

Stormwater Program Review

Focus Group Notes

Name: Brian Livingston (note taker); Kris Van Amber (facilitator); Edwin Balcos (listener, themer); William Haapala (host); Lisa Thorvig (presenter)

Date: 9/24/07

Time: 1:30 – 3:30

Location: Douglas County Library, Alexandria

Attendees:

- Darren Hungness, Landteam, Inc.
- Brian Hiles, Landteam, Inc.
- Steven Lawrence, Pope Co. Land and Resource Management
- Kirk Williams, UND EERC
- Ron Klinker, Knife River
- Andy Bradshaw, City of Moorhead
- Paul Munsterteiger, MnDOT D4
- Jeff Perkins, MnDOT D4
- Shawn Beauduy, Sterns County, Environmental Services
- Shane Lund, City of St. Cloud
- Aaron Jensen, Douglas County Land and Resource Management
- David Rush, Douglas County Land and Resource Management

*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.
 - Great general statement, but from regulatory standpoint, what's reasonable
 - Vague, needs to be more defined
 - Waters of the State (one of PCA's favorite words) interesting not in their, especially groundwater. Why are we not just saying Waters of the State
 - Groundwater – how stop entering the ground. Unless pond liners
 - Assume recharge/sensible infiltration
 - Mix quality so are you monitoring groundwater
 - "All" – there is a lot of other sources beyond what PCA regulates – ag, drain ditches (pet peeve) . Sites too small to be regulated
 - Must instead of "will be"
 - Groundwater monitoring expensive and what standards
 - Ag – what's the point if upstream of city degraded
 - Standards and many pollutants for Stormwater
 - Reasonable volume – can't control the weather
 - What size storm 5year, 10year?
 - Volume for impervious or pervious

2. As you consider stormwater management in Minnesota, what is going well that you wouldn't want to change/lose?

Awareness/Education

- Awareness of impacts, regulatory environment sets up.
- Down to one acre. Local programs and ordinances
- Education now, even in schools
- Awareness at municipal level now regulated MS4s, and citizens within
- Watershed based education and a healthy dose of regulation

Web-Permitting

- Like on-line permitting – saved them on some last minute project

Partnerships

- More inspections on his sites in Stearns than all other counties put together as long as doing well
- Entities working together (state and local JPA)
- Duplication frustrates him, He'll state has permit from PCA and local says so, how often do they inspect – but he still is following permit
- Partnerships should continue (UND)
- Coordination with regional offices of PCA is good for him to understand what they need to do
- J. Cieluch helpful, has been to all MS4 meetings
- J. C. wealth of knowledge for construction and they know what they need to do and be better
- JPA on local level seems to work really well – work with local eng. Etc. and get good cooperation, consistent.
- Only works because PCA stands behind with enforcement

3. What currently is not working the way you would like or what issues/opportunities do you see?

Partnerships

- Local governments should be able to do permitting and regulatory – causing duplicate permitting – then said most important to have one level of permitting, doesn't matter at what level
- Work together – similar guidelines – so have joint permitting
- Local people more knowledgeable what's going on and better service – St. Paul causing problems with Hwy 10 in Detroit Lakes – looking for problems when they have it under control/doing more than needed and local PCA is OK and don't know what is going on in St. Paul. St. Paul undermining local oversight

Costs/difficulty

- Goals of PCA program are great, last permit not enough consideration of cost vs. results. (costs: contractors, MnDOT/taxpayers, for enforcement) is this the best use of limited funds
- Knowing target audience and goals difficult to determine.
- How to know when achieving goals – sampling
- TMDLs and Stormwater will cost a lot of money
- Have to set bar for “high quality” and that is what TMDLs are and something to aspire to but, a lot of money for sampling and developing TMDLs – better off to give money for BMPs

- Easier to collect water bottle at outlet of construction site and if see fingers on other side, OK
- Struggling with TMDLs and whether or not a pond enough for a city
- BMPs not best management laws. “got to do this” attitude
- Not to many rivers have caught fire recently so we are doing OK

Construction Permit

- 5 options in permit, but no one is going to do alternative methods.

Enforcement

- Like having 900 lb gorilla of PCA threatening enforcement

Municipal – Post Construction

- Discussion that regional ponds work well for a city (one pond, one maintenance, less liability for catching kids)
- More rain gardens and local groups take over because labor intensive.

Enforcement

- Protection overboard in DL on highway 10, have same protection for the lake as for a puddle with a few cattails. Better approach for regulations on ditches and lower level wetlands

Construction Permit

- Lot of time on explaining the subdivision registration process
- Online to look at open construction permits for city. Seems staff turnover at PCA and paperwork problems – not sending some notices from St. Paul
- Notice of Termination (NOT) – will have permit open 30-40 years because need to sell every lot. And owner has died.
- Owner sent but not contractor and contractor doesn’t get notified by owner
- Developer responsible for home builder under permit
- Long term maintenance of permanent BMP structures, some don’t even know they had a homeowners association and have filled in their pond.
- Subdivision taken out of PCA and into local building permit make more sense. – problem with cross jurisdiction regulations – pass state law? – to get rid of NOT’s long term problem.
- Smaller towns – hard to expect them to take on
- SWPPP flexible, but not implemented the right way, at right time
- Silt fence not the only BMP - Need to get folks up to speed on BMPs
- No sites over 50 acres and 2000 feet – how many is PCA reviewing and he sees a lot of sites that should be reviewed. Make enemies quickly when site has already been designed and are being built. Developer can get bad info. From eng. And made him as an inspector hate his job (\$3-4 million infrastructure – do you ask them to tear out and rebuild?)

Industrial

- (Didn’t take bait on discussing industrial).

4. What didn’t we ask you that you want to tell us? (What one thing to leave us with?)
Went around the room and each of the dozen folks were given one last chance to leave their thoughts, seemed to be their most important issues re-hashed:
 1. Subdivision and NOT cumbersome
 2. There is a level of “acceptable pollution” and too much energy in some areas
 3. Financial ramifications of regulations
 4. Scope of SWPPP for Ms4s and smaller MS4s – it is hard to adequately meet

5. Gravel Pit permit (new one) is good
6. Can have great construction SWPPP, but bad implementation, he doesn't care about the SWPPP as an inspector, but if being done well...
7. Let regional people do their job
8. They (MnDOT) commitment to protect the environment, but don't try to capture us on technicalities- focus on those not applying and doing good
9. More cut and dry permit lang. – sub/NOT
10. Manage construction program locally, easier to deal with.
11. Non-point is oxymoron, don't know where coming from, law of diminishing returns to clean up the runoff. Better places resources can go in the state
12. Measurements and goals, expensive, but has to be done (though seem to go against group), \$ how pay for, prioritization different water types.

Scoring/3 high scores:

- Sources beyond what is regulated: Ag/ditches/smaller construction
- Should be practical and site appropriate

Later discussion,

- U of M course is great.
- MPCA staff introductions