



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

**Date:** September 13, 2011  
**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee  
**Subject:** **Public Hearing for Annual NPDES MS4 Report on 2010 Activities and Adoption**

**Recommendation:**

- a) Receive public comments, and direct Public Works to respond to public input regarding the City of Minneapolis' (City) and Minneapolis Park & Recreation Board's (MPRB) *Annual NPDES MS4 Report on 2010 Activities*. This activity is pursuant to Chapter 2, Section 14 of the December 1, 2000 version of the City's and MPRB's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit # MN0061018; and
- b) Adopt the *Annual NPDES MS4 Report on 2010 Activities*, by formal resolution, as the City's as the annual report

**Previous Directives:**

August 23, 2011 – T&PW Committee set the date for the Public Hearing, as required by the NPDES MS4 Permit, as September 13, 2011.

**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:**  For  
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**

Action is within current department budget

**Community Impact**

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

**City Goals:** A Safe Place To Call Home -- quality of life; a healthy environment; the city's infrastructure will be well-maintained. Enriched Environment -- plentiful green spaces; lakes, rivers and the soil and air will be clean. A Premier Destination -- the country will see Minneapolis as a national treasure.

**Comprehensive Plan:** Consistent

**Zoning Code:** Not Applicable

## **Background/Supporting Information:**

### **History**

The Minneapolis stormwater management program endeavors to improve the water quality of Minneapolis lakes, streams, wetlands and the Mississippi River, with the ultimate goal of preservation and enhancement of our natural and historic environment, while concurrently fulfilling regulatory requirements. 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 to protect water quality through the regulating of discharges of pollutants to lakes, streams, wetlands and other surface waters. 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 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 in December 2000. A modified Permit, bearing the same Permit #, was issued in January 2011. Under the January 2011 Permit, a new Stormwater Management Program document is being prepared for submittal to the MPCA and is addressed in a separate letter to the September 13, 2011 meeting of the Transportation & Public Works Committee.

The original MS4 Permit requires the implementation of stormwater management activities that are designed to mitigate the pollution effects of urbanization on stormwater runoff. Throughout each year, the City and the MPRB carry out the stormwater management program.

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

The Permit requires that the City prepare and submit an Annual Report of the Permit activities for the previous year. In 2011, the Annual Report for 2010 activities is due to the Minnesota Pollution Control Agency (MPCA) on September 28. The Permit requires that opportunities be made for the general public to provide comments regarding the draft Annual Report. The comments must be solicited and received prior to the Annual Report submittal to the MPCA. This public hearing is an opportunity for oral comments. The cutoff date for written comments by the general public regarding this year's draft Annual Report is Noon on Wednesday, September 21, 2011.

A notice to the parties listed on the Attachment was sent on August 19, 2011, indicating that the draft Annual Report is available for viewing on the following City website:

<http://www.ci.minneapolis.mn.us/stormwater/NPDESAnnualReportDocuments.asp#TopOfPage>

A paper copy of the draft Annual Report will also be available for viewing until September 21 at either of the following locations:

- Office of the City Clerk, Room 304 City Hall, 350 S. 5th Street, Minneapolis MN 55415 between the hours of 8 AM and 4:30 PM Monday through Friday; or
- Public Works Surface Water & Sewers Division, Room 300 City of Lakes Building, 309 2nd Avenue S., Minneapolis MN 55401 by appointment with: Nancy Josie at (612) 673-3609 or Terry Hall at (612) 673-3635, between the hours of 7:30 AM and 4 PM Monday through Friday.

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

**B. Adoption**

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

Att.: List of Recipients of Annual Report for Review and Comment

Cc: Michael Schmidt, Minneapolis Park & Recreation Board  
Corey Conover, Office of the City Attorney

<u>Organization</u>	<u>Email address</u>	<u>Contact Person</u>	<u>Address</u>
Bassett Creek Water Management Commission	<a href="mailto:lkremer@barr.com">lkremer@barr.com</a>	c/o Len Kremer, Barr Eng. Co.	4700 W 77th St, Mpls, MN 55435
Blue Water Association	<a href="mailto:sheila62sdmn@yahoo.com">sheila62sdmn@yahoo.com</a>	Sheila Cracraft-Fehler	4116 32nd Av S, Mpls, MN 55406
Clean Water Action	<a href="mailto:mzellar@cleanwater.org">mzellar@cleanwater.org</a>	Marie Zellar	308 Hennepin Ave E, Mpls, MN 55414
Friends of the Mississippi River	<a href="mailto:wclark@fmr.org">wclark@fmr.org</a>	Whitney Clark	360 N Robert St, St. Paul, MN 55101
Hennepin County Environmental Dept.	<a href="mailto:carl.michaud@co.hennepin.mn.us">carl.michaud@co.hennepin.mn.us</a>	Carl Michaud	417 N 5th St, Mpls, MN 55401
Metropolitan Council Environmental Services	<a href="mailto:bill.moeller@metc.state.mn.us">bill.moeller@metc.state.mn.us</a>	Bill Moeller	3565 Kennebec Dr, Eagan, MN 55122
(all) Minneapolis Neighborhood Organizations	<a href="mailto:Bob.Cooper@ci.minneapolis.mn.us">Bob.Cooper@ci.minneapolis.mn.us</a>	c/o Bob Cooper, CPED	
Minnehaha Creek Watershed District	<a href="mailto:eevenson@minnehahacreek.org">eevenson@minnehahacreek.org</a>	L. Eric Evenson	18202 Minnetonka Blvd, Deephaven, MN 55391
MN Center for Environmental Advocacy	<a href="mailto:ksigford@mncenter.org">ksigford@mncenter.org</a>	Kris Sigford	26 E Exchange St, # 206, St. Paul, MN 55101
MN Dept of Agriculture, Pesticide Mgmt	<a href="mailto:ron.struss@state.mn.us">ron.struss@state.mn.us</a>	Ron Struss	625 Robert St N, St. Paul, MN 55155
MN Dept of Natural Resources, Water Division	<a href="mailto:kent.lokkesmoe@dnr.state.mn.us">kent.lokkesmoe@dnr.state.mn.us</a>	Kent Lokkesmoe	500 Lafayette Rd, Box 32, St. Paul, MN 55155
MN Dept of Transportation, Water Resources	<a href="mailto:beth.neuendorf@dot.state.mn.us">beth.neuendorf@dot.state.mn.us</a>	Beth Neuendorf	Waters Edge, 1500 W Cty Road B-2, Roseville, MN 55113
MN Environmental Partnership	<a href="mailto:stevemorse@mepartnership.org">stevemorse@mepartnership.org</a>	Steve Morse	2356 University Av W, #244, St. Paul, MN 55114
Mississippi River Revival	<a href="mailto:solomonsimon@hotmail.com">solomonsimon@hotmail.com</a>	Sol Simon	51 E 4 <sup>th</sup> St, Suite 305, Winona, MN 55987
Mississippi Water Management Organization	<a href="mailto:dnyder@mwwmo.org">dnyder@mwwmo.org</a>	Doug Snyder	2520 Larpenteur Av W, Lauderdale, MN 55113
St. Paul, City of	<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 City Hall, Saint Paul, MN 55102
Shingle Creek Watershed Mgmt. Commission.	<a href="mailto:judie@jass.biz">judie@jass.biz</a>	Judie Anderson	3235 Fernbrook Lane, Plymouth, MN 55447

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

T&PW - Your Committee, having under consideration the City of Minneapolis and Minneapolis Park and Recreation Board ANNUAL NPDES MS4 REPORT ON 2010 ACTIVITIES, as set forth in Petn No. \_\_\_\_\_, and having held a public hearing thereon, now recommends passage of the accompanying resolution adopting the  
Minneapolis ANNUAL NPDES MS4 REPORT ON  
2010 ACTIVITIES as the annual report on the City's Stormwater Management Plan, pursuant to Chapter 2, Section 14, of the City of Minneapolis National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit #MN0061018 issued December 1, 2000.

By Colvin Roy

Adopting the ANNUAL NPDES MS4 REPORT ON 2010 ACTIVITIES.

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

Whereas, on December 1, 2000, 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 September 13, 2011; and

Whereas, the ANNUAL NPDES MS4 REPORT ON 2010 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 ANNUAL NPDES MS4 REPORT ON 2010 ACTIVITIES.