Summary of 30 Cities Stormwater Antidegradation Assessments

To response to litigation, thirty Minnesota Cities were directed to perform antidegradation reviews or Loading Assessments for two time periods:

(1) 1988 to present; and

(2) present to 2020.

These cities were chosen due to demographic growth.

Thirty Cities Loading Assessments

- Many similarities
- More urban development, more untreated runoff volume, TP & TSS Loads (even with conversion agriculture to urban)
- Stormwater ponds most common BMP.
  - High TP & TSS removal rates frequently assumed.
  - High infiltration rates also assumed in some cases.
    - Provide operation and maintenance information to maintain high removal & infiltration rates.

Key Conclusions:

- Stormwater volume reduction is necessary
- Need to better address BMP operation and maintenance for better estimation of total phosphorus and total suspended solids loadings.
- To move forward we need one antidegradation standard/ performance goal (rather than several performance measures).

How Loading Assessments Influence the Revised Antidegradation Rule

- Antidegradation review will not be triggered by jurisdiction-wide loading assessments
  - Review will be triggered by potential for increases in net loading
- Alternatives analysis conducted by the agency when a general permit is developed
  - Alternatives that avoid net increases in loading will be incorporated into permit conditions
  - Alternatives will consider loading from an individual site, not jurisdiction
  - Adhering to permit conditions will satisfy antidegradation requirements

How Loading Assessments Influence the Revised Antidegradation Rule

- Volume will likely be a Parameter of Concern (POC) (POC = pollutants or other parameters likely to cause degradation and for which antidegradation review will be required)
- Implementation procedures will include, not only review of control document applications, but verification that antidegradation permit conditions are fulfilled (e.g., verification that treatment BMPs are maintained)
- Single standard to meet antidegradation goals.

How antidegradation addresses impaired waters, unimpaired waters and ORVWs

- **Impaired with approved TMDL** » follow TMDL.
- **Impaired without approved TMDL** » must not contribute to impairment.
- **Unimpaired** » meet antidegradation standard (no net increase in net loading). If not possible – mitigate. If that is not possible - demonstrate the activity is necessary and important.
- **ORVWs** » meet antidegradation standard, ORVW characteristics are not degraded.