DRAFT

MINUTES OF THE POLICY ADVISORY COMMITTEE

June 21st, 2016

CALL TO ORDER

Ms. White called the Committee to order at 10:05 a.m. at the District Offices,

15320 Minnetonka Blvd
Minnetonka, MN 55345

COMMITTEE MEMBERS PRESENT

Bob Stewart, Marvin Johnson, Marty Schneider, Scott Johnson, Ken Dahler, Patty Acomb, Lisa Whalen, Lili McMillan, Sliv Carlson, and Terri Yearwood.

OTHERS PRESENT

Sherry Davis White, MCWD Board President; Derek Asche, Technical Advisory Committee Liaison; Becky Christopher, Lead Planner & Project Manager; and Matthew Cook, Planning Assistant.

APPROVAL OF AGENDA

The agenda was approved without amendment.

COMMITTEE MEETING

Ms. Christopher stated that District staff would transition to drafting the 2017 Comprehensive Plan soon, so any future meetings of the Committee to review Plan drafts would be scheduled as needed.

Ms. Christopher stated that the District seeks the Committee's input on which new roles (if any) the District should undertake concerning natural resource management. She noted that any new roles identified by the Committee that are incorporated into the Plan may not be operationalized immediately upon adoption of the Plan. Ms. Christopher added that potential roles for the District that she would lay out had not yet been vetted by the Board.

Long-term Maintenance of Best Management Practices (BMPs)

Ms. Christopher stated that across the watershed, there are many old stormwater ponds and other BMPs that are not being inspected or maintained. She noted that currently, the District maintains District-owned BMPs, requires BMPs and declarations through rules, inspects BMPs, and leads education efforts on BMP maintenance. Ms. Christopher stated that the District could expand its

inspection and enforcement initiatives, expand its education programming, or develop a programmatic approach to address BMPs that are not being maintained.

Ms. Whalen noted that inspection costs would be substantial. She added that it would be costly and difficult to enforce requests for BMPs to be brought into compliance. Ms. Whalen stated that the District would be best suited in continuing and expanding its education and outreach efforts. She suggested that the District partner with another organization in its outreach, and target Homeowners Associations and public works staff.

Mr. Stewart asked what proportion of the BMPs District staff would expect to need maintenance. Ms. Christopher stated that nearly all BMPs would likely need some form of maintenance.

Mr. Asche offered his knowledge of BMP type and maintenance to the Committee. He noted that cleaning stormwater ponds, done once every 15-30 years, costs between $30,000 and $40,000 per pond. Mr. Asche added that rain gardens often become overgrown with weeds, which prompts residents to call city staff and request maintenance. Mr. Asche stated that cities do not have enough staff to inspect all installed BMPs.

Mr. Asche stated that in 1991, prompted by flooding issues, the City of Plymouth adopted policies that required written agreements that assigned responsibility for installed BMPs.

Ms. McMillan suggested that the District educate city staff on what kinds of BMPs are available, and what the tradeoffs of certain BMPs are. S. Johnson added that the District could use examples of ideal policies from bigger cities for smaller cities to consider adopting.

Wetland Banking

Ms. Christopher stated that there are currently no wetland banks in the District, and that developers do not want to take on the associated risks. She noted that the District's rules allow for the District to own and operate a wetland credit bank. Ms. Christopher presented a map of the Mader wetland bank, which was being developed by a permit applicant in cooperation with the District.

Ms. Christopher stated that, moving forward, the District could consider establishing its own wetland banks and promoting the creation of private wetland banks, as done with the Mader wetland bank.

Ms. Christopher noted that only larger wetlands would make viable wetland banking sites. Mr. Asche added that the USACE only certifies wetland banks of five or more acres in size. Ms. Whalen stated that there are not many properties in the urban area of the Twin Cities that would be eligible for USACE certification, so the District should focus efforts to create wetland banks in rural areas.

Mr. Asche stated that the BWSR favored using wetland banks to compensate for wetland impact, as wetland banks tend to be larger, more robust wetlands. He explained that on-site mitigation projects are typically small, and have a low rate of success in remaining a wetland.

Ms. Whalen suggested that the District encourage private landowners and developers to establish private banks. She explained that the owners could make money on the credits, or at least cover some of the costs of mitigating wetland impact.

Ms. McMillan stated that the District should partner with Hennepin County in identifying and developing a wetland bank. She underscored that the District should not be the lead agency for an undertaking as resource-intensive as the establishment of a major wetland bank.

Chloride Management

Ms. Christopher stated that the EPA had recently approved new TMDLs for chlorides. She explained that currently, the District focuses on monitoring, education, and training efforts concerning chloride management. Ms. Christopher suggested that the District could explore expanding its role to include the following:

- Targeted outreach events
- Research
- Supporting relevant legislation (such as limiting liability of salt applicators)
- Offering cost share funding for salt application equipment upgrades and innovative practices

Ms. Yearwood asked if the new TMDL identified the role of watershed districts. Ms. Christopher confirmed that the TMDL recommended that watershed districts offer educational resources, trainings, and cost share funding as available. She noted that the District may seek to educate salt applicators for commercial sites on means to reduce chloride use.

Bacteria Management

Ms. Christopher stated that TMDLs for bacteria currently indicate pet waste, wild animal waste, and septic system / sanitary sewer seepage as main contributors to bacteria impairments to waterbodies.

Ms. Christopher noted that the District currently monitors for bacteria in waterbodies and performs education and outreach surrounding pet and wild animal waste management. She added that the District includes promotes installation of infiltration and filtration BMPs through capital projects, cost share grants, and permitting rules. Ms. Christopher stated that the District could increase its role in research regarding bacteria management.

Climate Change Adaptation

Ms. Christopher stated that the District currently encourages and implements water quantity management across the watershed through education efforts, capital projects, and permit requirements. She explained that the District also offers technical assistance and baseline modeling to inform city flood management planning. Ms. Christopher noted that the District recently coordinated with the NOAA on the Stormwater Adaptation Study of the watershed.

Ms. Carlson stated that there are those who doubt the existence of climate change. She added that the District could provide data and analysis that displays the effects climate change has on the watershed.

Ms. McMillan expressed her concern for the effect of rising temperatures on fish populations and water quality in the watershed. Ms. Christopher noted that the District collects temperature data.

Ms. Acomb suggested that the District could coordinate with cities to model and evaluate cities' flood resilience.

Ms. Whalen noted that while floods on the scale of those in 2014 cannot be prepared for, the District should ensure that stormwater ponds are being sized properly as they are being installed. She added that the District should explore the possibility of retrofitting old stormwater BMPs that do not meet current standards.

Aquatic Invasive Species

Ms. Christopher stated that the District currently fills many roles concerning AIS management:

- Monitoring
- Research
- Prevention and management
- Education and outreach
- Lobbying

Ms. Christopher noted that the District would be discontinuing some prevention efforts due to lack of partner interest. She added that the District will focus on monitoring, education, and research efforts moving forward.

Ms. McMillan suggested that the District could create maps that depict the locations of various AIS populations.

Ms. Whalen underscored that the District should only look to manage AIS that could realistically be contained.

Ms. Yearwood noted that counties will receive more funding from the state than the DNR for AIS inspections. She encouraged the District to focus on AIS research and mapping efforts.

Groundwater

Ms. Christopher stated that the District is currently involved in managing the interaction between groundwater aquifers and surface water bodies. She explained that the District's role largely comprises of implementing and promoting infiltration, where possible.

Ms. Whalen noted that large-scale groundwater management comes with significant cost, and that the District is better-suited to maintain its current level of involvement. She suggested that the District could promote sustainable usage rates of groundwater and encourage water capture and reuse.

Ms. McMillan noted that the Twin Cities are a "net exporter" of water, considering the amount of groundwater used in the area that gets sent down the Mississippi River. Ms. Carlson stated that the District could show how its work contributes to water recharge, which keeps water within the watershed. Ms. McMillan added that wetland protection and restoration helps with water storage and recharge. Ms. Carlson noted that the District could also message wetlands as assets.

Agriculture and the State Buffer Law

Ms. Christopher stated that the District does not currently play a notable role in managing agricultural land. She noted that the District used to offer grants – in partnership with the NRCS – for BMPs to manage agricultural runoff, as well as habitat restoration grants.

Concerning the state buffer law, Ms. Christopher stated that the law targets cropland and open soils. She explained that because any perennial groundcover – including conventional turf grass – meets the requirement of the law, much of the District will not be affected by the law. Ms. Christopher noted that the District could opt to pursue an enforcement role regarding the buffer law, but would likely offer technical assistance, where applicable, instead.

Ms. McMillan recommended that the District leave most buffer law duties to the county.

Next Steps

Ms. Christopher encouraged the Committee members to fill out the survey distributed at the meeting if they had any additional feedback for the District to consider. She stated that the District had begun drafting sections of the 2017 Comprehensive Plan, and would schedule additional meetings of the Committee as needed for review of draft materials.

The Committee meeting adjourned at 12:00 p.m.

Respectfully submitted,

Matthew Cook
Planning Assistant