

Meeting: Board of Managers
Meeting date: 6/23/2022
Agenda Item #: 7.1
Board Consent Item

Title: Authorization to Release the 2021 MS4 Annual Report to the Minnesota Pollution

Control Agency

Resolution number: 22-039

Prepared by: Name: Abigail Ernst, Permitting Technician

Phone: 952-641-4504

aernst@minnehahacreek.org

Reviewed by: Name/Title: Becky Christopher, Policy Planning Manager

Recommended action: Authorization to release the 2021 Municipal Separate Storm Sewer System (MS4)

Annual Report to Minnesota Pollution Control Agency

Schedule: Date: 6/30/2022 Annual Report Due to MPCA

Budget considerations: None

Past Board action: Res # 21-028 Title: Authorization to Release the 2021 MS4 Annual

Report to the Minnesota Pollution Control Agency

Background:

The Minnehaha Creek Watershed District (District) is a regulated municipal separate storm sewer system (MS4) under the National Pollutant Discharge Elimination System (NPDES) Phase II rules. This is because the District is the drainage authority for eight public drainage systems. These drainage systems are county and judicial ditches, which, in general, were established in the early 1900s. Authority for these public drainage systems was systematically transferred to the District by resolutions from the commissioners of Hennepin and Carver counties.

The NPDES Phase II rules require submittal of an annual report to the Minnesota Pollution Control Agency (MPCA) on progress toward implementing the provisions of the Storm Water Pollution Prevent Program (SWPPP), including any proposed revisions. These reports are due by June 30th of each year.

The annual report covers progress on six minimum control measures (MCMs). These MCMs include:

- 1. Public Education and Outreach
- 2. Public Participation and Involvement
- 3. Illicit Discharge Detection and Elimination
- 4. Construction Site Stormwater Runoff Control
- 5. Post-Construction Stormwater Management in New Development and Redevelopment
- 6. Pollution Prevention/Good Housekeeping (for Municipal Operations)

The attached report has been prepared to satisfy the District's annual reporting requirements to the MPCA. Staff is requesting authorization to release the annual report to the MPCA.



RESOLUTION

Resolution nur	mber: 22-039
Title: Authoriz	ation to Release the 2021 MS4 Annual Report to the Minnesota Pollution Control Agency
WHEREAS,	in light of its ownership and operation of a small municipal stormwater management facility, the Minnehaha Creek Watershed District (MCWD) has been designated a Municipal Separate Storm Sewer System (MS4) owner/operator, subject to permitting requirements under 33 United States Code section 1342; and,
WHEREAS,	The National Pollutant Discharge Elimination System (NPDES) Phase II rules require an annual report submitted to the Minnesota Pollution Control Agency (MPCA) that describes the progress toward implementing the provisions of the District's Storm Water Pollution Prevention Program (SWPPP); and,
WHEREAS,	the report is due by June 30 th of each year;
2021 MS4 Ann	DRE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers accepts the ual Report and authorizes its release to the MPCA. The second of Managers accepts the ual Report and authorizes its release to the MPCA. Matiento 12,020 years reported by Managers accepted by Managers accepts the ual Report and authorizes its release to the MPCA.
	mber 22-039 was moved by Manager, seconded by Manager Motion to lution ayes, nays,abstentions. Date: 6/23/2022
	Date:
Secretary	



520 Lafayette Road North St. Paul, MN 55155-4194

MS4 question worksheet for 2021 annual report

Municipal Separate Storm Sewer Systems (MS4s)

Reporting period January 1, 2021 to December 31, 2021

Due June 30, 2022

Copy of questions - Not for submittal

Instructions: This form is for your personal use only. Complete the online annual report to provide a summary of your activities under the 2013 MS4 Permit (Permit) between January 1, 2021, and December 31, 2021. The online annual report and additional information can be found on the Minnesota Pollution Control Agency's (MPCA) website at: https://stormwater.pca.state.mn.us/index.php?title=MS4_Annual_Report.

Note: The annual report questions remain unchanged from the previous annual report because MS4 permittees were covered under the 2013 MS4 Permit for the majority of 2021. In the next annual report (due June 30, 2023), you will be required to report on activities completed to meet requirements under the 2020 MS4 Permit.

Questions: Contact Cole Landgraf (cole.landgraf@state.mn.us or 651-757-2880) or your assigned MPCA staff member listed at https://stormwater.pca.state.mn.us/index.php?title=MS4 staff contact information and staff assignments.

Contact information				
MS4 General contact information		Þ		_
Full name: Kayla Westerlund	Title: Permitting Progra	am Coordinator		
Mailing address: 15320 Minnetonka Blvd				
City: Minnetonka	State: MN	Zip code: 55345		
Phone: 952-473-2855	Email: kwesterlund@minneha	ahacreek.org		
Preparer contact information (if different from th	e MS4 General contact)			
Full name: Abigail Ernst	Title: Permitting Techn	ician		
Mailing address: 15320 Minnetonka Blvd				
City: Minnetonka	State: MN	Zip code: 55345		
Phone: 952-641-4504	Email: aernst@minnehahacre	eek.org		
Minimum Control Measure (MCM) 1: The following questions refer to Part III.D.1. o 2. Did you select a stormwater-related issue of	f the Permit.		⊠ Yes □ N	<u>-</u>
[Part III.D.1.a.(1)]				
3. If ' Yes ' in Q2 , what is your stormwater-relate	ed issue(s)? Check all that apply.			
☐ Total Maximum Daily Loads (TMDLs) ☐ Local businesses				
Residential best management practice	es (BMPs)			
☐ Pet waste	(2 3)			
☐ Yard waste				
☐ Deicing materials				
☐ Household chemicals				
□ Construction activities				
□ Post-construction activities □ Post-				
Other (describe):			_	

4.	,			/alent outreach	n to the public	c focused on illic	cit discharge	⊠ Yes	□ No
5.	recognition and reporting? [Part III.D.1.a.(2)] Do you have an implementation plan as required by the Permit? [Part III.D.1.b.]					⊠ Yes			
6.									
7.	For the items checked		•		=	-		rabio bon	
7. 8.								t octimato	١
0.									
Q	6. How did you distribute		a audience?	(Check all th	at appiy.)			Q8. Total	
	educational materials?		Local	Dovolonova	Ctudonto	Employees	Othor	circulati	
_	(Check all that apply): Brochure	Residents	businesses	<i>Developers</i> □	Students	Employees	Other	/audienc	e:
	Newsletter								
					H			/ / 	
	Utility bill insert					+			
	Newspaper ad								
<u> </u>	Radio ad							4	
<u> </u>	Television ad								
	Cable access channel								
	Stormwater-related								
	event								
	School presentation								
	or project								
	Website		\boxtimes					260,617	<u>'</u>
	Other (1): describe								
_	Other (2), describe					4 🗆			
	Other (2): describe								
	Other (3): describe				P				
	()								
school	and Q10 , provide a brief presentation, public work .D.1.c.(4)] Date of activity <i>in table</i> Description of activity	s open house) e below							021.
			ation of potivi	4.,					
	Q9. Date of activity	Q ro. Descrip	otion of activi	ty					
	Jan. 1, 2021 - Dec. 31, 2021	Adopt-a	-drain progran	m promotion vi	a website				
		<u> </u>							
									
11.	Between January 1, 2 future plans for your p					s, measurable ç	goals, or]Yes ⊠	No
	If 'Yes,' describe these			i program: [r a	iit iv.b.j				
	•								
MCM	1 2: Public partici	pation/inv	olvement	t					
	ollowing questions re	•							
12.	• .	inimum of one	opportunity ea	ach year for the				⊠ Yes [] No

	between January 1, 2021, and December 31, 2021? [Part III.D.2.a.(1)]		
13.	If 'Yes' in Q12, what was the opportunity that you provided? Check all that apply.	⊠ Yes □] No
	☐ Public meeting☐ Public event☐ Other		
14.	If 'Public meeting' in Q13, did you hold a stand-alone meeting or combine it with another event?		
	☐ Stand-alone ☐ Combined		
	Enter the date of the public meeting:	4/8/2021	
	Enter the number of citizens that attended and were informed about your SWPPP:	0	
15.	If 'Public event' in Q13, describe:	0	
	Enter the date (mm/dd/yyyy) of the public meeting:		
	Enter the number of citizens that attended and were informed about your SWPPP:		
16.	If 'Other' in Q13, describe:		
	Enter the date (mm/dd/yyyy) of the public meeting:		
	Enter the number of citizens that attended and were informed about your SWPPP:		
17.	Between January 1, 2021, and December 31, 2021, did you receive any input regarding your SWPPP?	☐ Yes 🗵] No
	If ' Yes ,' enter the total number of individuals or organizations that provided comments on your SWPPP.		
18.	If 'Yes' in Q17, did you modify your SWPPP as a result of written input received? [Part III.D.2.b.(2)]	☐ Yes ☐] No
	If 'Yes,' describe those modifications.		
19.	Between January 1, 2021, and December 31, 2021, did you modify your BMPs, measurable goals, or future plans for your public participation/involvement program? [Part IV.B.]	☐ Yes ⊠] No
	If 'Yes,' describe those modifications.		
IVICIVI	3: Illicit discharge detection and elimination		
The fol	lowing questions refer to Part III.D.3. of the Permit.		
20.	Do you have a regulatory mechanism which prohibits non-stormwater discharges to your MS4? [Part III.D.3.b.]	⊠ Yes □] No
21.	Did you identify any illicit discharges between January 1, 2021, and December 31, 2021? [Part III.D.3.h.(4)]	⊠ Yes □] No
22.	If 'Yes' in Q21, enter the number of illicit discharges detected.	3	
23.	If 'Yes' in Q21, how did you discover these illicit discharges? Check all that apply and enter the number of illicit discharges discovered by each category.		
	☑ Public complaint☐ Staff		
24.	If 'Public complaint' in Q23, enter the number discovered by the public:	3	

25.	If 'Staff in Q23, enter the number discovered by staff:		
26.	If 'Yes' in Q21, did any of the discovered illicit discharges result in an enforcement action (this includes verbal warnings)?	⊠ Yes	□No
27.	If 'Yes' in Q26, what type of enforcement action(s) was taken and how many of each action were issued between January 1, 2021, and December 31, 2021? Check all that apply. For each of the below checked, enter the number that were issued.	⊠ Yes	☐ No
	Verbal warning: 1		
28.	If 'Yes' in Q26, did the enforcement action(s) taken sufficiently address the illicit discharge(s)?		□No
29.	If 'No' in Q28, why was the enforcement not sufficient to address the illicit discharge(s)?		
30.	Do you have written Enforcement Response Procedures (ERPs) to compel compliance with your illicit discharge regulatory mechanism(s)? [Part III.B.]	Yes	□No
31.	Between January 1, 2021 and December 31, 2021, did you train all field staff in illicit discharge recognition (including conditions which could cause illicit discharges) and reporting illicit discharges for further investigations? [Part III.D.3.e.]	⊠ Yes	☐ No
32.	If 'Yes' in Q31, how did you train your field staff? Check all that apply. Email PowerPoint Presentation Video Field training Other: describe		
The fol	lowing questions refer to Part III.C.1. of the Permit.		
33.	Did you update your storm sewer system map between January 1, 2021, and December 31, 2021? [Part III.C.1.]	☐ Yes	⊠ No
34.	Does your storm sewer map include all pipes 12 inches or greater in diameter and the direction of stormwater flow in those pipes? [Part III.C.1.a.]	⊠ Yes	□No
35.	Does your storm sewer map include outfalls, including a unique identification (ID) number and an associated geographic coordinate? [Part III.C.1.b.]	⊠ Yes	□No
36.	Does your storm sewer map include all structural stormwater BMPs that are part of your MS4? [Part III.C.1.c.]	Yes	☐ No
37.	Does your storm sewer map include all receiving waters? [Part III.C.1.d.]	Yes	☐ No
38.	In what format is your storm sewer map available: ☐ Hardcopy only ☐ GIS ☐ CAD ☐ Other: describe		

39.	Between January 1, 2021, and December 31, 2021, did you modify your BMPs, measurable goals, or future plans for your illicit discharge detection and elimination program? [Part IV.B.]	☐ Yes ⊠ No)
	If 'Yes,' describe those modifications.		
ιсм	4: Construction site stormwater runoff control		
he fol	lowing questions refer to Part III.D.4. of the Permit		
40.	Do you have a regulatory mechanism that is at least as stringent as the Agency's general permit to Discharge Stormwater Associated with Construction Activity (CSW Permit) No. Minn. R. 100001 (http://www.pca.state.mn.us/index.php/view-document.html?gid=18984) for erosion and sediment controls and waste controls? [Part III.D.4.a.] (Permit can be found on the MPCA website at https://www.pca.state.mn.us/water/construction-stormwater (titled 'Minnesota NPDES/SDS Construction Stormwater General Permit').	⊠ Yes □ No	0
41.	Have you developed written procedures for site plan reviews as required by the Permit? [Part III.D.4.b.]	⊠ Yes □ No	0
42.	Have you documented each site plan review as required by the Permit? [Part III.D.4.f.]	⊠ Yes □ No	0
43.	Enter the number of site plan reviews conducted for sites an acre or greater between January 1, 2021, and December 31, 2021.	199	
44.	What types of enforcement actions do you have available to compel compliance with your regulatory mechanism? Check all that apply and enter the number of each used from January 1, 2021, to December 31, 2021.		
	Notice of violation, Number that were issued: 1		
	Administrative order, Number that were issued:		
	☐ Stop-work order, Number that were issued:		
	☐ Fine, Number that were issued:		
	☐ Forfeit of security of bond money:		
	☐ Withholding of certificate of occupancy		
	☐ Criminal action, Number that were issued:		
	☐ Civil penalty, Number that were issued:		
	Other: describe, Number that were issued:		
45.	Do you have written ERPs to compel compliance with your construction site stormwater runoff control regulatory mechanism(s)? [Part III.B.]	⊠ Yes □ No	0
46.	Enter the number of active construction sites an acre or greater that were in your jurisdiction between January 1, 2021, and December 31, 2021:	155	
47.	Do you have written procedures for identifying priority sites? [Part III.D.4.d.(1)]	⊠ Yes □ No	0
48.	If 'Yes,' in Q47, How are sites prioritized? Check all that apply.		
40.	Site topography □ Soil characteristics □ Types of receiving water(s) □ Stage of construction □ Compliance history □ Weather conditions □ Citizen complaints □ Project size □ Other: describe		
49.	Do you have a checklist or other written means to document site inspections when determining compliance? [Part III.D.4.d.(4)]	⊠ Yes □ No	0
50.	Enter the number of site inspections conducted for sites an acre or greater between January 1, 2021, and December 31, 2021.	38	

51.		e frequency at which site inspections are conducted (e.g., daily, weekly, monthly). D.4.d.(2)]	bi-weekly
52.		e number of trained inspectors that were available for construction site inspections between 1, 2021, and December 31, 2021.	5
53.	stormwa	the contact information for the inspector(s) and/or organization that conducts construction ater inspections for your MS4. List your primary construction stormwater contact first if you have inspectors.	
	(1)	Inspector name:	
		Organization: Cole Thompson - MCWD	
		Phone (office):	
		Phone (work cell):	
		Email: cthompson@minnehahacreek.org	
		Preferred contact method: email	
	(2)	Inspector name:	
		Organization: Erin Manlick - MCWD	
		Phone (office):	
		Phone (work cell):	
		Email: emanlick@minnehahacreek.org	
		Preferred contact method: email	
	(3)	Inspector name:	
		Organization: Will Roach - MCWD	
		Phone (office):	
		Phone (work cell):	
		Email: wroach@minnnehahacreek.org	
		Preferred contact method: email	
54.		aining did inspectors receive? Check all that apply.	
		ersity of Minnesota Erosion and Stormwater Management Certification Program ified Compliance Inspector of Stormwater (QCIS)	
	☐ Minn	esota Laborers Training Center Stormwater Pollution Prevention Plan Installer or Supervisor	
	☐ Certi	esota Utility Contractors Association Erosion Control Training fied Professional in Erosion and Sediment Control (CPESC)	
		fied Professional in Stormwater Quality (CPSWQ) fied Erosion Sediment and Storm Water Inspector (CESSWI)	
		r: describe	
55.		January 1, 2021, and December 31, 2021, did you modify your BMPs, measurable goals, or	☐ Yes ⊠ No
		ans for your construction site stormwater runoff control program? [Part IV.B.]	
	IT Yes,	describe those modifications:	
мсм	5: Post	-construction stormwater management in new development and redeve	elopment
The fol	lowina 4	questions refer to Part III.D.5. of the Permit.	
	_	nave a regulatory mechanism which meets all requirements as specified in Part III.D.5.a. of the	⊠ Yes □ No
50.	Permit?	and the second and th	

57.	What approach are you using to meet the performance standard for Volume, Total Suspended Solids (TSS), and Total Phosphorus (TP) as required by the permit? [Part III.D.5.a.(2)] Check all that apply. Refer to the Technical Support Document at http://www.pca.state.mn.us/index.php/view-document.html?gid=17815 for guidance on stormwater management approaches. The TSD can be found on the MPCA website at https://www.pca.state.mn.us/water/municipal-stormwater-ms4 (refer to the Post Construction Stormwater Management section under the 'Guidance and BMPs' tab). Image: Retain a runoff volume equal to one inch times the area of the proposed increase of impervious surfaces on-site">https://www.pca.state.mn.us/water/municipal-stormwater-ms4 (refer to the Post Construction Stormwater Management section under the 'Guidance and BMPs' tab).		
	Retain the post-construction runoff volume on site for the 95th percentile storm Match the pre-development runoff conditions Adopt the Minimal Impact Design Standards An approach has not been selected Other method (Must be technically defensible - e.g., based on modeling, research and acceptable		
	engineering practices)		-
	If 'Other method,' describe:		
58.	. Do you have written ERPs to compel compliance with your post-construction stormwater management regulatory mechanism(s)? [Part III.B.]	⊠ Yes	□ No
59.	Between January 1, 2021, and December 31, 2021, did you modify your BMPs, measurable goals, or future plans for your post-construction stormwater management program? [Part IV.B.]	☐ Yes	⊠ No
	If 'Yes,' describe those modifications.		
ICM	16: Pollution prevention/good housekeeping for municipal operations		
ne fo	llowing questions refer to Part III.D.6. of the Permit.		
60.	Enter the total number of structural stormwater BMPs , outfalls (excluding underground outfalls), and ponds within your MS4 (exclude privately owned). Enter the number for each category below:		
	Structural stormwater BMPs: 1		
	Outfalls: 2		
	Ponds: <u>2</u>		
61.	Enter the total number of structural stormwater BMPs , outfalls (excluding underground outfalls), and ponds that were inspected from January 1, 2021 to December 31, 2021 within your MS4 (exclude privately owned) [Part III.D.6.e.]. Enter the number for each category below:		
	Structural stormwater BMPs: 1		
	Outfalls: 2		
	Outlans. <u>Z</u>		
	Ponds: <u>2</u>		
62.	- ,	☐Yes	⊠ No
	Ponds: 2 Have you developed an alternative inspection frequency for any structural stormwater BMPs, as allowed	☐ Yes	
63.	Ponds: 2 Have you developed an alternative inspection frequency for any structural stormwater BMPs, as allowed in Part III.D.6.e.(1) of the Permit? Based on inspection findings, did you conduct any maintenance on any structural stormwater BMPs?		
63. 64.	Ponds: 2 Have you developed an alternative inspection frequency for any structural stormwater BMPs, as allowed in Part III.D.6.e.(1) of the Permit? Based on inspection findings, did you conduct any maintenance on any structural stormwater BMPs? [Part III.D.6.e.(1)]	Yes	
63. 64.	Ponds: 2 Have you developed an alternative inspection frequency for any structural stormwater BMPs, as allowed in Part III.D.6.e.(1) of the Permit? Based on inspection findings, did you conduct any maintenance on any structural stormwater BMPs? [Part III.D.6.e.(1)] If 'Yes' in Q63, briefly describe the maintenance that was conducted:	Yes	⊠ No
63.64.65.66.	Ponds: 2 Have you developed an alternative inspection frequency for any structural stormwater BMPs, as allowed in Part III.D.6.e.(1) of the Permit? Based on inspection findings, did you conduct any maintenance on any structural stormwater BMPs? [Part III.D.6.e.(1)] If 'Yes' in Q63, briefly describe the maintenance that was conducted: Do you own or operate any stockpiles, and/or storage and material handling areas? [Part III.D.6.e.(3)] If 'Yes' in Q65, did you inspect all stockpiles and storage and material handling areas quarterly? [Part	☐ Yes ☐ Yes ☐ Yes	⊠ No ⊠ No □ No

800-657-3864

68. I	68. If 'Yes' in Q67, briefly describe the maintenance that was conducted:					
f I	69. Between January 1, 2021, and December 31, 2021, did you modify your BMPs, measurable goals, or future plans for your pollution prevention/good housekeeping for municipal operations program? [Part IV.B.] ☐ Yes ☐					
I	If 'Yes,' describe t	those modifications:				
Discha	rges to impai	red waters with a E	PA-approved TMDL	. that includes an ap	plicable WLA	
(EPA) pri	or to August 1, 20	13, and were not meeting V	VLA(s) at the time of your po		mental Protection Agency complete the TMDL Annual ad page with TMDL forms.	
Attach yo	ur completed TMD	OL Annual Report Form to t	he actual Annual Report as	instructed within that docum	nent. [Part III.E.]	
71. [d	question left blank	for you to attach a file]				
Alum	or Ferric Chl	oride Phosphorus	Treatment System	ns		
	wing questions re ohosphorus treatn		Permit. Provide the informa	ation below as it pertains to	your alum or ferric	
72.	Date(s) of opera	ation:				
			(dd/c			
	Month	Date(s) of operation (n	nm/dd/yyyy – mm/dd/yyyy)			
	January					
	February			_		
	March			_		
	April			_		
	May			_		
	June			_		
	July			_		
	August			_		
	September			_		
	October			=		
	November			=		
	December			_		
		Q73	Q74		Q76	
		Chemical(s) used for	Gallons of alum or ferric	Q75	Calculated pounds of	
	Month	treatment	chloride treatment	Gallons of water treated	phosphorus removed	
•	January					
	February					
	March					
	April					
	May					
	June					
	July					
	August					
	September					
	October					
	November					
-	December					

 Any performance issues and corrective action(s), includi January 1, 2021, and December 31, 2021: 	ng date(s) when corrective action(s) were take	en, between
Partnerships		
78. Did you rely on any other regulated MS4s to satisfy one or	more permit requirements?	☐ Yes ⊠ No
79. If 'Yes' in Q78, describe the agreements you have with oth requirements the other regulated MS4s help satisfy: [Part I Additional information	er regulated MS4s and which permit V.B.6.]	
If you would like to provide any additional files to accompany your	Annual Report, use the space below to upload	those files. For
each space, you may attach one file.	minda report, and the open bolom to aprodu	
80. [Optional space for you to attach a file]		
81. [Optional space for you to attach a file]		
82. [Optional space for you to attach a file]		
83. Optional, describe the file(s) uploaded:		
Owner or Operator Certification		
The person with overall administrative responsibility for SWPPP in Annual Report. This person must be duly authorized and should be City Administrator) or ranking elected official (i.e., Mayor, Townsh	be either a principal executive (i.e., Director of	
Yes - I certify under penalty of law that this document and supervision in accordance with a system designed to assi information submitted. Based on my inquiry of the person responsible for gathering the information, the information accurate, and complete (Minn. R. 7001.0070). I am aware information, including the possibility of fine and imprisonm	ure that qualified personnel properly gathered or persons who manage the system, or those submitted is, to the best of my knowledge and e that there are significant penalties for submit	and evaluated the persons directly belief, true,
By typing my name in the following space, I certify the aboundary and that information can be used for the purpose.		est of my
Name of certifying official: The certifying official must ele	ectronically sign the online Annual Report form	١.
Title:	Date:(<i>mm/dd/y</i> ,	
	(mm/dd/y	vyy)
Note: In the online form, you will be prompted to provide the email Report for 2021 submittal confirmation email from the MPCA. After receive this confirmation email.	(s) of the individual(s) you would like to receiv you submit the form, please allow up to three	e the MS4 Annual business days to
Email (1)		
Email (2)		
Email (3)		

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