

MINNEHAHA CREEK WATERSHED DISTRICT

Technical Advisory Committee

Summary of January 15th, 2009

Committee Members Present:

Liz Stout (**Minnetonka**), Jesse Struve (**Edina**), Lois Eberhart (**Minneapolis**), Holly Kreft (**Victoria**), Cara Gehren (**Victoria**), Al Lundstrom (**Golden Valley**), John Bradford (**Hopkins**), Brad Wozney (**BWSR**), John Barten (**3RPD**), Tony Brough (**Hennepin County**), Tim Brown (MPRB), Dave Poggi (Mound), Mike Kelly (Wayzata), Derek Asche (**Plymouth**), Laura Adler (**St. Louis Park**)

MCWD Managers Present: None

MCWD Staff Present: James Wisker, Eric Evenson, Rebecca Kluckhorn (Wenck)

Introduction:

The January 15th, 2009 TAC meeting focused on Rule N: Stormwater Management. James Wisker and Rebecca Kluckhorn summarized the discussions that had taken place at the MCWD Board and Rulemaking Task Force before outlining the proposed shift in regulatory policy for the stormwater management rule.

James Wisker outlined the following proposed changes to the stormwater rule:

1. Require no net increase in P load from an undisturbed condition for new development.
2. Require 0.5" – 1.0" of runoff abstraction from new development based on site specific soils.
3. Limit peak runoff rates to existing levels for the 1, 10 and 100 year rain events, with the possibility of requiring the 100 year rate to be discharged at the existing 10 year level in areas identified to be prone to flooding.

Discussion:

Bob Barth of Bonestroo and Associates representing Maple Plain and Orono expressed concern prior to the meeting that the abstraction standard as proposed would be overly burdensome for rural residential developments where applicants may be required to abstract runoff from existing undisturbed green space. He suggested that the rule be targeted towards maintaining existing stormwater runoff volumes from a site or only require abstraction of runoff from impervious areas and pervious areas disturbed through the development process.

John Barten of Three Rivers Park District mentioned that one successful technique for abstraction that has been utilized in Wisconsin was soil amendments in pervious areas. Through the incorporation of compost, John reported that infiltration capacity was increased to between 1 and 2 inches.

Lois Eberhart of Minneapolis recommended that the rule could focus on requiring no net increase in phosphorus loading and leave it up to the developer how to achieve this standard. Additional comments from others were made that the volume control and pollutant loading requirements of the rule should be separated so that MCWD wasn't prescribing how to accomplish the phosphorus removal.

Brad Wozney indicated that other watershed districts, namely Bassett Creek, had established no degradation standards.

Lois Eberhart referenced the District Plan and indicated that language within specified that volume control was to be targeted towards new impervious surface where feasible and appropriate and went on to cite issues with infiltration in proximity to water mains, wellhead protection areas, groundwater etc. Lois also recommended that if a sequencing process was established that placed emphasis on infiltration over other forms of abstraction, that MCWD staff should have administrative approval over the sequencing efforts undertaken by the applicant.

This was echoed by Cara Gehren representing the City of Victoria. Cara also raised the point that the standards themselves did not generate concern but the potential implementation of the rule may.

John Bradford representing Hopkins agreed with this comment, mentioning that within Hopkins, the issue would be how volume control and phosphorus removal would be applied to redevelopment. John went on to mention that the City of Hopkins would likely prefer to pursue capture and reuse of stormwater for irrigation rather than infiltration, which would probably be more expensive and difficult to implement. Mr. Bradford recommended that the District not codify any specific approach in order to meet the proposed stormwater standards. Rather the regulation should simply state the performance standards for abstraction and phosphorus removal.

Mr. Bradford also commented that capture and reuse should not be placed at a lower priority when compared to infiltration within the context of the proposed rule language.

James Wisker indicated that the District Board was excited about the potential for capture and reuse and that efforts would be taken to ensure the rule allowed flexibility in how applicants propose to meet future abstraction standards.

Eric Evenson asked the group if any cities would have interest in identifying "redevelopment zones" within their cities. These zones could be exempt from the regulatory requirements if the cities collected stormwater utility fees or other revenue and constructed regional treatment and abstraction.

Several people felt this idea was worth further exploration.

Cara Gehren commented that a similar agreement between MCWD and Victoria allowed downtown redevelopment through regional ponding and that this solution was ideal for the City who was trying to promote redevelopment. She also expressed concerns that the new rules would undermine this old agreement since all the redevelopment has not yet occurred within Victoria.

James Wisker suggested that he distribute a list of questions/considerations for the people to respond to. He would then synthesize the comments to compose policy for redevelopment standards and road projects etc. He also indicated that the District would be performing a modeling analysis that looked at how old developments would need to be adapted in order to meet the District's rules. There was strong support for this analysis.