

1 **DRAFT**

2 **MINUTES OF THE TECHNICAL ADVISORY COMMITTEE**

3 **April 27, 2016**

4 **CALL TO ORDER**

5 Ms. Christopher called the Committee to order at 1:00 p.m. at the Minnetonka Community  
6 Center, in the Shady Oak Room;

7 14600 Minnetonka Blvd  
8 Minnetonka, MN 55345

9 **COMMITTEE MEMBERS PRESENT**

10 Ross Bintner, Nate Stanley, Liz Stout, Tom Dietrich, Bob Bean, Derek Asche, Erick Francis,  
11 Cara Geheren, Kristin Larson, Randy Anhorn, Steve Christopher, Kate Drewry, Karen Jensen,  
12 Deb Pilger, Chris Zadak.

13 **OTHERS PRESENT**

14 Bill Olson, District Board Manager; Becky Christopher, Lead Planner; Anna Brown, Planner &  
15 Project Manager; and Matthew Cook, Planning Assistant.

16 **APPROVAL OF AGENDA**

17 The agenda was approved without amendment.

18 **COMMITTEE MEETING**

19 **February Meeting Recap**

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

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

- 47 • Increase communication / relationship-building with cities
- 48 ○ Give annual presentations to city councils
- 49 ○ Hold regular meetings with city staff from various departments
- 50 ○ Tailor cooperative efforts by city – determine with city staff who to coordinate
- 51 with, how often, and through what means
- 52 • Provide guidance to cities on model ordinances and best available practices
- 53 • Provide guidance to citizen groups to improve effectiveness and focus
- 54 • Provide consistent District contacts for city staff and policymakers
- 55 • Establish fee-for-service arrangement to help cities meet MS4 requirements
- 56 ○ Education, outreach, etc.
- 57 • Adopt an environmental PUD-type process or policy
- 58 ○ Meant to provide a streamlined alternative to exception / variance route for
- 59 applicable development projects
- 60 • Establish an MCWD wetland bank
- 61 • Cost share funding for:
- 62 ○ Deferred stormwater BMP maintenance
- 63 ○ Upgrading street sweeping and / or winter maintenance equipment
- 64

65 Referring to the environmental PUD, Mr. Bintner asked for an example of what a good tradeoff  
66 might be in terms of environmental protection measures. Ms. Christopher stated that allowing for  
67 equal or greater treatment from a facility other than the treatment required in rule would be a  
68 favorable tradeoff.

69  
70 Ms. Christopher resumed guiding the Committee through the “Changes to Support Partnership  
71 Approach” handout, focusing on potential actions which cities and agencies could make to  
72 strengthen the cooperative framework of the 2017 Plan.

- 73
- 74 • Share priorities, goals, and plans with the District (to be incorporated into the District’s
- 75 own plan)
- 76 • Invite the District to participate in the city comprehensive and local water planning
- 77 processes
- 78 ○ Acknowledge District goals and priorities
- 79 ○ Identify partnership opportunities
- 80 • Contact the District early on in land use planning processes
- 81 ○ CIPs – infrastructure, transportation, etc.
- 82 ○ Economic development
- 83 • Promote early District involvement in private development planning
- 84 ○ Identify points for connection in permit review processes
- 85 ○ Incorporate District contact information into website, application checklists, etc.
- 86 ○ Notify the District of applications / meetings
- 87 • Develop coordination framework and document in:
- 88 ○ Memorandum of Understanding (MOU)
- 89 ○ Policy
- 90 ○ Ordinance

91                   ○ Process

92

93 Mr. Bintner recommended that to improve coordination with cities, the District meet with city  
94 staff as they are developing their CIPs in spring. Ms. Geheren noted that a MOU was sufficient  
95 to promote coordination between City of Victoria and District staff. Mr. Bintner confirmed that  
96 meeting with a city's land use planning, economic development, or administrative staff would  
97 indeed help the District integrate into the city's planning processes.

98

99 Local Water Plan Requirements

100

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

108

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

116

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

122

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

128

129 Ms. Christopher highlighted some of the key proposed LWMP requirements of the District's  
130 2017 Plan, as detailed below:

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132

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

133  
 134 Mr. Asche stated that City of Plymouth staff notifies the District of projects after reviewing the  
 135 plans and before they are sent to preliminary plat. He asked if this practice was the sort of early  
 136 involvement the District was seeking. Ms. Christopher confirmed that it was.

137  
 138 Mr. Bean noted that cities engage in many different scales of planning – comprehensive  
 139 planning, capital improvement planning, project-specific planning, and reacting to development.  
 140 He suggested that the District attempt to integrate with the city in each of the realms of planning.  
 141 Ms. Geheren stated City of Victoria staff send project concepts to the District early on as an  
 142 informal practice.

143

144 Mr. Bintner stated that the City of Edina invited the District to participate in early planning  
145 discussions. Mr. Bintner noted that given this early coordination, the District was able to present  
146 new opportunities for managing stormwater that the city had not anticipated.  
147

148 Mr. Bean suggested that the District aggregate the progress made by the District and cities  
149 towards TMDL goals and display the information online. Ms. Christopher stated that the District  
150 was calculating its progress made thus far, and would be requesting a pollutant load reduction  
151 progress report from cities in the coming information request.  
152

153 Mr. Bean stated that the District ought to consider hosting round-table discussions between  
154 cities.  
155

156 Ms. Drewry noted that the DNR would be updating its model ordinance for shoreland  
157 management in the next three to six months. She welcomed city staff to consider adopting such  
158 an ordinance.  
159

160 Mr. Bintner stated that he had drafted a management plan for street sweeping, noting the cost  
161 efficiency of street sweeping to remove pollutants from drainage areas.  
162

163 Ms. Stout stated that she was uncomfortable with the District offering recommendations on best  
164 management practices, as the capacity of cities to accommodate a recommended practice varies.  
165 She noted that “recommendations” tend to become requirements. Mr. Bean added that many of  
166 the suggested recommendations are already in the stormwater manual, and that city staff can  
167 consult the manual instead.  
168

169 Mr. Dietrich asked if the District made its XPSWMM model available to cities for consideration  
170 in flood mitigation planning. Ms. Christopher responded that the District supplies the model as  
171 needed. Mr. Dietrich noted that the District’s involvement in flood mitigation projects is helpful  
172 to cities.  
173

174 Ms. Christopher asked the Committee what the condition of stormwater ordinances was in the  
175 watershed. Mr. Bean stated that the ordinances for his cities require a watershed permit for  
176 stormwater. Mr. Asche noted that some cities have attempted to create an all-encompassing  
177 ordinance. Ms. Christopher stated that the District was interested in streamlining and simplifying  
178 the regulatory process across agencies.  
179

180 Ms. Geheren echoed Ms. Stout, agreeing that “recommendations” typically become  
181 requirements.  
182

183 Ms. Jensen stated that the Metropolitan Council has several tools and reference guides online for  
184 cities to use concerning stormwater management. She noted that cities must do water supply  
185 planning as part of their comprehensive plan process, and should consider using the Met  
186 Council’s available tools. Ms. Jensen added that Council staff can provide technical advice,  
187 through experts such as Brian Davis of Met Council Environmental Services.  
188

189 Mr. Bintner stated that he supported the District’s use of the term “recommendations.” Mr. Bean  
190 noted the difficulty of explaining to a city council the necessity for a stormwater ordinance that  
191 limits hardcover.

192

193 Updates and Next Steps

194

195 Ms. Christopher briefed the Committee on upcoming District events:

196

197 • Comprehensive Plan brochure – potential May distribution

198 • City Planners meeting – July

199 • NEMO boat tour – August 3<sup>rd</sup>

200 • City Council meetings / presentations – June-August

201 • Local subwatershed meetings – August-October

202

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

206

207 • Goals and priorities

208 • Plans – public infrastructure, transportation, economic development, etc.

209 • Development projections

210 • Partnership opportunities

211

212 Ms. Christopher noted that the District is currently using Met Council development projections.  
213 She suggested that if cities or agencies had any more up-to-date projections, that they include  
214 that information in their response. Ms. Christopher stated that the second part of the information  
215 request, to be returned in 30 days from the deadline for the first part, would provide the  
216 following:

217

218 • Ordinances and standards relevant to natural / water resources

219 • Review process for proposed development

220 • Progress toward load reduction goals

221 • Optional information:

222 ○ Identified policy, ordinance, procedure, or practice change(s) to support  
223 partnership model

224 ○ Desired or currently utilized District services

225

226 Ms. Geheren asked if, to give the District a better understanding of future development, city staff  
227 could send the District the shapefiles used in the city’s comprehensive plan to represent  
228 development projections. Ms. Christopher confirmed that shapefiles would be welcomed.

229

230 Ms. Pilger asked if agency staff would receive a similar information request. Ms. Christopher  
231 noted that agencies would receive an information request, albeit somewhat simplified, as many  
232 of the items would not apply to regional agencies.

233

234 Ms. Drewry noted that the District should be sure to include agencies such as park and trail  
235 authorities, counties, and MNDOT in the information request and any related meetings.

236

237 Ms. Christopher stated that at the next meeting, the Committee would discuss the District's role  
238 in various management topics.

239

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

241

242 The Committee meeting adjourned at 2:50 p.m.

243

244 Respectfully submitted,

245

246 Matthew Cook

247 Planning Assistant

DRAFT