

## Minutes of the

### REGULAR MEETING OF THE ENVIRONMENT COMMITTEE

Tuesday, April 14, 2015

#### Committee Members Present:

Sandra Rummel-Chair, Marie McCarthy, Harry Melander, Lona Schreiber

#### Committee Members Absent:

Wendy Wulff-Vice Chair, Edward Reynoso

#### CALL TO ORDER

A quorum being present, Committee Chair Rummel called the regular meeting of the Council's Environment Committee to order at 4:05 p.m. Tuesday, April 14, 2015.

Chair Rummel stated this would be a smaller meeting and less informal as the content would be presented in workshop format.

#### APPROVAL OF AGENDA AND MINUTES

It was moved by Lona Schreiber, seconded by Marie McCarthy to approve the agenda. **Motion carried.**

It was moved by Lona Schreiber, seconded by Marie McCarthy to approve the minutes of the Tuesday, March 10, 2015 regular meeting of the Environment Committee. **Motion carried.**

#### BUSINESS

No new business.

#### INFORMATION

##### 1. WRPP Response to Comments/Public Comment Report –

Comment period was extended to March 27. One person testified at the public hearing with 21 letters submitted from 5 counties, 4 watersheds and 14 individual cities as well as comments from Metro Cities.

Twenty-seven fit into the category of general comments. Many comments supported the integrated approach and overall theme of the plan. General comments also reaffirmed the need for technical and financial assistance and the need for collaboration in the future for implementation. Language is being added in the draft plan to clarify the impact on the comprehensive plans. More specifically updating and clarifying the requirements for local water supply plans, local water plans and comprehensive sewer plans to meet the requirements in the Water Resource Policy Plan. Timing issue strategies will be addressed throughout the life of the plan and would include ongoing collaboration with communities. The schedule for concepts like storm water and wastewater reuse is uncertain at this time; however, plans are to work with partners on the strategies and implementation.

Four comments were received related to regional growth. Further clarification was needed as to the tie to Thrive 2040. Emphasis was provided on how the plan integrates water planning to achieve sustainability which is connected to the Thrive MSP 2040 plan. The tie to equity was also brought up. Related to the equity issue, the Council is committed to looking at programs and evaluating actions to take in order to improve equity. Questions on forecasts used in the plan were raised by two cities. Numbers from Thrive were used in the planning process and are consistent.

Staff member Colvin explained that the vast majority of comments received on the Water Management Policy Plan were related to high level policy comments that mostly pertained to the water supply sections of the plan. He stated that there were comments from two specific communities that were related to the long term service area and to the Council's assignment of sewerage growth.

A comment was received from Oak Grove pertaining to their previously identified urban reserve area in their 2008 Plan, and a request to that area changed to a designation of permanent rural. Colvin stated that the City reluctantly placed the Southwest portion of their community in the long range service area and

now wants to officially take it out. Colvin stated that to do so now would be problematic since regional wastewater investments had been made to provide service to this area of Oak Grove (East Bethel interceptor). Colvin also stated that Lino Lakes had submitted a comment related to their assigned amount of unsewered growth (septic) which stated that it was too high. Staff agreed with the statement and will revise their sewer growth forecasts accordingly.

Fifteen comments were received related to reuse and conservation and focused on the need for further investigation and direction in this area. Resources and tools on this topic are needed and will be provided as studies are completed and through the local planning handbook. The need to address barriers, such as plumbing code and state agency permitting was also brought up. These issues are being discussed with a state agency committee that has been formed to work in reuse issues and potential barriers. The plan encourages reusing treated storm water and wastewater. Twenty comments related to roles and responsibilities were received. The need for clarification of our role versus state agencies, watersheds, etc. was identified. Language was added throughout the plan to accomplish this. Language was also added to the plan to clarify the Council is not proposing regulation. There was also support for our integration efforts and acknowledgement of our wastewater system role.

Four comments on subsurface sewage treatment systems (SSTS) and communal systems were received. Comments focused on perception the Council may be positioning to take on roles of counties, cities and townships in this area. The Council's role is to work with agencies and to protect the interest of the sewer system by looking at the details of SSTS programs in order to prevent the premature extension of the sewer system into areas due to failing SSTS or community systems.

Ten comments related to surface water and storm water were received. Confusion existed regarding the Council's role in monitoring and assessment. Further explanation was added to the Plan document. Confusion also existed regarding local water plan requirements pertaining to the 8410 rule. The plan is to pull this verbiage out of the plan and refer to the 8410 rule requirements and include final requirements in the local planning handbook. A strategy was also added to address agriculture in the discussion of surface water impacts.

Eight comments were received pertaining to sustainability. There were questions about the definition of sustainability. The definition is referenced on page 6 of the document. Clarification was also needed regarding how our operations will apply to others. A question was raised regarding the decentralizing of wastewater treatment plants in respect to growth and aquifer drawdown. Staff stated our plan is to look at wastewater reclamation types of facilities in the northwest, northeast, and southwest.

Twenty-six comments related to wastewater topics were received. Sewer availability charge (SAC) policy and application of the policy were a concern. Staff stated SAC pays for a portion of wastewater system debt service based on statute. A 2013 task force of communities served by MCES strongly recommended SAC be used solely for wastewater purposes. The Council is planning to convene a work group to evaluate opportunities, including SAC, to support affordable housing. There was also a need expressed for flexibility in addressing inflow and infiltration (I/I). This will be addressed in the inflow and infiltration procedures. A future I/I task force may be considered in the future. Regulatory impacts in the future related to total maximum daily load (TMDL's) or impaired waters studies' impacts to wastewater treatment will be addressed in the wastewater system plan. Regulatory authorities are in place to assure the system runs efficiently which includes wastewater.

Thirty-eight water supply related comments were received. Many focused on plan language appearing to suggest the only answer was to switch to surface water as source for water supply. Language was changed to indicate we are looking at all possible options. Confusion existed on the master water supply plan and how it impacts comprehensive plans and how they apply to the water resource policy plan when details in this area are in another plan. Comments reflected one size does not fit all. Many options are available in the plan and intent is to collaborate with partners to determine the best solution. Confusion also existed regarding our water supply planning roles and requirements for the actual plans. Next steps:

April 22, 2015	Update on draft Water Resource Policy Plan to Council
May 12, 2015	Final public hearing report and updated Water Resource Policy Plan to Environment Committee
May 13, 2015	Adoption of Water Resource Policy Plan to Council

Workshop –

The purpose of the workshop was to review key plan changes which included:

- Discuss previous language compared to proposed changes
- Discuss why language was changed
- Provide feedback from Committee on changes
- Take questions in response to the comments shared

An area map reflecting the areas of the metro area comments were received from was shared followed by a review of key areas of language changes to specific areas of the plan.

Page 2 – Water Quality Management Plans and Programs –

Changes to description of Section 208 to clarify role based on Federal designation.

Comments:

- Changes clarify role of the Council in this area.
- SSTS: Oversight of SSTS varies for each county. What percentage of the metro area is still using septic systems? Answer: 75,000

<p>Original language:</p> <p>The Council is designated as the area wide water quality planning agency under Section 208 of the federal Clean Water Act. As part of this designation, the Council is responsible for ensuring that water quality management policies and programs are implemented in the metro area for point- and nonpoint-source pollution.</p>	<p>Proposed language:</p> <p>The Council is designated as <b>the area wide waste treatment management agency</b> under Section 208 of the federal Clean Water Act (U.S. Code §1288). As part of this designation, <b>the Council is responsible for ensuring that waste treatment management policies, programs, and facilities are implemented in the metro area to provide wastewater treatment and urban storm water management to protect water quality in the region.</b> In addition, the Council in cooperation and consultation with our many partners, fills gaps in monitoring and assessment of the water quality of area lakes, rivers and streams.</p>
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Page 14 – No specific policy on agriculture in watershed approach policy section –

Language is being proposed to support educational efforts and partnership opportunities with agricultural communities in the region and outstate on watershed issues.

Comments:

- What does it mean to support these educational efforts? Answer: Responsibility for education rests with the Department of Agriculture.
  - Suggestion was made to use the verbiage, “support educational efforts through partnership opportunities.”
- Should we clarify counties in the Outstate area? Answer: Changed language to collar counties

<p>Original language:</p> <p>No specific policy on agriculture in watershed approach policy section</p>	<p>Proposed language:</p> <p><b>Support educational efforts and partnership opportunities with agricultural communities in the region and outstate on watershed issues.</b></p>
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Page 15 – Sustainable water supplies

Comments:

- The following verbiage should be placed at the beginning of the statement throughout the document: “While recognizing local control...”

<p>Original language:</p> <p>The Council shall support and plan for the sustainable use of water sources that focuses on the implications of increasing groundwater use including impacts to surface waters, wetlands, and ecological areas while ensuring that supplies of potable water are sufficient for the region’s current population and projected growth.</p>	<p>Proposed language:</p> <p><b>The Council will work with our partners to develop plans that meet regional needs for a reliable water supply that protects public health, critical habitat and water resources over the long-term, while recognizing local control and responsibility for owning, operating, and maintaining water supply systems.</b></p>
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Page 15 – Clarify that our role is not beyond our statutory mandate –

Questions from cities and counties related to their role in developing and implementing Groundwater Management Areas, wellhead protection plans, review of water appropriation permits, and aquifer recharge projects.

Comments:

- Is there any way to build on the theme to speak to the agency handling first before addressing what we are doing? Answer: This will be revised throughout the document.
- Recognize authority of local water suppliers, as well as state agencies.
- Minnesota statute recognizes, (what is missing here?)
- Need to place authority where authority lies (incomplete statement),

<p>Original language:</p> <p>Collaborate with agency partners in developing and implementing Groundwater Management Areas, wellhead protection plans, review of water appropriation permits, and aquifer recharge projects.</p>	<p>Proposed language:</p> <p><b>Review and comment on local water supply plans as required by Minnesota Statutes.</b></p> <p><b>Review and comment on Groundwater Management Areas and water appropriation permits as requested by the DNR.</b></p> <p><b>Review and comment on wellhead protection and county groundwater plans as required by Minnesota Statutes.</b></p>
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Page 15 – Implementation strategies

Most cities interpreted the strategy that we were going to require them to convert to surface water use. Verbiage was corrected to imply focus on resiliency through all feasible water supply alternatives.

Comments:

- I think that’s good and I like the word resiliency.

<p>Original language:</p> <p>Promote water supply resiliency by identifying and pursuing options to increase surface water use, when economically feasible.</p>	<p>Proposed language:</p> <p><b>Support community efforts to improve water supply resiliency by cooperatively identifying economically and technically feasible water supply alternatives.</b></p>
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Page 17 – Changes to clarify our role in monitoring and assessment –

Counties and many cities inquired as to why we monitor and assess water resources. More text was added to clarify duplication of work is not occurring but strategically designing a program to fill gaps and meet the needs of our processes. Strategies were also updated to better reflect what we do.

Comments:

- Clarifies that work done does not overlap with work being done by other agencies

<p>Original language:</p> <p>The Council works closely with state agencies, communities, and watershed organizations in the metro area to fill gaps in monitoring and assessments needed related to the condition of our area lakes, rivers and streams</p>	<p>Proposed language:</p> <p><b>The Council works closely with state agencies, communities, counties, watershed organizations, and others involved with monitoring water resources in the metro area to strategically design our program to fill gaps in monitoring and assessments needed related to the condition of our area lakes, rivers and streams. For example, in partnership with many others the Council monitors and assesses the condition of around 200 lakes a year and 21 stream sites. We work closely with state agencies on coordinating and filling gaps in monitoring and assessment activities for the major rivers. For that program, the Council monitors 22 river sites a year.</b></p>
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Page 18 – Changes to move all assessment strategies to one section –

Comments:

No comments.

<p>Original language:</p> <p>No specific language</p>	<p>Proposed language:</p> <p><b>Support community efforts to identify and evaluate the economic and technical feasibility of water supply approaches and best practices that increase water conservation, enhance groundwater recharge, and make the best use of groundwater, surface water, reclaimed wastewater, and storm water.</b></p>
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Page 24 – Language to clarify our role in review of information on SSTS –

County concerns were expressed that we are stepping on their roles in SSTS. They are required to submit information to us on how they manage their SSTS. We need to see and review this information to assure failing systems will not impact our system. For example, we don't want to have to hook up unplanned systems prematurely or at all.

Comments:

- Proposed changed language needs to be revised to address why.
- Benefit is to avoid premature system expansion.

<p>Original language:</p> <p>The Council will use its review authority for local comprehensive plans to ensure that communities fulfill their current and future obligations regarding subsurface sewage treatment systems and other private wastewater systems.</p>	<p>Proposed language:</p> <p><b>The Council, through the local comprehensive planning process, requires that communities submit copies of their subsurface sewage treatment systems ordinance and information on their management programs for these systems.</b></p>
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Page 5 – Need for further discussion on what sustainable water is –

Several cities requested a definition of sustainability. It should be thought of as what we can see in a certain period of time that won't create a shortage. Language exists in the plan to define this. The plan is for 25 years while we plan for wastewater systems beyond that time frame. Successes will be measured in increments of time to assure efforts are working and to reevaluate sustainability goals are met. If not, changes can be made to keep making progress toward long-term sustainability.

Comments:

- Thought to leave statutory reference in addition to the proposed language and then add language on what it means for us, for example, , “this means in the planning process” or “for planning purposes...”

<p>Original language:</p> <p>The Minnesota State Legislature has defined sustainability as it relates to water supply:</p> <p>“Water is sustainable when the use does not harm ecosystems, degrade water quality or compromise the ability of future generations to meet their own needs.”</p>	<p>Proposed language:</p> <p><b>Sustainable water resources means having adequate high-quality groundwater and surface water resources to support the region’s growing water supply needs and the region’s unique and intricate ecosystems. And it means managing our resources in a way that ensures availability of our water resources for current and future generations.</b></p>
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Comments / Questions:

Call or email Judy Sventek with questions by April 21, 2015.

2. General Manager’s Report –

Months of continuous compliance were announced recently. Six plants are at 8+ years of continuous compliance. The Metropolitan Wastewater Treatment Plant is currently at 3+ years.

East Bethel, our newest plant exceeded total nitrogen limits. The Council is working with the contractor to resolve. Results are being evaluated by the lab and engineering is providing an explanation to submit with the DMRs.

Awards –

- On the evening of Thursday, April 23 the Freshwater Society will present its 2015 Clean Water Champion Award to the City of Saint Paul, Metropolitan Council, and the Capitol Region Watershed District. The work being recognized is reuse of stormwater and water conservation at CHS Field, the new home of the Saint Paul Saints ball club. Metropolitan Council Environmental Services and Metro Transit were both involved in the project.
- On the evening of Thursday, May 21, Empire Wastewater Treatment Plant Natural Resources Sustainability is being recognized as a finalist in the 2015 Environmental Initiative Awards program. The project partners are Metropolitan Council Environmental Services, Friends of the Mississippi River, Minnesota Department of Natural Resources and Dakota County Soil and Water Conservation District. Sustainability improvements include removal of invasive species and native vegetation plantings, restoration of a wet meadow, restoration of a state-designated trout stream, a demonstration green roof, permeable pavers, and infiltration basins. The Empire property now has zero run-off following rainfalls of up to 5 inches.

**ADJOURNMENT**

Business completed, the meeting adjourned at 5:15 p.m.

Susan Taylor  
Recording Secretary