



## Bassett Creek Watershed Management Commission

### DRAFT MEMO

To: Bassett Creek Watershed Management Commissioners  
From: Technical Advisory Committee  
Date: June 10, 2019

**RE: TAC Recommendation – 5/29/19 TAC Meeting**

TAC Members and Others attending 5/29/19 TAC Meeting:

Liz Stout, Minneapolis  
Drew Chirpich, Golden Valley  
Erick Francis, St. Louis Park  
Marta Roser, Robbinsdale  
Mark Ray, Crystal  
Sarah Schweiger and Phil Olson, Minnetonka  
Chris LaBounty, Plymouth  
Susan Wiese, Medicine Lake  
Laura Jester, Administrator  
Karen Chandler and Jim Herbert, Commission Engineers

The BCWMC Technical Advisory Committee met at 1:00 p.m. on May 29<sup>th</sup> to discuss proprietary stormwater manufactured treatment devices and review of these devices in development proposals to the BCWMC. Although they have another meeting planned on July 8<sup>th</sup> to further discuss the issue, they forward the following recommendation for the Commission's consideration at this time.

#### **BACKGROUND & TAC DISCUSSION:**

The Commission has seen an increase in the use of proprietary stormwater manufactured treatment devices (MTDs) for development and redevelopment projects. There are not widely accepted levels of treatment or pollutant removal efficiencies associated with these devices and while most proprietary MTDs undergo testing and third-party review, the conditions that they are tested under may not be consistent with the conditions in the Bassett Creek watershed. At their April 18, 2019 meeting, the BCWMC directed the TAC to provide direction to the Commission and BCWMC Engineer regarding review and acceptance of stormwater MTDs.

At their meeting on May 29<sup>th</sup>, the TAC reviewed a technical memo from the Commission Engineer that laid out information on conventional stormwater best management practices; various stormwater MTDs and projects with MTDs reviewed by the BCWMC; and third-party testing programs. The memo also included Commission Engineer options and recommendations for future review of stormwater MTDs. The TAC discussed the limitations of and differences between the various third-party testing programs, the desire for new testing program in Minnesota, the need for the BCWMC to review proposed projects with consistency, and the uncertainty the proposed projects create when cities are reviewing project proposals before Commission reviews.

The TAC requested more information on the testing programs and possible guidance for cities to follow when reviewing stormwater MTDs ahead of Commission review. The TAC will meet again July 8<sup>th</sup> to continue these discussions and develop recommendations for the Commission's consideration.

One item that did not need additional discussion is their agreement that the best long-term solution is to require that stormwater MTDs be certified or approved by the MPCA, and listed in the Minnesota Stormwater Manual with recommended pollutant removal efficiencies prior to approval by the BCWMC. It was recognized that this option removes the burden of accepting stormwater MTDs and verifying their pollutant removal efficiencies from the BCWMC and places it on the MPCA.

The TAC recognized that the process and timeline for MTDs being listed in the Minnesota Stormwater Manual is unclear and that current development proposals should not be held up in the meantime. The TAC's recommendations after their July 8<sup>th</sup> meeting will include a process and consistency for reviewing MTDs in the near term.

**RECOMMENDATION:**

The BCWMC Technical Advisory Committee recommends that the BCWMC cooperate with other watershed districts and organizations in sending a letter to the MPCA, formally requesting that the MPCA evaluate stormwater MTDs and include development protocols in the Minnesota Stormwater Manual.