

MINNEHAHA CREEK WATERSHED DISTRICT

Technical Advisory Committee

July 26th, 2007

3:00 pm

City of Minnetonka Community Center

14600 Minnetonka Blvd

Minnetonka, MN 55345

(952) 939-8390

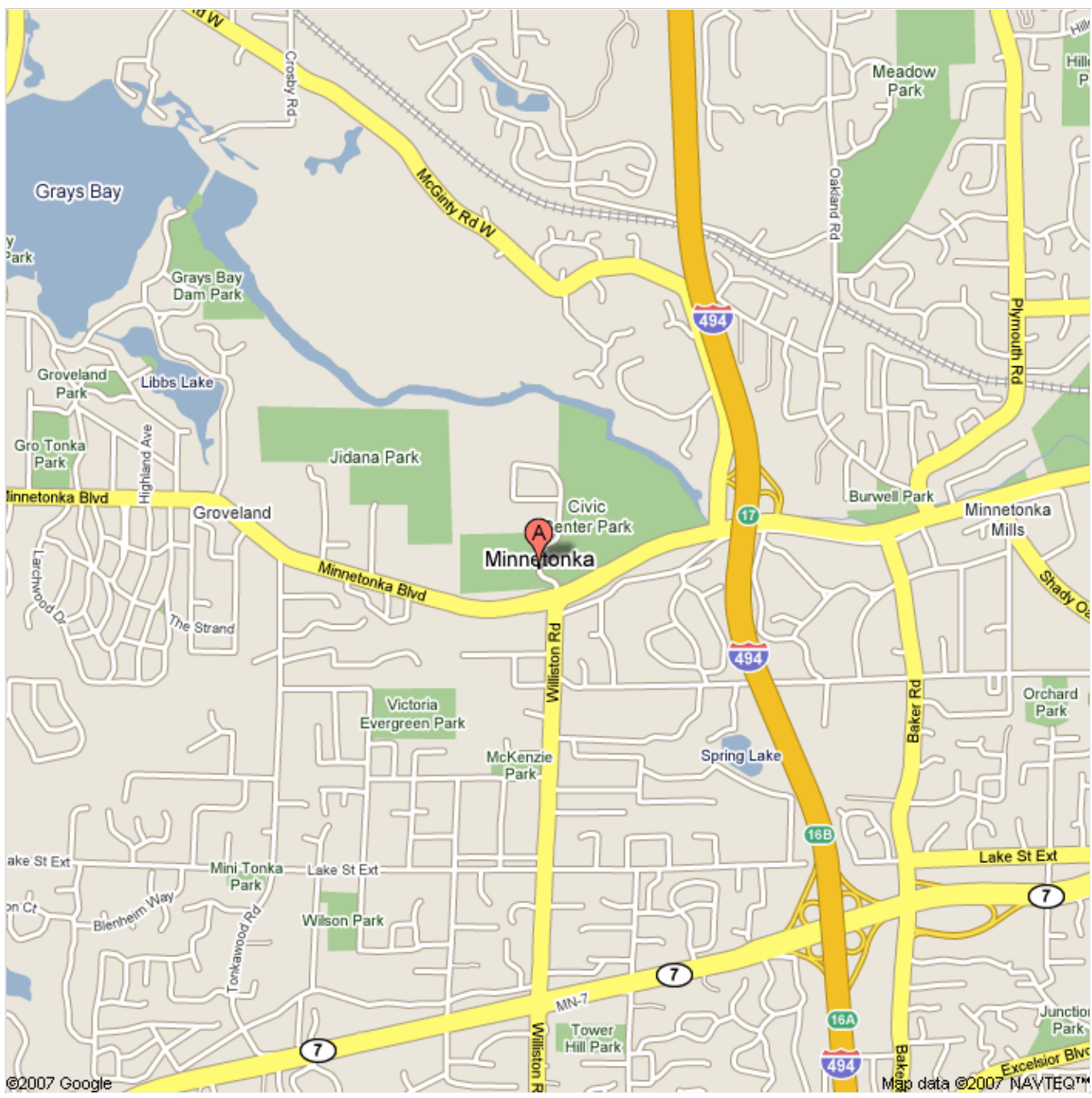
Shady Oak Room

AGENDA

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| 1. Welcome and Introductions (James Wisker) | 20 minutes |
| 2. Overview of the Rulemaking Process (James Wisker) | 10 minutes |
| 3. Review Erosion Control Policy Recommendations (James Wisker) | 30 minutes |
| 4. Discuss Technical Aspects of the Recommendations (Mike Panzer) | 30-60 minutes |



Results 1-1 of about 1 for community center near Minnetonka, MN



A. Minnetonka **Community Center**
14600 Minnetonka Blvd, Minnetonka, MN
(952) 939-8390

Technical Advisory Committee

7-26-07

Goal of the Technical Advisory Committee:

The goal of the Technical Advisory Committee is to provide a comprehensive technical review of the policy recommendations developed by the Rulemaking Task Force.

Certain Task Force recommendations will require little additional technical input. However, many of the Rulemaking Task Force recommendations will require the development of specific technical standards. It is the responsibility of The Technical Advisory Committee to review the recommendations made to date, assess their feasibility and recommend the technical standards necessary to implement the policy.

Objectives for this Meeting:

The Technical Advisory Committee will review the Task Force policy recommendations for District Rule B: Erosion Control. The group will then recommend specific standards/criteria necessary to implement each recommendation.

After the Meeting:

The technical recommendations developed by the Technical Advisory Committee will be presented to the MCWD Board of Managers for review. After Board review, District staff, legal counsel and engineers will compile draft rule language for Rule B: Erosion Control.

Rule B: Erosion Control draft language will then be presented to the MCWD Board of Managers before being distributed to the Technical Advisory Committee and the Rulemaking Task Force for comment.

MINNEHAHA CREEK WATERSHED DISTRICT

RULEMAKING TASK FORCE

Summary of May 24, 2007 Meeting

Task Force Members Present: Harold Ulvestad, Stephen Jenkins, Donna Woodruff, Duncan Steinman, Tom Aasen, William Bushnell, Jacob Westman, Kristin Asher, Steve Mohn, Ginny Black, Nate Duoss, Tim Smith, Ethel Smith, Melissa Barrett.

MCWD Managers Present: James Calkins, Jeff Casale, Lee Keeley.

MCWD Staff Present: Eric Evenson, James Wisker, Charly Wojtysiak, Mike Panzer, Louis Smith.

James Wisker provided an overview of erosion control concerns, the erosion control policies in the District's Third Generation Water Resources Management Plan, the current erosion control rule, and identified concerns with interpretation and enforcement of the current rule. Mr. Wisker also acknowledged the letter from Task Force member Jim Johnston offering valuable comments on erosion control issues. The Task Force discussed their general observations and experiences and concluded that erosion control continues to be a serious problem in the watershed. From this discussion, the Task Force developed the following recommendations on erosion control policy:

1. Erosion control practices at small sites are a significant concern. There is no need to revise the threshold for erosion control requirements, as 5,000 square feet or 50 cubic yards of soil disturbance captures most construction projects including single family homes. The concerns at small sites center on a lack of familiarity and best practices compliance among small contractors and subcontractors.
2. The District should explore some form of training certification among contractors and subcontractors. Training offered or required by MnDOT, the Minnesota Erosion Control Association, or the Builders Association of the Twin Cities may be valuable in this regard. Contractors who are certified in best practices instruction could perhaps qualify for a lesser surety amount given the relationship between such instruction and greater likelihood of compliance.
3. The District should endeavor to integrate its erosion control requirements with those of the Minnesota Pollution Control Agency wherever possible in order to promote consistency in compliance with best practices.
4. The District should consider a 'performance-based' approach to erosion control, such that land alteration projects that are located in closer proximity to water resources, involve grading on steep slopes, construction during high precipitation months, or other factors would trigger more intensive requirements.

5. Given the scarcity of staff resources for inspection and enforcement, a 'self-inspection' approach should be considered where the permittee maintains an accessible self-inspection log on site.
6. The District should explore greater use of sureties to establish strong financial incentives for erosion control compliance. The surety could be released in partial amounts based on completion in good standing of various stages of project construction that are closely integrated with other construction inspection practices. The District should consider establishing sureties in higher amounts that more closely follow the scale of the project, and are based on a percentage of value.
7. The contractor liability form used by the Board of Water and Soil Resources should be reviewed for possible adaptation to the District's needs in promoting greater compliance by subcontractors.
8. The District should develop a requirement to prevent or minimize soil compaction and require de-compaction where necessary and feasible.
9. The District should explore a sequencing approach, involving explicit incentives, to minimize disturbance of natural soil cover and vegetation; minimize work in and adjacent to water bodies and wetlands; and avoid steep slopes and the need for high cuts and fills.
10. The District should require the identification of a single individual responsible for implementing erosion control plans on permitted sites.
11. The District should require that soil disturbance should specifically be avoided within the drip line of trees.
12. The District should pursue more explicit erosion control maintenance requirements and integrate these requirements with the MPCA – NPDES permit requirements, including use of a self-inspection log.