



Bassett Creek Watershed Management Commission

Next Generation Plan Steering Committee Meeting Notes

4:30 p.m. ~ Monday April 21, 2014
Golden Valley City Hall

Attendees: Committee Chair Linda Loomis; Commissioners Clint Carlson, Ginny Black, Michael Welch; Alternate Commissioner Lisa Goddard; TAC members Liz Stout, Joe Fox, Derek Asche, Lois Eberhart, Chris Long; Engineer Karen Chandler; Administrator Laura Jester

1. Call Meeting to Order

Chair Loomis called the meeting to order at 4:50 p.m.

2. Approve Meeting Notes from March 24, 2014 Plan Steering Committee Meeting

Approval of the minutes was set aside until the next meeting.

3. Review Updated Plan Budget

This item was set aside until later in the meeting.

4. Discuss Results of Commission Workshop and Refine/Discuss Some Policies

Discussion of Standards and Triggers:

Administrator Jester noted she had invited TAC members to this meeting in order to discuss and hopefully come to consensus on water quality standards and triggers. She reviewed the history of discussions and recommendations regarding standards and triggers and noted no consensus was reached at the workshop on the issue and more discussion with TAC members was sought. Engineer Chandler reviewed the Commission Engineer's recommendation to use the MIDS guidance as the Commission standards and triggers.

Ms. Eberhart noted that Minneapolis is under a different MS4 permit than the other watershed cities. She also noted that she was very involved with the development of MIDS and that MIDS was always considered a voluntary guidance for cities to use. She reported there are 3 parts to the MIDS guidance: standards, flexible treatment options, and a set of ordinances currently under development as a community assistance package. She also reported that according to the MPCA, using MIDS guidance will satisfy future non-degradation rules. Ms. Eberhart said while she agrees that much of the MIDS guidance will work in Minneapolis, there are parts she is uncomfortable using and she thought that working through the flexible treatment options would require too much engineering for some sites. She thought it was too rigorous of a process. She noted that in updating Chapter 54 of Minneapolis' stormwater rules; she plans to use much of MIDS but also hopes to create some shortcuts within the flexible treatment options. Ms. Eberart recommended that the Commission use the standards and triggers recommended by the TAC at their January 7th meeting.

Commissioner Welch noted the standards and triggers recommended by the TAC are equal to the State standards. He wondered why the Commission would bother imposing standards that are already in place. He noted that watershed organizations are governed by a separate set of state statutes and have the ability to impose standards more strict than state standards if it's appropriate for the watershed. He noted he works regularly with other watershed organizations that are considering using the MIDS standards and he has not heard of a developer having problems with infiltration standards.

Ms. Eberhart indicated the U.S. EPA does not require infiltration, but does require pollution reduction however it can be achieved. She noted that sometimes infiltration is the mechanism to reduce pollutants and sometimes it does not work. She would rather have the Commission standards focus on pollution reduction rather than infiltration.

Commissioner Black noted that the flexible treatment options within MIDS allow for other pollution reduction mechanisms if infiltration isn't appropriate at a given site. Mr. Asche indicated his support for the use of MIDS in the city of Plymouth but noted his understanding that Minneapolis is under a different MS4 permit. He indicated his support for MIDS because it levels the playing field among all Plymouth's watersheds, brings consistency, and addresses TMDLs. He noted that redevelopment is key to improving water quality and that CIP projects will not accomplish all the needed water quality improvements. Ms. Stout agreed with Mr. Asche in that she would like consistency among the different watershed organizations in Minnetonka. Mr. Carlson agreed with Mr. Asche for the city of Medicine Lake. Mr. Fox indicated he does not think the flexible treatment options would require too much engineering and he likes the idea that MIDS is already well vetted among many different stakeholder groups. Mr. Long indicated that the city of New Hope is opposed to using MIDS standards and he noted the city does not want increased regulation that might deter developers from the city. He also noted the city's Public Works Department especially objected to the linear project requirements. He noted the Public Works Department is already at maximum working capacity and acknowledged that Public Works staff had not discussed the possibility of using MIDS with the Community Development staff.

There was considerable discussion on how the Commission could include flexibility in local water plans, when and for what types of projects the Commission would review, and how the "maximum extent practicable" clause would be carried out. Alt. Commissioner Goddard noted that many parties come together to mutually discuss and agree on what is reasonable and practical on a site by site basis. Ms. Eberhart noted the cities are ultimately responsible and held accountable for determining maximum extent practicable. There was further discussion on the definitions within MIDS and the flexible treatment options.

Ultimately, there was consensus among those present (with the exception of the city of New Hope) that the Plan Steering Committee make the following recommendations to the full Commission.

Recommendations:

- The BCWMC Plan adopts the MIDS performance goals, triggers, and design sequence flow chart with flexible treatment options (FTOs)
- When/if the member cities adopt the MIDS goals, triggers and design sequence flow chart with FTOs (or an approved alternate to FTOs), the Commission would not review projects for conformance with the Commission's water quality treatment standards.

- If member cities choose not to adopt the MIDS goals, triggers and design sequence flow chart with FTOs (or an approved alternate to FTOs), and/or during the interim period before member cities adopt MIDS, the Commission will review projects for conformance with the Commission's water quality treatment standards.
- Even if all the member cities adopt MIDS, the Commission would continue to review projects that trigger other Commission reviews (e.g., work in the floodplain, work that affects water bodies, etc.)

The group noted that during the interim period, the Commission Engineer would need to be ready for the new process (MIDS review) and that there would likely be new costs associated with the new process.

Discussion of Policy #46 on Flooding and Rate Control:

The group discussed the policy as revised after the Commission Workshop. The 2004 Plan language regarding rate control in conformance with the Flood Control Project system was added back into the policy. There was discussion about whether or not to require cities to manage stormwater runoff so that future peak flow rates leaving development and redevelopment sites are equal to or less than existing rates. Ms. Eberhart thought this might be too onerous in some cases. There was discussion about requiring rate control at city boundaries and the need for rate control from area tributary to small channels to prevent erosion. Ultimately, there was consensus to leave the policy as presented here.

Review Updated Plan Budget (set aside from the beginning of the meeting)

Administrator Jester noted the Budget Committee needed a recommendation from the committee on funding needed in 2015 to complete the Plan. She provided a table with current and projected budget figures developed by the Commission Engineer. She noted that some items are over budget due to many in-depth discussions and items being sent to various committees. She noted that it's likely at least \$24,000 would be needed in 2015 to complete the Plan. The group agreed to recommend including \$30,000 in the 2015 budget.

The meeting adjourned at approximately 6:45 p.m. The next committee meeting is scheduled for Monday May 19, 2014 at 4:30 p.m.