

Stormwater Program Review

Focus Group Notes

Name: Brian Livingston (host); Ken Moon (presenter); Roger Karn (facilitator); Dale Thompson, Darrell Weakley (listener, themer); Mary Lynn (note taker)

Date: 9/25/07

Time: 10:00 – 12:00

Location: MPCA St Paul, video conference

Attendees:

Todd Smith

Mike Findorff

Dave Richfield

Bill Cole

Edwin Balcos

Cindi Kahrman

Zach Chamberlain

Paul Leegard

Dan McLean

Duane Duncanson

Anne Gelbman

Mike Mondlach

Bruce Henningsgaard

Paul Estuesta

Keith Cherryholmes

Judy Mader

Scott Fox

Bruce Wilson

Larry Zdon

Lou Flynn

Aida Mendez

Joyce Cieluch

Jim Dexter

Roberta Getmann

*Note taker: Please write down common themes that you hear. We don't want you to transcribe the conversation.

1. React to this vision statement about stormwater management. It is apparent from the statement it will take all of our efforts to accomplish.
 - Vision statement appears nebuleus, happy talk, doesn't mean anything.

- Receiving waters have very different assimilative capacities; lakes, rivers, streams much different than wetlands. Points to need for effluent limit guidelines.
 - Don't understand "high quality", what does it mean?
 - From program standpoint, not looking at all of MN, looking only at areas that have been developed.
 - To capture everything is impossible; what about rate?
 - What is high quality?
 - Increased runoff from climate change and other factors not being addressed; no adequate treatment from design systems.
 - No means to address peak flow from rain events; not addressed in permit.
 - Goal of vision is a high standard, high quality discharge and is region specific.
 - Goal is un-impaired waters.
 - Vision is vague, uninspiring.
2. As you consider stormwater management in Minnesota, what is going well that you wouldn't want to change/lose?
- Advancement in technology, engineering.
 - Developing watershed approach statewide over past 20 years; fosters competence at the local level; build on this.
 - See more silt fences.
 - Good enforcement component in program; keep this.
 - JPA concept; having other parties looking at our regulations, builds consistency.
 - Education and enforcement; need balanced approach – this is what works, not just a single component program.
 - JPA builds partnerships; shared education between counties.
 - Creative solutions – way program uses data; i.e. tablets.
 - Conversation surrounds construction program; it's all stormwater programs.
 - Citizens know more now.
 - Construction stormwater is most visible.
 - Civil engineers, external, i.e. MNDOT, understand program.
3. What currently is not working the way you would like or what issues/opportunities do you see?
- Stormwater management – water quality is an add-on. Raise water quality issue as high as Stormwater management issue.
 - General public does not get it; need better marketing.
 - TMDL staff taking factory approach. Implementation lands on Stormwater program staff; need coordinated effort.
 - 5 acre site on farm field and requires erosion/sediment controls means costs – unregulated discharges and fairness issue.
 - Local planning boards, planning commissions; are over-whelmed. How can they be expected to deal with environmental issues with no help? Need education component for city officials.

- Does effort match environmental damage/risk? What is the right balance; industrial, construction?
- What is visible to the public is what gets attention; i.e. sediment plume in water.
- Politics of municipal program does not lend itself to urgency/visibility.
- No level of understanding with construction Stormwater especially in the Regions; developers, builders, not aware of requirements, rules.
- Stubbornness of public (developers, builders,...) in Regions.
- 3 programs address most of Stormwater – but what about ISW that do not need permits, <1 acre construction sites; Stormwater that does fall under permitting program. Unregulated sectors – level playing field.
- General permits may not be the best tool for regulating activities; regional or ecosystem based permit may be more appropriate, specialized.
- Experience in Air Program – reduce resources that go into permitting leads to greater load on people in the field and education needs. Hidden cost of streamlined permitting, shifting the burden.
- General permits shoe horned into NPDES program which was setup as individual permit program; regulations are not written for general permits and Stormwater. TMDL and nondegradation issues, especially MS4, leads to individual type permitting through SWPPPs.
- Standards were written for point sources, not written for Stormwater. Issue - do not have a single source.
- Not only need permit, but program that supports it.
- Need access to all permits issued in county.
- Stop work orders needed; enforcement process out in field too slow.
- Fines are artificially lowered through APO process, length of time enforcement action requires.
- WCA does not line up with MPCA rules and permits. Enforcement issues.
- DNR protected waters and MPCA special waters do not line up.
- 20 counties that have not been inspected by the state; message – if you want clean waters, you will have to pay for it. Sectors of industry/construction that we do not regulate. Where is equal, level playing field?
- Post construction concepts for LID; make sure opportunity is not lost in rapidly growing communities (e.g. Lakeville).
- Need LID by requirement; reduce impervious surface.
- Incredible significant changes by climatology.
- Need watershed based program approach for 3 stormwater programs; watershed based allocation for pollutants.
- Need to change culture of thinking; hard to measure.

4. What didn't we ask you that you want to tell us? (What one thing to leave us with?)