, subdivision 5c states: MIDS “*shall develop performance standards, design standards, or other tools to enable and promote the implementation of low-impact development and other stormwater management techniques...as the landscape is developed.*”

Highlights of the presentation:

Key Aspects:

- mimics a site's natural hydrology
- stormwater is managed on-site and
- rate and volume of predevelopment storm water reaching receiving waters is unchanged
- pre-development hydrology is based on native soil and vegetation

MIDS:

- Performance goals (rate + volume)
- Implementation Credits : Volume, Rate, TP, TSS
- Calculators: Volume, TP, TSS performance and credits
  - Scoping spreadsheet
  - As built spreadsheet
- Ordinance goals – St. Croix Basin

MIDS:

- Minimally-impacted native conditions
- Native soils
  - HSG (A, B, C, D)
- Native vegetation
  - Prairie/grass
  - Forest (deciduous, conifer)
- Address regional differences

MIDS:

- Master Contract – completed in September.
  - Difficult to crafting detailed work plans to cover diverse needs
  - Detailed yet versatile
- First part work nearing completion
  - Bonestroo – summarizing performance goals
  - Barr – performance goal details

MIDS Contractors:

- Performance Goal – The Foundation
- Issuing 2 additional work orders
  - Wenck – Credits and calculator overview
  - Barr – Performance Goal modeling
- Subwork group advisors refined modeling needed for evaluating performance goals (finished last Friday, work order is in the system)

Technical Foundation of Performance Goals:

- Event Based Evaluation
  - Continuous XPSWMM for native soils and vegetation, for various IC. 10 acre new site rate and volume, varying soils for three performance goals
  - Rate & volume plus rate for 1-100 year storms for new site & conditions
- Developing translator for annual loads
  - P8 model continuous modeling of same variables & 30 years of storms

The timeline goal to complete most of the MIDS contractor products is January 2011. There is a request for additional Clean Water funds for the MIDS project (unknown until June 2011).

For more information on MIDS – what it is and is not, see the Minimal Impact Design Standards fact sheet, available on the MIDS Web page at:

<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/stormwater/stormwater-minimal-impact-design-standards-mids.html>

**Clean Water Fund Interagency Coordination Team** – Rebecca Flood, MPCA:

In 2009, the Clean Water, Land and Legacy funding bill was signed into law establishing the Clean Water Fund and approximately \$150 million for the state FY2010-2011 budget. Funding was distributed among state agencies and organizations for the protection and restoration of Minnesota water resources and protection of drinking water. Highlights of her presentation include:

**Clean Water Legacy Act (CWLA):**

- ☐ Passed MN Legislature in 2006
  - FY07 One-time funding of nearly \$25 million
  - FY08-09 One-time funding of \$54 million
- ☐ MPCA's Accelerated Activities
  - Monitoring and assessment
  - Water quality studies (TMDLs)

FY 2007 Legacy Funding: \$24.95 million Statewide

FY07 MPCA received approximately \$5.03 million

\$1.86mill for WQ assessment; \$3.17mill for TMDL development

FY2008-2009 Additional appropriations: \$54 million statewide

FY08-09 MPCA received approximately \$30.6 million

\$12.6mill for monitoring and assessment; \$18mill for TMDL development

Included in the CWLA were two specific directives to MPCA: 1) to develop a monitoring and assessment framework so that all waters of the state would be assessed within 10 years, and 2) conduct timely TMDLs, should a water body not meet WQ standards. The MPCA has developed that framework. Specifically, the monitoring/assessment, and TMDL framework is based on an 81 major watershed or 8-digit HUC approach. The MPCA is on track to meet the 10-year monitoring/assessment requirement, and are currently transitioning from the past approach of conducting TMDLs using a single waterbody and parameter to the new 81-major watershed model.

The CWLA accelerated Minnesota's efforts to address impaired waters and protect good quality waters. The CWLA was a good starting point; however, long-term dedicated funding was still needed.

**The Clean Water Land and Legacy Constitutional Amendment:**

- ☐ November 2008: voter-approved amendment
  - 3/8 of 1% sales and use tax increase
  - Dedicated funding for 25 years

**The Clean Water Fund:**

- ☐ 33% of revenue from Amendment Funds dedicated to protect, enhance and restore water quality
  - Rivers
  - Lakes

- Streams
- Groundwater (at least 5%)
- Amendment funds must supplement traditional sources of funding

Clean Water Fund: Interagency Team:

- ☐ Interagency Coordination Team
  - Minnesota Pollution Control Agency
  - Minnesota Department of Natural Resources
  - Minnesota Department of Agriculture
  - Minnesota Department of Health
  - Minnesota Board of Water and Soil Resources
  - Minnesota Public Facilities Authority
  - Metropolitan Council
  - University of Minnesota

The Clean Water Fund Breakdown for FY 2011:

- \$150.8 million for all Agencies
- \$51.16 million for the MPCA
- \$14.53 million for the DNR
- \$38.22 million for BWSR
- \$8.96 million for MDA
- \$3.75 million for MDH
- \$0.40 million for Met Council
- \$32.70 million for PFA

CWF for MPCA Activities:

- ☐ Monitoring and assessment efforts to complete watershed approach 10-yr cycle
- ☐ Fund TMDL projects and staff
- ☐ Database development
- ☐ St. Louis River restoration
- ☐ Clean Water Partnership
- ☐ Wastewater Beneficial reuse
- ☐ Groundwater assessment and protection

CWF for MPCA Special Projects:

- ☐ Legislative Mandates
- ☐ Endocrine disruptor monitoring and analysis
  - Wastewater treatment monitoring (EDC)
  - Red River Watch
  - St. Croix Watershed monitoring
  - Minnesota River water quality effectiveness monitoring
  - Buffalo River watershed pilot project
  - Coal tar stormwater best management practices

CWF for DNR Activities:

- ☐ Stream flow monitoring
- ☐ Biological assessments
- ☐ Non-point protection
- ☐ Drinking water protection
- ☐ County geological atlas
- ☐ LiDAR

CWF for BWSR Activities:

- ☐ Implementing source protection, restoration and preservation projects



- ☐ Priorities of local water management and TMDL implementation plans
  - Permanent Protection (buffers, wellhead)
  - Projects (feedlots, stormwater, erosion control)
- ☐ Accomplished via grants to local governments

CWF for MDA Activities:

- ☐ Agricultural best management practices loans to local government units
- ☐ Research and technical assistance
- ☐ Root River watershed monitoring/analysis
- ☐ Livestock Environmental Quality Assurance
- ☐ Drinking water protection
- ☐ Pesticide monitoring and assessment

CWF for MDH Activities:

- ☐ Wellhead protection plan development
- ☐ Source water implementation grants
- ☐ Emerging contaminant guidelines

CWF for Met Council Activities:

- ☐ Metropolitan Area Water Supply Master Plan

CWF for PFA Activities:

- ☐ Small community SSTS grants and loans
- ☐ TMDL grants
- ☐ Phosphorus reduction grants

Clean Water Fund for FY2012-2013:

- ☐ Funding proposals still in development
- ☐ CWF Interagency Coordination Team will continue to work together
  - Multiple agencies with very specific roles and skills working together to protect and enhance the quality of Minnesota's waters

The Clean Water Fund Interagency Coordination Team (commissioner level) convened to discuss how to create a unified budget. The Coordination Team has chartered various sub-teams to do tasks and is putting together a unified Legislative proposal. As the sub-teams do their work and find issues, conflicts, and gaps; these will be brought to the Coordination Team (meets twice a month) for discussion and resolution.

The question was asked if there were any work products that could be shared at this point. Ms. Flood stated that the biennial budget requests made sure that there were no duplications or gaps which has helped and optimized work and resources. There is nothing in final form yet, conversations are ongoing. The question was asked how the Clean Water Council (CWC) fits in. Ms. Flood stated that the CWC develops their budget; the agencies provide general direction and the CWC then discusses what they believe is important, and makes recommendations to the Legislature and to the Governor.

**Mississippi River Critical Corridor Area (MRCCA) Rulemaking Project** – Randy Neprash:

The Proposed Draft MRCCA Standards (see attached document) uses references from the Minnesota Stormwater Manual in some instances as a guideline but in others as a regulatory reference document. For example: “Stormwater management BMPs must be consistent with the latest Minnesota Stormwater Manual” and “They must be designed and constructed to minimize and control runoff and erosion to public waters consistent with Minnesota Stormwater Manual.” In another area it says “Guidelines include construction, the Minnesota Stormwater Manual, Protecting Water Quality in Urban Areas.....” This last usage is more suitable language to use versus “consistent”, “must be consistent” and “must be designed and constructed” with/according to the Stormwater Manual.

When the Stormwater Manual was created it was not to be a regulatory document. Mike Findorff explained why the language became what it is in the Draft MRCCA Standards. Jason suggested that Randy, Mike, himself, and others in the MRCCA gather to look at the draft language to make the necessary changes.

**Roadmap Issues and Recommendations – Discussion and Voting** – Cliff Aichinger:

The Top 10 list (sent out with the SSC meeting agenda) was discussed and some changes made. The Stormwater Manual and Blue Book became combined as one item. Joel stated he liked the California approach to a manual which consists of three manuals in one: Erosion, Stormwater, and Industrial components. Mary and Steve would like to see a certification piece in addition to the Contractor/Installer Training item. Mary felt that the O & M Research and Guidance could go under the Manual/Blue Book item. Jay questioned how to quantify credits for various technologies. It was agreed to take the last sentence out of the Credit Council item and to discuss combining the Credit Council with the Research Council item. Steve wanted an additional item called “Economic Lifecycle Analysis” (life cycle costing) and Duane wanted a Construction Council where one could bring construction issues to a council to get an opinion on prevention, pre-enforcement, and enforcement issues. Mary wants the SSC to be more assertive in its needs and wants from individuals, entities, etc. (example – Randy’s letter to Deb Swackhamer - it made a difference in the SSC being heard). A survey monkey was suggested to vote on the Top 10 list with changes notes above.

SSC members in attendance voted on their top three picks. The results were:

- 15 – Stormwater Manual/Blue Book
- 4 – TMDL Implementation Guidance
- 3 – Contractor/Installer Training
- 9 – O & M Research and Guidance
- 9 – Credit Council/Research Council
- 5 – QLP Concept
- 2 – Education/Outreach for Water Quality Implementation
- 2 – Statewide Watershed-Based Approach and Funding Mechanism

**Closing:**

Jason handed out an article titled Solutions for a Sustainable and Desirable Future on leverage points and places to intervene in a system.

The next SSC meeting is on Thursday, January 20, 2011 at the MPCA.

<b>Agenda</b>	<h1 style="text-align: center;">Stormwater Steering Committee</h1> <p style="text-align: center;"><b>January 20, 2011 - 1:00 pm to 4:00 pm</b>  <b>MPCA Board Room</b>  <b>520 Lafayette Road North, St. Paul, MN</b></p>
<b>1:00 – 1:15</b>	<b>Welcome, Introductions, Overview of the Meeting</b> – Jason Moeckel, Chair
<b>1:15 – 2:00</b>	<b>Stormwater Data Exchange Standard Project</b> – Mike Trojan, MPCA This presentation will provide an overview of the Stormwater Data Exchange Standard Project, the results of a recent pilot project conducted in the Battle Creek watershed to determine the utility and applicability of the standard, and a demonstration showing GIS coverage and application of the standard. <b>Q &amp; A</b>
<b>2:00 – 3:00</b>	<b>Minimal Impact Design Standards (MIDS)</b> – Mark Doneux, MIDS Work Group Co-chair The MIDS Work Group of the SSC had a busy year in 2010. The first few months, there was much learning and information sharing and now the Work Group members are reviewing work products from the project consultants. Bonestroo researched and presented information on volume control approaches and Barr has presented data on performance goals and modeling. Mark will be providing an overview of the consultants' data on performance goals and modeling results as presented at recent MIDS Work Group meetings. <b>Q &amp; A</b>  <b>Note:</b> You will find it helpful to get acquainted with the materials and presentations available on the MIDS web page prior to this meeting. All of the presentations, as well as meeting minutes and background materials, can be found on the MIDS web page at: <a href="http://www.pca.state.mn.us/water/stormwater/mids">http://www.pca.state.mn.us/water/stormwater/mids</a>
<b>3:00</b>	<b>Break</b>
<b>3:15 – 3:45</b>	<b>Watershed Data Integration Project (WDIP)</b> – Glenn Skuta, MPCA In 2009, the Legislature appropriated funding from the Clean Water Fund to improve internal and external access to TMDL and watershed related information. In the first of several phases, MPCA staff identified a list of over 700 data needs. The efforts in the initial phase allowed the business justification needed to acquire funding for the second phase of the project. The current second phase is focusing on creating a comprehensive list of waterbodies and linking them to the impaired waters and TMDL efforts in a way that will be useful to the public. The MPCA plans to use the Web to create flexible new data access capabilities for users to quickly find water quality assessments and trends, and enable search criteria by geographic area. Glenn will be providing an overview of the WDIP to date and plans for future efforts. <b>Q &amp; A</b>
<b>4:00</b>	<b>Next Meeting/Adjourn</b> Next SSC meeting is Thursday, April 21, 2011

PARKING: There is limited parking in 4-hour spaces in front of the MPCA building. Additional free parking is available on Grove Street and in the Williams Hill Industrial Park area and on Lafayette Road North one block south of the MPCA building, in the Lafayette Park lot.

TRANSIT: The #64 bus runs directly down 5th Street in downtown St. Paul and stops in front of the MPCA building, every 15-20 minutes.

<http://www.pca.state.mn.us/index.php/about-mpca/mpca-overview/agency-structure/mpca-offices/st.-paul-office.html> has additional driving directions and parking information.

CHECK-IN: Allow a few minutes to check-in at the front desk when arriving at the MPCA. You will need a photo ID to check-in with security.

## **Stormwater Steering Committee**

### **January 20, 2011**

Attendees: Jason Moeckel, Cliff Aichinger, Dan Seemon, Dave Weirens, Bob Swanson, Mary Davy, Andrea Hendrickson, Scott Anderson, Karen Jensen, Randy Neprash, Jim Hafner, Joel Schilling, Julie Westerlund, John Chapman, Mark Doneux, Mike Trojan, Glenn Skuta, Elise Doucette, Bruce Wilson, Dale Thompson, Mike Findorff, Anne Gelbmann, Brian Livingston, Mary H. Lynn

#### Pesticide General Permit – Elise Doucette:

The Pesticide General Permit was placed on public notice January 18, 2011. The general permit is the result of a court case in which the 6th Circuit Court of Appeals ruled that NPDES permits were required for all biological pesticide applications and chemical pesticide applications that leave a residue in water when such applications are made in or over, including near, waters of the U.S. Elise explained the reasoning behind the MPCA's general permit and that the EPA Pesticide General Permit was used as a template in creating Minnesota's general permit. The MPCA also worked with the DNR to obtain workable threshold requirements for the general permit. There are four separate NPDES/SDS Pesticide General Permits:

- Mosquito and other Flying Insect Pest Control (MNG870000)
- Forest Canopy Pest Control (MNG873000)
- Aquatic Nuisance Animal Pest Control (MNG874000)
- Vegetative Pests and Algae Control (MNG876000)

Permit coverage is for all persons or entities, including MS4s, discharging a pesticide to a water of the state under one of the use patterns identified above that meet specific threshold criteria.. The public comment period ends on February 17, 2011. The public notice is available at:

<http://www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notices/public-notices.html>

Information on the Pesticide NPDES Permit Program is available at:

<http://www.pca.state.mn.us/index.php/water/water-permits-and-rules/water-permits-and-forms/pesticide-npdes-permit-program.html>

#### Stormwater Data Exchange Standard Project – Mike Trojan:

Mike gave an overview of the Stormwater Data Exchange Standard Project and demonstrated the GIS coverage and application of the standard. A recent pilot project was conducted in the Battle Creek watershed to determine the utility and applicability of the standard. The pilot involved the following steps.

1. Identify an area with multiple mapping entities, ranging in size and including cities, one or more counties, and MNDOT. Battle Creek was selected.
2. Migrate data from each entity into a single dataset using the standard.
3. Develop a geo-database to display the resulting data.
4. Develop a report summarizing the process and including recommendations for modifications to the standard.

Some conclusions of the pilot include:

- Difficulty in finding the correct person to retrieve data
- Lack of metadata
- Some security issues with sharing data
- Producers use different GIS versions

MIDS Update – Mark Doneux and Bruce Wilson:

Mark presented an abbreviated version of the Barr Engineering presentation on three possible approaches to volume control (the Barr material was presented at the November 19th MIDS meeting). Please use this link to view the entire presentation on the MIDS Web site: <http://www.pca.state.mn.us/index.php/view-document.html?gid=14978>

Bruce noted there will be a lot of new information introduced over the next few MIDS Work Group meetings. The question was asked where EPA is at with development of performance standards for the national rulemaking and the MIDS efforts. Bruce stated EPA is moving fairly quickly and that a draft of the federal rule is expected in September. The MIDS Work Group will provide an update at the next SSC meeting in April.

Anne Gelbmann noted that the MIDS Legislative Report is done and was delivered to the Legislature.

The report is available at:

<http://www.pca.state.mn.us/index.php/about-mpca/legislative-issues/legislative-reports/legislative-reports.html>

Watershed Data Integration Project (WDIP) – Glenn Skuta:

In 2009, the Legislature appropriated money from the Clean Water Fund to improve internal and external access to TMDL and watershed related information. In the first phase of the project the MPCA has identified over 700 data needs. The efforts in the first phase allowed the business justification needed to acquire funding for the second phase of the project. The current (second phase) is focusing on creating a comprehensive list of water bodies and linking them to impaired waters and TMDL efforts in a way that will be useful to the public; this listing should be complete by the end of June 2011.

Glenn provided an overview of the WDIP and its future plans. He also gave a demonstration of the Web site and how it will work when a water body is entered and all of the information that will be available to the interested party. A fact sheet on the project is available at:

<http://www.pca.state.mn.us/index.php/view-document.html?gid=15386>

A copy of the recent legislative report on the Watershed Data Integration Project is available at:

<http://www.pca.state.mn.us/index.php/view-document.html?gid=14900>

PAH Work Group:

Andrea Hendrickson reported the work group is hoping to have the project on review by July 2011.

BWSR Clean Water Fund Grants:

Dave Weirens reported that over nine million in CWF grant implementation money will be funding 60 projects. The list of projects that were awarded CWF grants is available at:

[http://www.bwsr.state.mn.us/grants/FY11-CleanWaterFund\\_awarded.pdf](http://www.bwsr.state.mn.us/grants/FY11-CleanWaterFund_awarded.pdf)

Suggested agenda items for the April SSC meeting include:

- 25 Year Framework Project update
- MIDS Work Group report
- Updates on any stormwater related legislation