



MEMORANDUM

To: MCWD Board of Managers

From: Erin Manlick, Permitting Assistant

Date: October 19, 2020

Re: Item 9.2: Annual Public Hearing for MCWD's Stormwater Pollution Prevention Plan

Purpose:

At the October 22, 2020 Board Meeting, there will be a public hearing to provide an opportunity for public comment on the District's Stormwater Pollution Prevention Plan (SWPPP).

Background:

The MCWD is regulated as a municipal separate storm sewer system (MS4) under the National Pollutant Discharge Elimination System (NPDES) Phase II rules because the District is the drainage authority for eight public drainage systems.

The NPDES Phase II rules require that a public hearing be held annually to provide an opportunity for public input on the District's SWPPP. This hearing will be held at the October 22, 2020 Board Meeting. The hearing has been duly noticed in the Star Tribune and on the District website.

The SWPPP is attached and is also available on the District's website at:

www.minnehahacreek.org/SWPPP. Staff will provide a brief overview of the District's SWPPP prior to the hearing.

If there are questions in advance of the meeting, please contact Erin Manlick at 952-641-4586 or EManlick@minnehahacreek.org.

Stormwater Pollution Prevention Program Document

I. Partnerships: (Part II.D.1)

- A. List the **regulated small MS4(s)** with which you have established a partnership in order to satisfy one or more requirements of this Permit. Indicate which Minimum Control Measure (MCM) requirements or other program components that each partnership helps to accomplish (List all that apply). Check the box below if you currently have no established partnerships with other regulated MS4s. If you have more than five partnerships, hit the tab key after the last line to generate a new row.

No partnerships with regulated small MS4s

| Name and description of partnership | MCM/Other permit requirements involved |
|---|--|
| NEMO outreach & technical advisory groups with the Cities of Deephaven, Edina, Excelsior, Golden Valley, Hopkins, Greenwood, Independence, Long Lake, Maple Plain, Medina, Minneapolis, Minnetonka, Minnetonka Beach, Minnetrista, Mound, Orono, Plymouth, Richfield, St. Bonifacius, St. Louis Park, Shorewood, Spring Park, Tonka Bay, Wayzata, Woodland, Victoria, Laketown Township, Hennepin & Carver Counties | MCM 1, 2, 3, 4, 5, 6 |
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- B. If you have additional information that you would like to communicate about your partnerships with other regulated small MS4(s), provide it in the space below, or include an attachment to the SWPPP Document, with the following file naming convention: *MS4NameHere_Partnerships*.

Though the District's education, outreach, public involvement, IDDE, stormwater management and construction site erosion control programs stand alone in terms of water resource protection and achieving the requirements of this permit, the District also maintains partnerships with the Township, City and County MS4s within its boundaries. These partnerships assist all MS4 Permit Holders within the District boundaries to meet permit requirements (note that the District's legal boundary does not coincide with its MS4 boundary). The primary mechanism for this coordination is the District's ongoing support of NEMO as well as our education, outreach and public involvement programs. The District also coordinates with its MS4 partners as they are municipal and county stakeholders on rule revisions, illicit discharge detection, implementation of capital projects to achieve TMDL load reduction goals, and more.

II. Description of Regulatory Mechanisms: (Part II.D.2)

Illicit discharges

- A. Do you have a regulatory mechanism(s) that effectively prohibits non-stormwater discharges into your small MS4, except those non-stormwater discharges authorized under the Permit (Part III.D.3.b.)? Yes No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- Ordinance Contract language
 Policy/Standards Permits
 Rules
 Other, explain:

In November 2013, the District adopted an IDDE Rule to prevent discharge of contaminants into judicial ditches the District operates. In addition, the District conducts a robust program of lake and stream monitoring, which aids in illicit discharge detection.

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

<http://www.minnehahacreek.org/permits/regulatory-rules/illicit-discharge-rule>

Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_IDDEreg.*

2. If no:

Describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

Construction site stormwater runoff control

A. Do you have a regulatory mechanism(s) that establishes requirements for erosion and sediment controls and waste controls? Yes No

1. If yes:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- Ordinance Contract language
- Policy/Standards Permits
- Rules
- Other, explain: _____

b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

<http://www.minnehahacreek.org/permits/full-mcwd-rules/erosion-control-rule>

Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_CSWreg.*

B. Is your regulatory mechanism at least as stringent as the MPCA general permit to Discharge Stormwater Associated with Construction Activity (as of the effective date of the MS4 Permit)? Yes No

If you answered **yes** to the above question, proceed to C.

If you answered **no** to either of the above permit requirements listed in A. or B., describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The District will undertake a rule revision process to ensure its rules are consistent with the permit. The rule revision will be completed within one year of permit coverage.

C. Answer **yes** or **no** to indicate whether your regulatory mechanism(s) requires owners and operators of construction activity to develop site plans that incorporate the following erosion and sediment controls and waste controls as described in the Permit (Part III.D.4.a.(1)-(8)), and as listed below:

- 1. Best Management Practices (BMPs) to minimize erosion. Yes No
- 2. BMPs to minimize the discharge of sediment and other pollutants. Yes No
- 3. BMPs for dewatering activities. Yes No
- 4. Site inspections and records of rainfall events Yes No
- 5. BMP maintenance Yes No
- 6. Management of solid and hazardous wastes on each project site. Yes No
- 7. Final stabilization upon the completion of construction activity, including the use of perennial vegetative cover on all exposed soils or other equivalent means. Yes No
- 8. Criteria for the use of temporary sediment basins. Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The District will undertake a rule revision process to ensure its rules are consistent with the permit. The rule revision will

be completed within one year of permit coverage.

Post-construction stormwater management

A. Do you have a regulatory mechanism(s) to address post-construction stormwater management activities?

Yes No

1. If **yes**:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- Ordinance Contract language
 Policy/Standards Permits
 Rules
 Other, explain: _____

b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

<http://www.minnehahacreek.org/permits/full-mcwd-rules/stormwater-management-rule>

Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_PostCSWreg*.

B. Answer **yes** or **no** below to indicate whether you have a regulatory mechanism(s) in place that meets the following requirements as described in the Permit (Part III.D.5.a.):

1. **Site plan review:** Requirements that owners and/or operators of construction activity submit site plans with post-construction stormwater management BMPs to the permittee for review and approval, prior to start of construction activity. Yes No
2. **Conditions for post construction stormwater management:** Requires the use of any combination of BMPs, with highest preference given to Green Infrastructure techniques and practices (e.g., infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):
- a. For new development projects – no net increase from pre-project conditions (on an annual average basis) of: Yes No
- 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of Total Suspended Solids (TSS).
 - 3) Stormwater discharges of Total Phosphorus (TP).
- b. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of: Yes No
- 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of TSS.
 - 3) Stormwater discharges of TP.
3. **Stormwater management limitations and exceptions:**
- a. Limitations Yes No
- 1) Prohibit the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) when the infiltration structural stormwater BMP will receive discharges from, or be constructed in areas: Yes No
 - a) Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
 - b) Where vehicle fueling and maintenance occur.
 - c) With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
 - d) Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.

- 2) Restrict the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), without higher engineering review, sufficient to provide a functioning treatment system and prevent adverse impacts to groundwater, when the infiltration device will be constructed in areas:
- a) With predominately Hydrologic Soil Group D (clay) soils.
 - b) Within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features.
 - c) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13.
 - d) Where soil infiltration rates are more than 8.3 inches per hour.
- 3) For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), the permittee's regulatory mechanism(s) may allow exceptions as described in the Permit (Part III.D.5.a(3)(b)). The permittee's regulatory mechanism(s) shall ensure that a reasonable attempt be made to obtain right-of-way during the project planning process.
4. **Mitigation provisions:** The permittee's regulatory mechanism(s) shall ensure that any stormwater discharges of TSS and/or TP not addressed on the site of the original construction activity are addressed through mitigation and, at a minimum, shall ensure the following requirements are met:
- a. Mitigation project areas are selected in the following order of preference:
 - 1) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
 - 2) Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
 - 3) Locations in the next adjacent DNR catchment area up-stream
 - 4) Locations anywhere within the permittee's jurisdiction.
 - b. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP.
 - c. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part.
 - d. Mitigation projects shall be completed within 24 months after the start of the original construction activity.
 - e. The permittee shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part.
 - f. If the permittee receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management in Part III.D.5.a(2), the permittee shall apply any such payment received to a public stormwater project, and all projects must be in compliance with Part III.D.5.a(4)(a)-(e).
5. **Long-term maintenance of structural stormwater BMPs:** The permittee's regulatory mechanism(s) shall provide for the establishment of legal mechanisms between the permittee and owners or operators responsible for the long-term maintenance of structural stormwater BMPs not owned or operated by the permittee, that have been implemented to meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)). This only includes structural stormwater BMPs constructed after the effective date of this permit and that are directly connected to the permittee's MS4, and that are in the permittee's jurisdiction. The legal mechanism shall include provisions that, at a minimum:
- a. Allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines that the owner and/or operator of that structural stormwater BMP has not conducted maintenance.
 - b. Include conditions that are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party.
 - c. Include conditions that are designed to protect/preserve structural stormwater BMPs and site features that are implemented to comply with the Permit (Part III.D.5.a(2)). If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) continue to be met.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within twelve (12) months of the date permit coverage is extended, these permit requirements are met:

For requirements 2.a. and b. above, the District's rule does not match the MS4 Permit exactly, but it may be considered equally protective. The District will compare the specific terms of the District rule with those of the MS4 Permit and confer with the MPCA to evaluate equivalence. For any areas where the District rule is determined to be less protective, the District will undertake a rule revision process to ensure its rules are consistent with the permit. The rule revision will be completed within one year of permit coverage.

III. Enforcement Response Procedures (ERPs): (Part II.D.3)

A. Do you have existing ERPs that satisfy the requirements of the Permit (Part III.B.)? Yes No

1. If **yes**, attach them to this form as an electronic document, with the following file naming convention: *MS4NameHere_ERPs*.

2. If **no**, describe the tasks and corresponding schedules that will be taken to assure that, with twelve (12) months of the date permit coverage is extended, these permit requirements are met:

District staff will prepare ERPs and submit them to the MPCA within one year of permit coverage. Draft procedures will be reviewed by the Rules Committee and if necessary the full Board of Managers.

B. Describe your ERPs:

IV. Storm Sewer System Map and Inventory: (Part II.D.4.)

A. Describe how you manage your storm sewer system map and inventory:

The District maintains a GIS based map of the MS4 that was initially created in 2003. The District coordinates with adjacent MS4s to update information as it becomes available.

B. Answer **yes** or **no** to indicate whether your storm sewer system map addresses the following requirements from the Permit (Part III.C.1.a-d), as listed below:

1. The permittee's entire small MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes. Yes No

2. Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinate. Yes No

3. Structural stormwater BMPs that are part of the permittee's small MS4. Yes No

4. All receiving waters. Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The District's current GIS coverage will be updated to ensure all outfalls are assigned a unique ID, and all the structural stormwater BMPs within the MS4 will be included. The map will be completed and submitted to the MPCA within one year of permit coverage.

C. Answer **yes** or **no** to indicate whether you have completed the requirements of 2009 Minnesota Session Law, Ch. 172. Sec. 28: with the following inventories, according to the specifications of the Permit (Part III.C.2.a.-b.), including:

1. All ponds within the permittee's jurisdiction that are constructed and operated for purposes of water quality treatment, stormwater detention, and flood control, and that are used for the collection of stormwater via constructed conveyances. Yes No

2. All wetlands and lakes, within the permittee's jurisdiction, that collect stormwater via constructed conveyances. Yes No

D. Answer **yes** or **no** to indicate whether you have completed the following information for each feature inventoried.

1. A unique identification (ID) number assigned by the permittee. Yes No

2. A geographic coordinate. Yes No

3. Type of feature (e.g., pond, wetland, or lake). This may be determined by using best professional judgment. Yes No

If you have answered **yes** to all above requirements, and you have already submitted the Pond Inventory Form to the MPCA, then you do not need to resubmit the inventory form below.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The District maintains an inventory of this information but will provide it in the MPCA desired format with the unique ID within one year of permit coverage.

- E. Answer **yes** or **no** to indicate if you are attaching your pond, wetland and lake inventory to the MPCA Yes No on the form provided on the MPCA website at: <http://www.pca.state.mn.us/ms4> , according to the specifications of Permit (Part III.C.2.b.(1)-(3)). Attach with the following file naming convention: *MS4NameHere_inventory*.

If you answered **no**, the inventory form must be submitted to the MPCA MS4 Permit Program within 12 months of the date permit coverage is extended.

V. Minimum Control Measures (MCMs) (Part II.D.5)

A. MCM1: Public education and outreach

- The Permit requires that, within 12 months of the date permit coverage is extended, existing permittees revise their education and outreach program that focuses on illicit discharge recognition and reporting, as well as other specifically selected stormwater-related issue(s) of high priority to the permittee during this permit term. Describe your **current** educational program, including **any high-priority topics included**:

MCWD developed a strategic plan for communications in 2003 aimed at image recognition and public education concerning water resources management. Broad outcomes of the plan include increasing public awareness about recreational issues, generating public support for MCWD programs, and increasing knowledge about efforts to manage water quantity to reduce flooding and maintain water levels and flow. The current education program includes efforts to inform the public and District staff about each of the MCMs. The District's Educational and Communications departments prepare plans annually to reflect evolving needs of the District.

- List the categories of BMPs that address your public education and outreach program, including the distribution of educational materials and a program implementation plan. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the U.S. Environmental Protection Agency's (EPA) *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

| Established BMP categories | Measurable goals and timeframes |
|--|--|
| Media relations | Track number of media encounters, maintain base program and respond to other issues as they arise. Track and report progress annually, adjust program plan annually. |
| Publications | Track quantity and venue for publications, maintain base program and respond to other issues as they arise. Track and report progress annually, adjust program plan annually. |
| Website | Track website hits and MCM1-related postings, maintain base program and respond to other issues as they arise. Track and report progress annually, adjust program plan annually. |
| E-Updates/Social Media | Track number of E-updates and social media alerts sent annually; as well as quantity of "friends" and followers to utilized social media outlets. Evaluate progress and efficacy versus cost annually and adjust program as necessary. |
| Events | Track number of events sponsored annually, and quantity of attendants. Assess efficacy in terms of outreach versus cost of events and adjust program annually to capture broadest audience. |
| Sponsorships and Endorsements | Track number of sponsorships/ endorsements annually. |
| Workshops and Training (for example, University of Minnesota Stormwater U Program, Metro Blooms) | Track number of workshops and training events hosted, and attendees. Track topics covered. Evaluate cost/ and benefit of |

outreach and adjust annually.

| BMP categories to be implemented | Measurable goals and timeframes |
|--|--|
| Evaluate topics covered, and ensure topics include IDDE education and other high priority topics. | The MS4's Communication and Education Departments update their operation plans annually in late summer; at the time of these updates, program directors will evaluate changes needed in their programs to meet IDDE and other MS4 requirements of this permit. |
| Evaluate the need to expand public education and outreach programs based on newly published TMDLs. | Evaluate these as TMDLs are published, amend plans annually. |
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- Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Telly Mamayek, Communications Director

B. MCM2: Public participation and involvement

- The Permit (Part III.D.2.a.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement a public participation/involvement program to solicit public input on the SWPPP. Describe your current program:

The District conducts an annual meeting to discuss the SWPPP and receive public input. In addition, the District awards watershed stewardship grants, works with Citizen and Technical Advisory Committees, and holds regular Board meetings open to the public.

- List the categories of BMPs that address your public participation/involvement program, including solicitation and documentation of public input on the SWPPP. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

| Established BMP categories | Measurable goals and timeframes |
|---|---|
| Annual meeting | Hold annual meeting in late summer with required public notice and track number of attendees and comments received. Report annually. |
| Cynthia Krieg Watershed Stewardship Grants | Grants are provided annually to groups proposing projects and initiatives that protect water quality and promote public awareness and public involvement in non-point source pollution abatement. |
| Citizen Advisory Committee | Hold Citizen Advisory Committee meetings once monthly with appropriate public notice. Recruit and appoint members annually. |
| Regular MCWD Board Meetings (open to public) | Hold board meetings twice monthly with appropriate/ required public notice. |
| NEMO (Non-point source Education for Municipal Officials) | Continue to provide support and assistance to NEMO annually. Track number of presentations, tours and events given annually and attendees/ circulation. |
| Technical Advisory Committees | Convene Technical Advisory Committees as needed to discuss rule revisions, individual projects or policies as needed. Track and report progress annually. |
| Post annual MS4 report on line | Post annual report on line and track web site hits. |
| BMP categories to be implemented | Measurable goals and timeframes |
| Post MCWD's SWPPP | Post the SWPPP on line and track hits. |
| | |

3. Do you have a process for receiving and documenting citizen input? Yes No

If you answered **no** to the above permit requirement, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Telly Mamayek, Communications Director

C. MCM 3: Illicit discharge detection and elimination

1. The Permit (Part III.D.3.) requires that, within 12 months of the date permit coverage is extended, existing permittees revise their current program as necessary, and continue to implement and enforce a program to detect and eliminate illicit discharges into the small MS4. Describe your current program:

MCWD is the regulated NPDES, Phase II MS4 for eight public drainage systems (county and/or judicial ditches). In November 2013, the District adopted an IDDE Rule to prevent discharge of contaminants into any of the judicial ditches the District operates. The District also conducts a robust program of construction and BMP inspection as well as lake and stream monitoring, which aid in illicit discharge detection.

2. Does your Illicit Discharge Detection and Elimination Program meet the following requirements, as found in the Permit (Part III.D.3.c.-g.)?

- a. Incorporation of illicit discharge detection into all inspection and maintenance activities conducted under the Permit (Part III.D.6.e.-f.) Where feasible, illicit discharge inspections shall be conducted during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). Yes No
- b. Detecting and tracking the source of illicit discharges using visual inspections. The permittee may also include use of mobile cameras, collecting and analyzing water samples, and/or other detailed procedures that may be effective investigative tools. Yes No
- c. Training of all field staff, in accordance with the requirements of the Permit (Part III.D.6.g.(2)), in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. Yes No
- d. Identification of priority areas likely to have illicit discharges, including at a minimum, evaluating land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge. Yes No
- e. Procedures for the timely response to known, suspected, and reported illicit discharges. Yes No
- f. Procedures for investigating, locating, and eliminating the source of illicit discharges. Yes No
- g. Procedures for responding to spills, including emergency response procedures to prevent spills from entering the small MS4. The procedures shall also include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061. Yes No
- h. When the source of the illicit discharge is found, the permittee shall use the ERPs required by the Permit (Part III.B.) to eliminate the illicit discharge and require any needed corrective action(s). Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The District will update its procedures for IDDE for compliance with the permit within one year of coverage.

3. List the categories of BMPs that address your illicit discharge, detection and elimination program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

| Established BMP categories | Measurable goals and timeframes |
|--|---|
| Maintain maps of ditch system, including wetlands, | GIS map data updated as data becomes available. |

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| lakes, other relevant features | |
| Hydrologic data monitoring program | Conduct annual hydrologic data monitoring program, report results annually. Staff monitors various sites within MCWD weekly to monthly, watching for IDDE during each site visit. Track number of detections. |
| Stream assessment | MCWD periodically conducts stream assessments and restorations on its MS4 conveyances. Track stream assessments and restorations completed, track illicit discharges detected. |
| Review of SWPPP and local water plans | The District's SWPPP is reviewed annually, along with local water plans as they are updated to identify opportunities to enhance IDDE. |
| Regulatory inspections | The District conducts periodic inspections through its regulatory program of construction sites and BMPs. These inspections help district staff spot illicit discharges. The District tracks annually the number of inspections conducted. |
| Maintenance inspections | District staff inspects District-owned projects in accordance with the Operations and Maintenance Plan. |
| BMP categories to be implemented | Measurable goals and timeframes |
| Implement IDDE tracking on all field inspection sheets | Add IDDE inspection information to electronic inspection forms and maintain in an automatically updated database within one year of permit coverage. |
| Implement procedures to address Illicit Discharges | Address illicit discharges as identified, with program operational within one year of permit coverage. |
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4. Do you have procedures for record-keeping within your Illicit Discharge Detection and Elimination (IDDE) program as specified within the Permit (Part III.D.3.h.)? Yes No

If you answered **no**, indicate how you will develop procedures for record-keeping of your Illicit Discharge, Detection and Elimination Program, within 12 months of the date permit coverage is extended:

IDDE inspection information will be added to each electronic field inspection and monitoring form. IDDE inspection results will be maintained in an automatically updated database and routed to the responsible person who will respond to IDDE per the procedures identified. This is in progress now and will be completed and implemented within 12 months of the permit coverage.

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Tom Dietrich, Permitting Program Manager

D. MCM 4: Construction site stormwater runoff control

1. The Permit (Part III.D.4) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a construction site stormwater runoff control program. Describe your current program:

The District dedicates one full-time compliance officer to coordinate an enforcement program aimed at controlling construction site erosion. Two additional full-time District Representatives focus on permit review and construction site inspection. The enforcement program aims to control construction site erosion and enforce other rules that require a District permit.

2. Does your program address the following BMPs for construction stormwater erosion and sediment control as required in the Permit (Part III.D.4.b.):
- Have you established written procedures for site plan reviews that you conduct prior to the start of construction activity? Yes No
 - Does the site plan review procedure include notification to owners and operators proposing construction activity that they need to apply for and obtain coverage under the MPCA's general permit to *Discharge Stormwater Associated with Construction Activity No. MN R10001*? Yes No
 - Does your program include written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee? Yes No
 - Have you included written procedures for the following aspects of site inspections to determine

compliance with your regulatory mechanism(s):

- 1) Does your program include procedures for identifying priority sites for inspection? Yes No
- 2) Does your program identify a frequency at which you will conduct construction site inspections? Yes No
- 3) Does your program identify the names of individual(s) or position titles of those responsible for conducting construction site inspections? Yes No
- 4) Does your program include a checklist or other written means to document construction site inspections when determining compliance? Yes No
- e. Does your program document and retain construction project name, location, total acreage to be disturbed, and owner/operator information? Yes No
- f. Does your program document stormwater-related comments and/or supporting information used to determine project approval or denial? Yes No
- g. Does your program retain construction site inspection checklists or other written materials used to document site inspections? Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

The regulatory department staff will review existing procedures for site plan review and inspections and add any necessary elements to achieve permit compliance. They will do so within one year of permit coverage. Procedures will be provided to the MPCA within that timeframe. Documentation of implementation will be provided in the annual report.

- 3. List the categories of BMPs that address your construction site stormwater runoff control program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

| Established BMP categories | Measurable goals and timeframes |
|--|---|
| Publish information on requirements for District permits | Continue to publish information on the requirements of District permits on line. Ongoing. |
| Erosion control rule and permitting | Continue to enforce erosion control rule for development within the District. Ongoing. Number of permits processed and granted is tracked annually. |
| Conduct inspections to ensure permit compliance | Inspect construction sites periodically as staff time is available. On-going. Results are tracked and reported annually. |
| | |

| BMP categories to be implemented | Measurable goals and timeframes |
|----------------------------------|--|
| Document procedures | Staff to document and implement procedures for erosion control permit reviews and inspections within one year of permit coverage. Provide procedures to MPCA within one year of permit coverage, document progress on implementation in annual report. |
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- 4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:
Tom Dietrich, Permitting Program Manager

E. MCM 5: Post-construction stormwater management

- 1. The Permit (Part III.D.5.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a post-construction stormwater management program. Describe your current program:

MCWD rules have required long-term stormwater management on new land development sites since 1974. The stormwater rule requires long-term controls on nutrient export, stormwater volume, runoff rates, and water quality impacts to downstream receiving waters. The rule incorporates post-construction maintenance requirements for stormwater BMPs in the form of a declaration containing the maintenance requirements that is recorded on the property before the permit is issued.

In addition to implementing rules, the District inspects projects post-construction to ensure stormwater BMPs are constructed properly and that they are functioning.

2. Have you established written procedures for site plan reviews that you will conduct prior to the start of construction activity? Yes No
3. Answer **yes** or **no** to indicate whether you have the following listed procedures for documentation of post-construction stormwater management according to the specifications of Permit (Part III.D.5.c.):
 - a. Any supporting documentation that you use to determine compliance with the Permit (Part III.D.5.a), including the project name, location, owner and operator of the construction activity, any checklists used for conducting site plan reviews, and any calculations used to determine compliance? Yes No
 - b. All supporting documentation associated with mitigation projects that you authorize? Yes No
 - c. Payments received and used in accordance with Permit (Part III.D.5.a.(4)(f))? Yes No
 - d. All legal mechanisms drafted in accordance with the Permit (Part III.D.5.a.(5)), including date(s) of the agreement(s) and names of all responsible parties involved? Yes No

If you answered **no** to any of the above permit requirements, describe the steps that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

The District has written procedures, however, the rules were recently updated and the procedures may require updating as well. A rule revision will also be needed to ensure compliance with this permit. These procedures will be updated upon completion of the rule revisions and provided to the MPCA within one year of permit coverage.

4. List the categories of BMPs that address your post-construction stormwater management program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

| Established BMP categories | Measurable goals and timeframes |
|--|---|
| Enforce Stormwater Rules | Continue to enforce the District's stormwater management rule. Ongoing. The number of permits processed annually is tracked and reported. |
| Post-construction inspection | The District conducts inspection of completed projects to ensure compliance with permit requirements. Results are tracked and reported annually. |
| Publish material on requirements for District permit | Continue to publish information on the requirements of District permits on line. Ongoing. Track web site hits. |
| Maintenance agreements and inspections | Continue to enforce rules which require maintenance agreements with permitted land owners. The District's rules, along with 103D give the District authority to inspect, maintain and assess for maintenance. Inspections are conducted as needed in accordance with MS4 permit requirements. |
| Rule revisions | From time to time, as needed, the District will revise rules to protect water quality. The most recent rule revision was completed in 2011; the District is currently in the process of another rule revision. |
| Compliance enforcement | Continue to enforce the District's rules and bring enforcement action if site inspections reveal non-compliance. This is an ongoing activity conducted as needed. |

| BMP categories to be implemented | Measurable goals and timeframes |
|--|---|
| Rule Revisions for MS4 Permit Compliance | Implement a rule revision to comply with MS4 permit requirements. Begin process immediately, with completion scheduled within one year of permit coverage. Implement rules. |

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5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Tom Dietrich, Permitting Program Manager

F. MCM 6: Pollution prevention/good housekeeping for municipal operations

1. The Permit (Part III.D.6.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement an operations and maintenance program that prevents or reduces the discharge of pollutants from the permittee owned/operated facilities and operations to the small MS4. Describe your current program:

MCWD regularly inspects and maintains District projects and facilities to ensure they continue to function as intended. The District also expanded its inspection program to include private BMPs. Aside from stormwater ponds, the District does not own or operate any of the facilities listed under Part III.D.6.a.

2. Do you have a facilities inventory as outlined in the Permit (Part III.D.6.a.)? Yes No
3. If you answered **no** to the above permit requirement in question 2, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:
4. List the categories of BMPs that address your pollution prevention/good housekeeping for municipal operations program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. For an explanation of measurable goals, refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

| Established BMP categories | Measurable goals and timeframes |
|--|--|
| NEMO Training for MS 4 staff | Continue to support NEMO training for MS4 staff within our boundaries. |
| Operations and maintenance plan for District facilities. | Continue to implement operation and maintenance plans for existing District-owned facilities, including inspection of all ponds and outfalls in spring and fall of each year. Ongoing. |
| O & M Plan revision | Update operation and maintenance plan for District-owned facilities as new projects are constructed. Implement updated plan. Within one year of permit coverage. |
| Inspection and maintenance records | Continue to retain electronic records on site. Ongoing. |
| Record retention | Continue to retain electronic records on site. Ongoing. |

| BMP categories to be implemented | Measurable goals and timeframes |
|----------------------------------|---------------------------------|
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5. Does discharge from your MS4 affect a Source Water Protection Area (Permit Part III.D.6.c.)? Yes No
- a. If **no**, continue to 6.

- b. If **yes**, the Minnesota Department of Health (MDH) is in the process of mapping the following items. Maps are available at <http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>. Is a map including the following items available for your MS4:
- 1) Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330? Yes No
 - 2) Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13? Yes No
- c. Have you developed and implemented BMPs to protect any of the above drinking water sources? Yes No
6. Have you developed procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater, according to the Permit (Part III.D.6.d.)? Yes No
 7. Do you have inspection procedures that meet the requirements of the Permit (Part III.D.6.e.(1)-(3)) for structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas? Yes No
 8. Have you developed and implemented a stormwater management training program commensurate with each employee's job duties that:
 - a. Addresses the importance of protecting water quality? Yes No
 - b. Covers the requirements of the permit relevant to the duties of the employee? Yes No
 - c. Includes a schedule that establishes initial training for new and/or seasonal employees and recurring training intervals for existing employees to address changes in procedures, practices, techniques, or requirements? Yes No
 9. Do you keep documentation of inspections, maintenance, and training as required by the Permit (Part III.D.6.h.(1)-(5))? Yes No

If you answered **no** to any of the above permit requirements listed in **Questions 5 – 9**, then describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

The District will document the existing procedures associated with Parts III.D.6.d. and h. (1)-(5), update them as necessary in accordance with permit requirements and provide them to the MPCA within one year of permit coverage. The District will also develop and implement a stormwater management training program for its employees in accordance with Part III.D.6.g within one year of permit coverage.

10. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Tiffany Schauler, Project and Land Manager

VI. Compliance Schedule for an Approved Total Maximum Daily Load (TMDL) with an Applicable Waste Load Allocation (WLA) (Part II.D.6.)

- A. Do you have an approved TMDL with a Waste Load Allocation (WLA) prior to the effective date of the Permit? Yes No
1. If **no**, continue to section VII.
 2. If **yes**, fill out and attach the MS4 Permit TMDL Attachment Spreadsheet with the following naming convention: *MS4NameHere_TMDL*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VII. Alum or Ferric Chloride Phosphorus Treatment Systems (Part II.D.7.)

- A. Do you own and/or operate any Alum or Ferric Chloride Phosphorus Treatment Systems which are regulated by this Permit (Part III.F.)? Yes No
1. If **no**, this section requires no further information.
 2. If **yes**, you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your small MS4, then you must submit the Alum or Ferric Chloride Phosphorus Treatment Systems Form supplement to this document, with the following naming

convention: *MS4NameHere_TreatmentSystem*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VIII. Add any Additional Comments to Describe Your Program

The Minnehaha Creek Watershed District (MCWD) is the local unit of government responsible for managing and protecting the water resources of the Minnehaha Creek Watershed in parts of Minneapolis, Minnesota, and its western suburbs.

The MCWD is responsible for 181 square miles that drain into Minnehaha Creek and ultimately the Mississippi River. Only a small portion of that area is considered part of the MCWD MS4. The watershed includes Minnehaha Creek, Lake Minnetonka, the Minneapolis Chain of Lakes, and Minnehaha Falls. There are eight major creeks, 129 lakes, and thousands of wetlands within the MCWD. The MCWD also includes all or part of 27 cities and two townships in Hennepin and Carver counties.

The MCWD uses scientific research and monitoring, public education, grant programs, permitting, and collaborative initiatives with local governments, agencies, and residents, to protect the region's lakes, rivers, and streams. Protecting and managing these resources is important for recreation, fish and wildlife, the environment, and property values.

Established in 1967, the MCWD was created under the Minnesota Watershed District Act. The 1955 act charged watershed districts with integrating water management efforts among city, county, and state agencies. Districts receive funding through local property taxes.

The MCWD is governed by a seven-member Board of Managers, which is appointed by the boards of Hennepin and Carver counties.

The Minnehaha Creek Watershed District is committed to a leadership role in protecting, improving and managing the surface waters and affiliated groundwater resources within the district, including their relationships to the ecosystems of which they are an integral part. We achieve our mission through regulation, capital projects, education, cooperative endeavors, and other programs based on sound science, innovative thinking, an informed and engaged constituency, and cost effective use of public funds.

The District conducts several programs including a regulatory department to implement the District's rules; communications and educations departments to facilitate public participation and education; an operations program to inspect and maintain the District's capital projects; and a planning and projects department to implement capital projects and programs to meet water quality goals. |

TMDL Wasteload Allocation Excel Spreadsheet PART II.D.6.a.-e.

Copy and paste from the Master List MS4 TMDL Spreadsheet for your MS4 to the space below.

Attach this completed form with your SWPPP Document at the time of submittal. At a **minimum**, provide all of the information ******* items (TMDL Project Name, Type of WLA, Numeric

| Permittee name | Preferred ID | TMDL project name* | Waterbody ID | Type of WLA* | Numeric WLA* | Unit* | Percent reduction | Flow condition* | Waterbody name | Pollutant of concern* | Date approved |
|------------------------------------|--------------|---|--------------|--------------|--------------|---------|-------------------|-----------------|----------------|-----------------------|---------------|
| Minnehaha Creek Watershed District | MS400182 | Minnehaha Creek Watershed District Lakes TMDL | 10-0042 | Individual | 0.00148 | lbs/day | | N/A | Parley Lake | Phosphorus | 4/25/2011 |

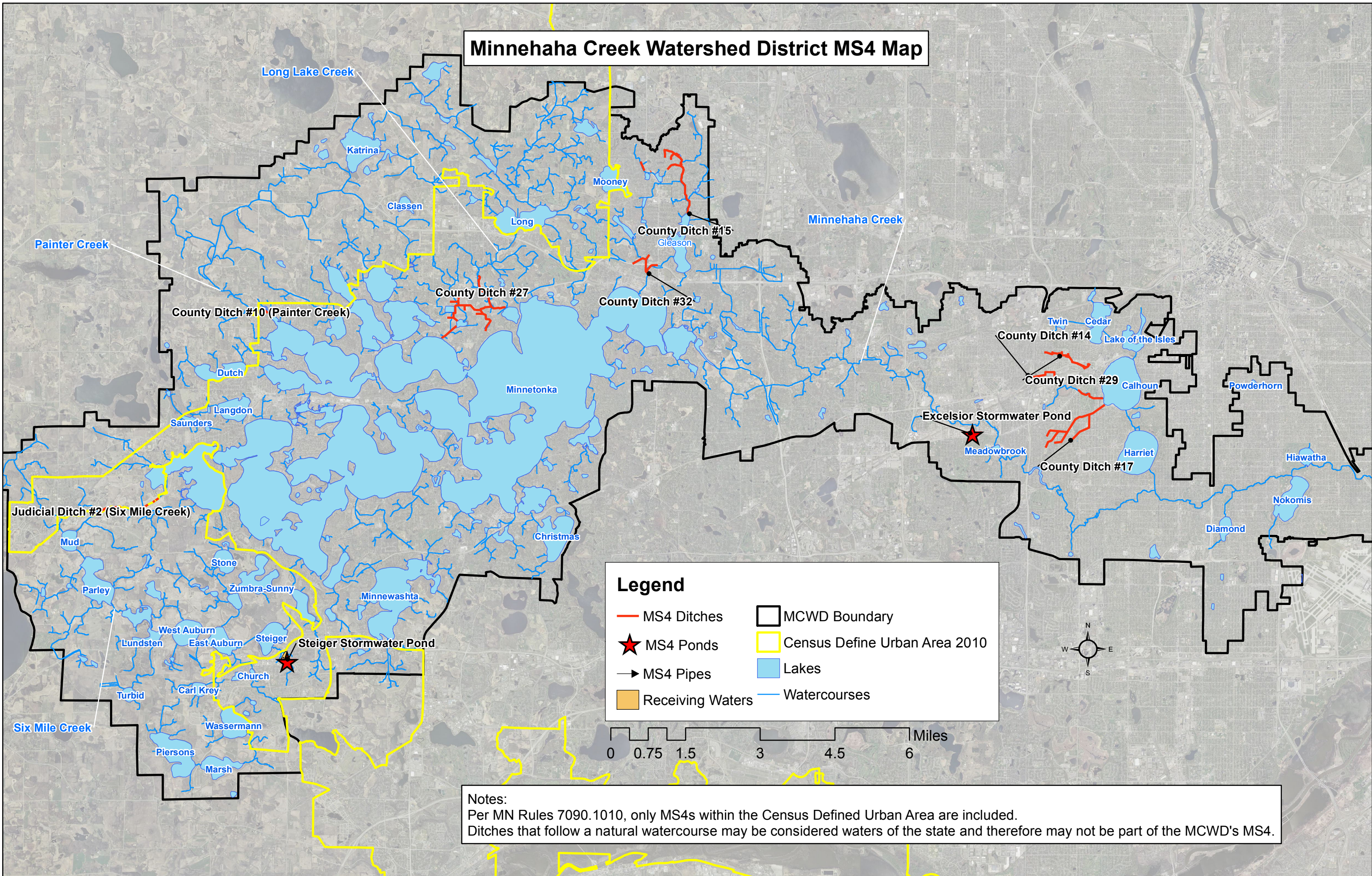
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Strategies for continued BMP implementation beyond the term of this permit. PART II.D.6.f.(3)

Table 2
Target dates the applicable WLA(s) will be achieved. PART II.D.6.f.(4)

| TMDL Project | Target Date to Achieve WLA |
|--------------|----------------------------|
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Minnehaha Creek Watershed District MS4 Map



Legend

- MS4 Ditches
- ★ MS4 Ponds
- MS4 Pipes
- Receiving Waters
- MCWD Boundary
- Census Define Urban Area 2010
- Lakes
- Watercourses



Notes:
 Per MN Rules 7090.1010, only MS4s within the Census Defined Urban Area are included.
 Ditches that follow a natural watercourse may be considered waters of the state and therefore may not be part of the MCWD's MS4.