



# Request for City Council Committee Action From the Department of Public Works

**Date:** June 17, 2014

**To:** Honorable Kevin Reich, Chair Transportation & Public Works Committee

**Subject:** **Public Hearing for Stormwater Management Program and Annual Report**

**Recommendation:**

- a) Receive public comments and direct Public Works to respond to public input regarding the City of Minneapolis and Minneapolis Park & Recreation Board (MPRB) *Minneapolis Stormwater Management Program* and *NPDES MS4 Phase I Permit Annual Report for 2013 Activities*. This activity is pursuant to Part V Section C.1.f) of the January 21, 2011 National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit # MN0061018 issued by the Minnesota Pollution Control Agency to the City and the MPRB as co-permittees; and
- b) Adopt the *Minneapolis Stormwater Management Program* and *NPDES MS4 Phase I Permit Annual Report for 2013 Activities* by formal resolution

**Previous Directives:**

April 29, 2014 – T&PW Committee set the date for the Public Hearing, as required by the NPDES MS4 Permit, as June 17, 2014

September 23, 2011 – Authorized submittal of the Minneapolis Stormwater Management Program to the Minnesota Pollution Control Agency

**Prepared by:** Lois Eberhart, Water Resources Administrator, Surface Water & Sewers 673-3260  
Lisa Cerney, P.E., Director of Surface Water & Sewers 673-3061

**Approved by:**

\_\_\_\_\_  
Steven A. Kotke, P. E., City Engineer, Director of Public Works

**Presenters:** Lois Eberhart, Water Resources Administrator, Surface Water & Sewers

**Reviews**

Permanent Review Committee (PRC):	Not applicable
Civil Rights Affirmative Action Plan	Not applicable
Policy Review Group (PRG):	Not applicable

**Financial Impact** (Check those that apply)

- No financial impact - or - Action is within current department budget (If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase

- \_\_\_ Action requires use of contingency or reserves
- \_\_\_ Business Plan:  X  Action is within the plan. \_\_\_ Action requires a change to plan.
- \_\_\_ Other financial impact (Explain):
- \_\_\_ Request provided to department's Finance Dept. contact when provided to the Committee Coordinator

### **Community Impact**

Neighborhood Notification: A notice was sent to all neighborhood organizations and other interested parties to inform them about accessing the Stormwater Management Program, and advising them of the opportunity to provide comments at the public hearing or in writing (see Attachment.)

#### City Goals:

- Great Places: Natural and built spaces work together and our environment is protected;
- A City that works: City government runs well and connects to the community it serves.

Comprehensive Plan: Consistent

Zoning Code: Not Applicable

### **Background/Supporting Information:**

#### **History**

The Minneapolis stormwater management program endeavors to protect people, property and the environment, to meet or surpass regulatory requirements, to maintain and enhance infrastructure, to provide cost-effective services, to educate and engage the public and stakeholders, and to enhance livability and safety. The National Pollutant Discharge Elimination System (NPDES) program was created in 1990 by the United States Environmental Protection Agency (EPA) under the Clean Water Act. Under this program, specific permits are issued in an effort to regulate municipal, industrial and construction activities. Minneapolis maintains two distinct NPDES permits: one is the Combined Sewer Overflow (CSO) Permit that regulates combined storm and wastewater discharges from the sanitary sewer system, and on which the City and the Metropolitan Council are co-permittees. The second is the Municipal Separate Storm Sewer System (MS4) Permit that regulates stormwater runoff discharges from the storm drain system, and on which the City and the Minneapolis Park & Recreation Board (MPRB) are co-permittees.

As a municipality with a population greater than 100,000, Minneapolis is permitted under Federal requirements as a Phase 1 MS4 community. The primary goal of the MS4 permit is to restore and maintain the chemical, physical, and biological integrity of waters of the state through management and treatment of urban stormwater runoff. The first permit for Minneapolis, National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) Permit # MN0061018, was issued by the Minnesota Pollution Control Agency (MPCA) in December 2000. A modified Permit bearing the same Permit # was issued in January 2011. Under the January 2011 Permit, the City and the MPRB were required to prepare a new Stormwater Management Program (Program) for submittal to the MPCA in September 2011. With minor modifications in May 2013, the Program was approved by the MPCA in July 2013. The 2013 NPDES Stormwater Management Program as it was approved by MPCA in July 2013 can be found on the City's web site at the following link:

[http://www.ci.minneapolis.mn.us/publicworks/stormwater/stormwater\\_npdessannualreportdocuments](http://www.ci.minneapolis.mn.us/publicworks/stormwater/stormwater_npdessannualreportdocuments)

#### **Recommendations:**

##### **A. Annual Reporting and Public Comment**

The Permit requires the City to prepare and submit an Annual Report by June 30 of each year, addressing the previous year's Permit activities. The Permit also requires the City to hold an annual public meeting that provides an opportunity for the general public to provide comments

regarding the Stormwater Management Program. The comments must be solicited and received prior to the Annual Report submittal to the MPCA.

Comments can also be submitted in writing. The cutoff date for written comments by the general public regarding this year's draft modifications to the Stormwater Management Program is Noon on Wednesday, June 25, 2014. The draft modifications are attached. The attachment has only the pages with the proposed changes, which are shown in red. The full [2013 NPDES Stormwater Management Program](#) as it was approved by MPCA in July 2013, that will be modified as described in Attachment 1, can be found at the link shown above.

The draft modifications were sent on June 5, 2014 to the parties listed on Attachment 2, with a notice that comments can be made in person at this public hearing, or in writing as follows:

By mail: City of Minneapolis, Department of Public Works  
Surface Water & Sewers Division c/o Lois Eberhart  
STORMWATER MANAGEMENT PLAN COMMENTS  
Room 300 City of Lakes Building  
309 2nd Avenue S  
Minneapolis MN 55401-2268  
By fax: 612-673-2048  
By email: [lois.eberhart@minneapolismn.gov](mailto:lois.eberhart@minneapolismn.gov)

(Due to mail delivery times, EMAIL or FAX are PREFERRED METHODS for submitting written comments.)

A summary of the public's input, and the City's response to those comments, will be included in the final Annual Report as required.

## **B. Adoption**

The City Council's formal resolution of adoption must also be submitted to the MPCA along with the final Annual Report.

Attachment 1: Draft of Changes to Stormwater Management Program For Public Comment

Attachment 2: List of Recipients of Annual Report for Review and Comment

Cc: Debra Pilger, Minneapolis Park & Recreation Board  
Corey Conover, Office of the City Attorney

<b>Organization</b>	<b>Email address</b>	<b>Contact Person</b>	<b>Address</b>
Bassett Creek Water Management Commission St, Mpls, MN 55435	<a href="mailto:kchandler@barr.com">kchandler@barr.com</a>	c/o Karen Chandler, Barr Eng. Co.	4700 W 77th St
Bassett Creek Watershed Management Commission St, Mpls, MN 55435	<a href="mailto:kchandler@barr.com">kchandler@barr.com</a>	c/o Karen Chandler, Barr Eng. Co.	4700 W 77th St
Bassett Creek Watershed Management Commission	<a href="mailto:Laura.jester@keystonewaters.com">Laura.jester@keystonewaters.com</a>	Laura Jester	
Blue Water Association Mpls, MN 55406	<a href="mailto:sheila62sdmn@yahoo.com">sheila62sdmn@yahoo.com</a>	Sheila Cracraft-Fehler	4116 32nd Av S,
Clean Water Action 55414	<a href="mailto:mzellar@cleanwater.org">mzellar@cleanwater.org</a>	Marie Zellar	308 Hennepin Ave E, Mpls, MN
Friends of the Mississippi River Paul, MN 55101	<a href="mailto:wclark@fmr.org">wclark@fmr.org</a>	Whitney Clark	360 N Robert St, St.
Hennepin County Environmental Dept. Avenue S, #700, Mpls, MN 55415	<a href="mailto:rosemary.lavin@co.hennepin.mn.us">rosemary.lavin@co.hennepin.mn.us</a>	Rosemary Lavin	701 4 <sup>th</sup>
Hennepin County Environmental Dept. #700, Mpls, MN 55415	<a href="mailto:randy.anhorn@co.hennepin.mn.us">randy.anhorn@co.hennepin.mn.us</a>	Randy Anhorn	701 4 <sup>th</sup> Avenue S,
Hennepin County Environmental Dept. #700, Mpls, MN 55415	<a href="mailto:carl.michaud@co.hennepin.mn.us">carl.michaud@co.hennepin.mn.us</a>	Carl Michaud	701 4 <sup>th</sup> Avenue S,
Metropolitan Council Environmental Services Eagan, MN 55122	<a href="mailto:bill.moeller@metc.state.mn.us">bill.moeller@metc.state.mn.us</a>	Bill Moeller	3565 Kennebec Dr,
Minneapolis Citizens Environmental Advisory Committee Office	<a href="mailto:gayle.prest@minneapolismn.gov">gayle.prest@minneapolismn.gov</a>	c/o Gayle Prest, Coordinator's	
(all) Minneapolis Neighborhood Organizations	<a href="mailto:Bob.Cooper@minneapolismn.gov">Bob.Cooper@minneapolismn.gov</a>	c/o Bob Cooper, CPED	
Minnehaha Creek Watershed District Minnetonka Blvd, Minnetonka, MN 55345	<a href="mailto:jwisker@minnehahacreek.org">jwisker@minnehahacreek.org</a>	James Wisker	15320

Minnehaha Creek Watershed District Blvd, Minnetonka, MN 55345	<a href="mailto:bhoudek@minnehahacreek.org">bhoudek@minnehahacreek.org</a>	Becky Houdek	15320 Minnetonka
MN Center for Environmental Advocacy St. Paul, MN 55101	<a href="mailto:ksigford@mncenter.org">ksigford@mncenter.org</a>	Kris Sigford	26 E Exchange St, # 206,
MN Dept of Agriculture, Pesticide Mgmt Paul, MN 55155	<a href="mailto:ron.struss@state.mn.us">ron.struss@state.mn.us</a>	Ron Struss	625 Robert St N, St.
MN Dept of Natural Resources, Eco/Waters Division St. Paul, MN 55106	<a href="mailto:kate.drewry@state.mn.us">kate.drewry@state.mn.us</a>	Kate Drewry	1200 Warner Road,
MN Dept of Transportation, Water Resources 1500 W Cty Road B-2, Roseville, MN 55113	<a href="mailto:beth.neuendorf@dot.state.mn.us">beth.neuendorf@dot.state.mn.us</a>	Beth Neuendorf	Waters Edge,
MN Environmental Partnership #244, St. Paul, MN 55114	<a href="mailto:stevemorse@mepartnership.org">stevemorse@mepartnership.org</a>	Steve Morse	2356 University Av W,
Mississippi River Revival 305, Winona, MN 55987	<a href="mailto:solomonsimon@hotmail.com">solomonsimon@hotmail.com</a>	Sol Simon	51 E 4 <sup>th</sup> St, Suite
Mississippi Watershed Management Organization Minneapolis, MN 55418	<a href="mailto:dsnyder@mwmo.org">dsnyder@mwmo.org</a>	Doug Snyder	2522 Marshall Street NE,
St. Paul, City of City Hall, Saint Paul, MN 55102	<a href="mailto:anne.weber@ci.stpaul.mn.us">anne.weber@ci.stpaul.mn.us</a>	Anne Weber, Sewer Utility	25 W 4th St, 700
Shingle Creek Watershed Mgmt. Commission. Fernbrook Lane, Plymouth, MN 55447	<a href="mailto:judie@jass.biz">judie@jass.biz</a>	Judie Anderson	3235

**Attachment: List of Recipients of Draft Modifications to Stormwater Management Program for Review and Comment**

T&PW - Your Committee, having under consideration the City of Minneapolis and Minneapolis Park and Recreation Board NPDES MS4 PHASE 1 PERMIT STORMWATER MANAGEMENT PROGRAM and ANNUAL REPORT FOR 2013 ACTIVITIES, as set forth in Petn No. \_\_\_\_\_, and having held a public hearing thereon pursuant to Part V Section C.1.f) of the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit # MN0061018 issued by the Minnesota Pollution Control Agency on January 21, 2011, now recommends passage of the accompanying resolution adopting the STORMWATER MANAGEMENT PROGRAM and ANNUAL REPORT FOR 2013 ACTIVITIES.

**By Reich**

Adopting the NPDES MS4 PHASE I PERMIT STORMWATER MANAGEMENT PROGRAM and ANNUAL REPORT FOR 2013 ACTIVITIES.

Whereas, the City of Minneapolis is committed to improving water quality in the lakes, wetlands, streams and Mississippi River; and

Whereas, on January 21, 2011, the City of Minneapolis was issued National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit #MN0061018 (Permit); and

Whereas, as required under the Permit, a public hearing was held on June 17, 2014; and

Whereas, updates to the MPCA-approved STORMWATER MANAGEMENT PROGRAM will now be submitted to the Minnesota Pollution Control Agency; and

Whereas, the ANNUAL REPORT FOR 2013 ACTIVITIES will now be submitted to the Minnesota Pollution Control Agency;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council hereby adopts the STORMWATER MANAGEMENT PROGRAM and the ANNUAL REPORT ON 2013 ACTIVITIES.