

1 **DRAFT**

2 **MINUTES OF THE POLICY ADVISORY COMMITTEE**

3 **April 26th, 2016**

4 **CALL TO ORDER**

5 Ms. Christopher called the Committee to order at 10:05 a.m. at the Ridgedale Library,

6 12601 Ridgedale Drive

7 Minnetonka, MN 55305

8 **COMMITTEE MEMBERS PRESENT**

9 Bob Stewart, Marvin Johnson, Scott Johnson, Linea Palmisano, Patty Acomb, Lili McMillan,
10 Sliv Carlson, and Terri Yearwood.

11 **OTHERS PRESENT**

12 Sherry Davis White, District Board President; Lars Erdahl, District Administrator; James
13 Wisker, Director of Planning & Projects; Becky Christopher, Lead Planner; Anna Brown,
14 Planner & Project Manager; and Matthew Cook, Planning Assistant.

15 **APPROVAL OF AGENDA**

16 The agenda was approved without amendment.

17 **COMMITTEE MEETING**

18 **February Meeting Recap**

19 Ms. Christopher summarized the topics discussed at the previous meeting of the Committee. She
20 outlined the process for the development of the District's 2017 Comprehensive Plan. Ms.
21 Christopher provided the Committee with a diagram representing the Two-Track Approach. She
22 explained that under the "Responsive Implementation" track, the District relies on its city and
23 agency partners to identify and initiate collaborative projects. Ms. Christopher noted that under
24 the "Focal Geography Planning" track, the District would lead a subwatershed-wide planning
25 effort.

26 Ms. McMillan asked how cities should submit potential projects to the District. Ms. Christopher
27 stated that cities could engage the District by sharing plans, issuing formal requests, and
28 exchanging information informally, among other methods. Manager White added that cities
29 have, in response to an issued MCWD CIP, submitted a project for consideration.

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46 Ms. McMillan stated that the Cities of Orono, Long Lake, and Medina had recently developed a
47 subwatershed partnership agreement to facilitate coordination between the cities on water
48 resource projects in the Long Lake Creek subwatershed. Ms. McMillan asked if any other cities
49 were voluntarily forming similar partnerships. S. Johnson noted that Medina has similar
50 agreements with other cities for shared subwatersheds under the jurisdiction of other watershed
51 management organizations. He added that the agreements have helped to streamline cooperative
52 efforts.

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54 Ms. Palmisano inquired as to the objective of such an agreement. Ms. McMillan stated that the
55 primary goal was to coordinate efforts towards load reductions assigned to the municipalities
56 through TMDLs. S. Johnson agreed, noting that the agreement served as a framework through
57 which cities could more readily cooperate on projects of mutual interest, across municipal
58 boundaries.

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60 Manager White noted that the DNR was in the process of mapping the buffers required by the
61 Governor's new buffer initiative. Ms. Yearwood confirmed that the DNR was working on
62 completing the maps, and offered to share the maps in their current state with the Committee.
63 Ms. Yearwood added that the DNR provides information on watershed restoration and protection
64 strategies (WRAPS), which is available for use by the District, other agencies, and cities in
65 watershed-scale planning. She commended the District for its systems-level scale of focus.

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67 Ms. Acomb asked if the District prioritizes its grant allocation to water resource projects based
68 on the impairment of and improvement to a given water body. Ms. Christopher confirmed that
69 the District administers grants to projects with high potential to improve water resources.

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71 Ms. Christopher, referring to the handout titled "Changes to Support Partnership Approach,"
72 stated that the District intends to develop the implementation framework of the 2017 Plan with
73 input from the Committee. Ms. Christopher noted that the District could improve coordination
74 between the District and its partners through the following potential actions:

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- 77 • Increase communication / relationship-building with cities
 - 78 ○ Give annual presentations to city councils
 - 79 ○ Hold regular meetings with city staff from various departments
 - 80 ○ Tailor cooperative efforts by city – determine with city staff who to coordinate
with, how often, and through what means
 - 81 • Provide guidance to cities on model ordinances and best available practices
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83 Ms. McMillan stated that, at regular District-city staff meetings, District staff should request city
84 staff to supply a list of any new or altered ordinances. Ms. Christopher stated that the District
85 would soon be sending out to city staff an information request which would cover ordinances
86 changes. Mr. Stewart asked if cities should request information on current best practices from the
87 District or if the District would readily supply such information as it became available. Ms.
88 Christopher stated that the District would discuss current best practices at the regular meetings
89 with city staff and policymakers.

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91 Ms. Christopher continued outlining potential District actions to foster collaboration:

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- 93 • Provide guidance to citizen groups to improve effectiveness and focus
- 94 • Provide consistent District contacts for city staff and policymakers
- 95 • Establish fee-for-service arrangement to help cities meet MS4 requirements
- 96 ○ Education, outreach, etc.
- 97 • Adopt an environmental PUD-type process or policy
- 98 ○ Meant to provide a streamlined alternative to exception / variance route for
- 99 applicable development projects
- 100 • Establish an MCWD wetland bank
- 101 • Cost share funding for:
- 102 ○ Deferred stormwater BMP maintenance
- 103 ○ Upgrading street sweeping and / or winter maintenance equipment
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105 Ms. McMillan asked if the District distributed cost share grants for small-scale stormwater
106 infrastructure projects. Ms. Christopher confirmed that the District offers cost share funding for
107 such facilities.

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109 Mr. Wisker noted that the state currently requires cities to inventory municipal stormwater
110 infrastructure and inspect 20% of the facilities each year, inspecting all facilities over the course
111 of 5 years. Mr. Wisker stated that privately-owned stormwater infrastructure is often not
112 inspected or maintained. He explained that he expected another state requirement – regarding the
113 inspection and maintenance of private stormwater infrastructure – would be adopted in the
114 coming years. Mr. Wisker added that, together, the MCWD and partner cities could begin
115 working towards the new standards before they are required.

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117 S. Johnson stated that the City of Medina has taxing jurisdiction over new stormwater
118 infrastructure, but has few means of ensuring previously-installed private stormwater
119 infrastructure is accounted for. Mr. Wisker noted that by leveraging each other's authority and
120 capacity, the District and cities can find a solution to the issue of unkempt private stormwater
121 infrastructure.

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123 Ms. Christopher resumed guiding the Committee through the “Changes to Support Partnership
124 Approach” handout, focusing on potential actions which cities and agencies could make to
125 strengthen the cooperative framework of the 2017 Plan.

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- 127 • Share priorities, goals, and plans with the District (to be incorporated into the District's
128 own plan)
- 129 • Invite the District to participate in the city comprehensive and local water planning
130 processes
- 131 ○ Acknowledge District goals and priorities
- 132 ○ Identify partnership opportunities
- 133 • Contact the District early on in land use planning processes
- 134 ○ CIPs – infrastructure, transportation, etc.
- 135 ○ Economic development

- 136 • Promote early District involvement in private development planning
- 137 ○ Identify points for connection in permit review processes
- 138 ○ Incorporate District contact information into website, application checklists, etc.
- 139 ○ Notify the District of applications / meetings
- 140 • Develop coordination framework and document in:
- 141 ○ Memorandum of Understanding
- 142 ○ Policy
- 143 ○ Ordinance
- 144 ○ Process
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146 Mr. Wisker asked the Committee what the best method was for memorializing coordination with
147 the District. He noted that not everything written into plans is adhered to. Mr. Wisker suggested
148 that whatever documents cities and agencies refer to regularly ought to be the place where a
149 framework for partnership with the District is outlined.

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151 Mr. Stewart stated that as city staff changes, so too will the nature of the city's relationship with
152 the District. S. Johnson noted that the habits of staff and councils varies from city to city. M.
153 Johnson suggested that, for certain types of projects, city staff follow a checklist of action items,
154 which would include contacting the District. Ms. McMillan stated that, for Orono, the District
155 should look to continue building its relationship with the Public Works department. She noted
156 that the public and many city staff appreciate the District's work.

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158 Ms. Palmisano stated that, in Minneapolis, the city's comprehensive plan is used regularly as a
159 reference and guide to developers. Ms. Christopher noted that some cities may wish to employ
160 multiple methods of documenting and institutionalizing partnership with the District. Mr. Erdahl
161 added that, especially for cities with land in multiple watersheds, the District hoped to help
162 streamline the coordination process for cities.

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164 Mr. Stewart stated that the City of Edina regards the District as a leader in watershed
165 management, and looks to the District for guidance on best practices.

166 Local Water Plan Requirements

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169 Ms. Christopher gave an overview of the state statute and rule that give watershed districts the
170 authority to assign responsibilities to local government units (LGUs). Ms. Christopher stated that
171 these responsibilities and corresponding implementation actions are to be laid out local water
172 management plans (LWMPs). A LWMP, she continued, is a chapter of an organization's
173 comprehensive plan that is updated no less than every 10 years. Ms. Christopher explained that
174 LWMP updates, which would be reviewed and approved by the District, are due between
175 January 1st, 2017 and December 31st, 2018.

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177 Mr. Wisker noted that the District ought to be involved in the comprehensive planning process
178 for cities. Ms. Acomb asked if the District was interested in being on the steering committee for
179 a city's comprehensive plan. Mr. Wisker stated that the District may wish to be on the steering

180 committee for some cities' comprehensive planning processes and offer review and comment for
181 other cities.

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183 Ms. Carlson asked what the overlap was between a LWMP and a municipal separate storm sewer
184 system (MS4). Ms. Christopher noted that an MS4 is required to have a stormwater pollution
185 prevention plan (SWPPP), which can typically be fulfilled through developing a LWMP.

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187 Ms. Christopher summarized the LGU requirements that were laid out in the District's 2007
188 Comprehensive Plan. She stated that the old requirements assigned pollutant load reductions –
189 before a total maximum daily load (TMDL) was determined for waterbodies in the area – to
190 LGUs based on land use. Ms. Christopher referenced an attached list of other local plan
191 requirements, noting the reporting and meeting requirements. She explained that the old
192 reporting requirements were typically focused on an LGU's water resource-specific projects, and
193 the District met primarily with water resource or engineering staff.

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195 Ms. Christopher stated that the requirements of the District's 2017 Plan would allow for more
196 flexibility and collaboration. She explained that the 2017 Plan would see the elimination of
197 pollutant load reductions required of LGUs by the District, deferring instead to the established
198 TMDLs. Ms. Christopher noted that the new LWMP requirements would focus on incentivizing
199 cooperation, rather than mandating implementation.

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201 Referring again to the list of additional LWMP requirements, Ms. Christopher stated that the
202 District would simplify the list, as many of the requirements duplicate other agencies'
203 requirements. She added that the District was interested in discussing LGU land use projects
204 with land use planning and economic development staff, not just discussing water resource-
205 focused projects with water resource staff.

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207 Ms. Christopher highlighted some of the key proposed LWMP requirements of the District's
208 2017 Plan, as detailed below:

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Topic Area	District Plan	City Local Water Plans
Implementation plans	<ul style="list-style-type: none"> • District goals and priorities <ul style="list-style-type: none"> ○ TMDLs replace District load reduction requirements ○ TMDL credit sharing policy ○ Keep 2007 targets for non-impaired lakes • Local goals and priorities • Partnership opportunities and roles 	<ul style="list-style-type: none"> • Acknowledge District goals and priorities • Acknowledge partnership opportunities • Explain how city will make progress toward TMDL requirements and District goals
Coordination framework	<ul style="list-style-type: none"> • Program services and processes • Coordination strategies/expectations of cities <ul style="list-style-type: none"> ○ Annual report/meeting requirement ○ Exchange of plans/CIPs ○ Early involvement ○ Document coordination framework 	<ul style="list-style-type: none"> • Acknowledge District services, processes, and how they intend to utilize them • Describe how city will coordinate with District <ul style="list-style-type: none"> ○ Acknowledge report/meeting requirement
Best practices	<ul style="list-style-type: none"> • Recommendations for best practices: <ul style="list-style-type: none"> ○ Street sweeping ○ Chloride management/winter maintenance ○ Others? 	<ul style="list-style-type: none"> • Describe current practices and whether they meet District recommendations
Regulation	<ul style="list-style-type: none"> • Recommendations for city ordinances: <ul style="list-style-type: none"> ○ SFH hard cover restrictions/stormwater management ○ Shoreland management ○ Others? • Process for city to assume sole regulatory authority 	<ul style="list-style-type: none"> • Describe current ordinances and whether they meet District recommendations • Identify rules for which city wishes to assume sole regulatory authority

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Ms. Acomb suggested that the District consider requiring stormwater reuse for redevelopment projects.

Ms. McMillan stated that the District could help cities by clarifying what the requirements for the state buffer program were. Ms. McMillan asked if the District had any advice on establishing a stormwater fund and if stormwater facilities could be priced like other utilities.

Ms. Christopher stated that the District could offer a comparison of city ordinances to help municipal policymakers see what options are available.

223 Mr. Stewart expressed interest in having the City of Edina included in the development of a
224 process for managing aged, privately-owned stormwater infrastructure.

225
226 Ms. Christopher stated that cities had the ability to take on the authority of and responsibility for
227 permitting for water resource protection. Mr. Wisker noted that if the District did not maintain
228 permitting authority, that both the cities and the District would lose a fundamental opportunity
229 for coordinating on projects.

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231 Updates and Next Steps
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233 Ms. Christopher briefed the Committee on upcoming District events:

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- 235 • Comprehensive Plan brochure – potential May distribution
 - 236 • City Planners meeting – July
 - 237 • NEMO boat tour – August 3rd
 - 238 • City Council meetings / presentations – June-August
 - 239 • Local subwatershed meetings – August-October
- 240

241 Ms. Christopher stated that District staff would soon be sending out an information request to
242 city and agency staff. Ms. Christopher stated that the first part of the request, to be returned in 60
243 days, would inform local subwatershed meetings by providing the following:

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- 245 • Goals and priorities
 - 246 • Plans – public infrastructure, transportation, economic development, etc.
 - 247 • Development projections
 - 248 • Partnership opportunities
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250 Ms. Christopher noted that the District is currently using Met Council development projections
251 for land use. She suggested that if cities or agencies had any more up-to-date projections, that
252 they include that information in their response. Ms. Christopher stated that the second portion of
253 the information request, to be returned 30 days after first deadline, would include the following:

- 254
- 255 • Ordinances and standards relevant to natural / water resources
 - 256 • Review process for proposed development
 - 257 • Progress toward load reduction goals
 - 258 • Optional information:
 - 259 ○ Identified policy, ordinance, procedure, or practice change(s) to support
 - 260 partnership model
 - 261 ○ Desired or currently utilized District services
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263 Ms. Christopher stated that at the next meeting, the Committee would discuss the District's role
264 in various management topics.

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266 The Committee discussed dates in late June for the next meeting.

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268 The Committee meeting adjourned at 11:50 a.m.
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270 Respectfully submitted,
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272 Matthew Cook
273 Planning Assistant

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