



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting

Wednesday, February 21, 2024

Agenda Item

Item 6. E. – City of Chaska Municipal LGU Permit Review

Prepared By

Linda Loomis, Administrator

Summary

The City of Chaska has chosen to apply for a Municipal LGU Permit from the LMRWD to implement LMRWD Rules B and D. LMRWD Rules allow municipalities to apply for a Municipal LGU permit once municipal official controls conform with LMRWD Rules. Young Environmental Consulting Group, LLC, has worked with the City of Chaska and reviewed its official controls and the Municipal LGU Permit application on behalf of the LMRWD. Young Environmental recommends approving a Municipal LGU Permit for the City of Chaska to implement LMRWD Rules B and D.

The LMRWD will retain permit authority over projects that trigger LMRWD Rules C and F or fall within a High Value Resource Area. The City will notify developers of the need for an LMRWD permit in those situations.

Attachments

Technical Memorandum – City of Chaska Municipal LGU Permit Review dated February 14, 2024

Recommended Action

Motion to approve the City of Chaska for an LMRWD Municipal LGU permits to implement Rules B and D.



Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District (LMRWD)

From: Mitchell Evans, Water Resources Scientist
Hannah LeClaire, PE, Project Manager

cc: Brent Alcott, City of Chaska

Date: February 14, 2024

Re: LMRWD— City of Chaska Municipal LGU Permit Review

On November 29, 2023, Brent Alcott, on behalf of the City of Chaska (City), applied for the LMRWD general municipal local government unit (LGU) permit. The city submitted Section 5.3.2 Design Standards from their Local Surface Water Management Plan. An earlier version of this document was submitted to the LMRWD for review in July 2023. Young Environmental Consulting Group (Young Environmental) provided comments on behalf of the LMRWD (Attachment 1). The submitted document incorporates these comments and presents evidence of compliance with policy, regulation, exceptions, and criteria associated with Rules B – Erosion and Sediment Control and D – Stormwater Management. At this time, the City has requested that the LMRWD maintain permitting authority for Rule C – Floodplain and Drainage Alterations and Rule F – Steep Slopes, as well as for projects located with High Value Resource Areas that trigger either Rule B or Rule D.

Below is a summary of Young Environmental’s review of the information provided and our recommendation.

Erosion and Sediment Control

Compliance with the LMRWD’s Rule B – Erosion and Sediment Control is captured in Section 5.3.2.1 Submittal Requirements, Section 5.2.2.2 Erosion and Sediment Control, and Section 5.3.2.4. Section 5.3.2 Design Standards indicates that areas of the city that are within the LMRWD will be governed by the most restrictive erosion and sediment control rules.

Stormwater Management

Compliance with the LMRWD's Rule D – Stormwater Management is captured in Section 5.3.2.1 Submittal Requirements, Section 5.3.2.4 Stormwater Quantity, Section 5.3.2.5 Stormwater Quality, and Section 5.3.2.6 Stormwater Abstraction. Areas of the city that are within the LMRWD will be governed by the most restrictive stormwater management rules.

Recommendations

As presented, the City's Design Standards meet the requirements outlined within the LMRWD rules for an LGU Permit. For projects that fall within an HVRA or trigger LMRWD Rule C or F, the City will notify applicants that an LMRWD individual permit will be required in addition to meeting Chaska Design Standards. We recommend approval of an LGU permit for implementation of LMRWD Rules B and D, with the exception of HVRA's which will remain under LMRWD permitting authority. Additionally, the LMRWD will retain permitting authority for Rules C and F at this time.

Attachments

- Attachment 1—City of Chaska Stormwater Requirement Updates Review

Technical Memorandum

To: Linda Loomis, Administrator
Lower Minnesota River Watershed District (LMRWD)

From: Karina Weelborg, Water Resources Scientist
Hannah LeClaire, PE, Project Manager

cc: Brent Alcott, City of Chaska

Date: July 12, 2023

Re: LMRWD— City of Chaska Stormwater Requirement Updates Review

The City of Chaska (City) is updating its Local Surface Water Management Plan (LSWMP) Section 5.3.2 Design Standards to be consistent with its Municipal Separate Storm Sewer System (MS4) permit requirements. On June 22, 2023, the City requested comments on these updates. Young Environmental Consulting Group (Young Environmental) reviewed the updated LSWMP Section 5.3.2 Design Standards and provided comments on behalf of the LMRWD. The updated LSWMP was compared with LMRWD Rules to better understand how the LMRWD and the City can work together to protect, preserve, and manage water resources within the LMRWD. Below is a summary of Young Environmental’s review of the Design Standards section and our recommendations.

Erosion and Sediment Control

Section 5.3.2.1 Submittal Requirements, Section 5.3.2.2 Erosion and Sediment Control, and Section 5.3.2.4 Stormwater Quantity contain information relevant to the LMRWD’s Rule B—Erosion and Sediment Control. Table 1 lists LSWMP sections and LMRWD recommendations for erosion and sediment control.

Table 1. LSWMP Erosion and Sediment Control Recommendations

LSWMP Section	LMRWD Recommendation
Section 5.3.2.1 Submittal Requirements Subsection 8 – presents City requirements for erosion and sediment control plans	City requirements match LMRWD Rule B requirements for erosion and sediment control plans
Section 5.3.2.1 Submittal Requirements	City requirements match LMRWD Rule B

Subsection 9 – requires wetland delineation	requirements for wetlands in erosion and sediment control plans
Section 5.3.2.1 Submittal Requirements Subsection 10 – states applications must meet Floodplain and Shoreland Ordinances	It is recommended that the City require delineation of any floodplain changes in erosion and sediment control plans as listed in LMRWD Rule B.5.2.G
Section 5.3.2.2 Erosion and Sediment Control – adopts and incorporates Minnesota’s Construction Stormwater General Permit by reference	The City’s requirements match LMRWD Rule B regulatory standards and requirements for general areas. It is recommended that the City provide additional amendments to include the LMRWD’s stricter requirements for High Value Resource Areas (HVRA) listed in Rule B.3.2.B.
Section 5.3.2.4 Stormwater Quantity Subsection 25 – requires 6” of topsoil in all green spaces and general soil decompaction	It is recommended that the City require decompaction to a depth of 18” as listed in LMRWD Rule B.3.4.3.B

Stormwater Management

Section 5.3.2.1 Submittal Requirements, , Section 5.3.2.4 Stormwater Quantity, Section 5.3.2.5 Stormwater Quality, and Section 5.3.2.6 Stormwater Abstraction contain information relevant to the LMRWD’s Rule D – Stormwater Management. Table 2 lists LSWMP sections and LMRWD recommendations for stormwater management.

Table 2. LSWMP Stormwater Management Recommendations

LSWMP Section	LMRWD Recommendation
Section 5.3.2.1 Submittal Requirements Subsection 7 – presents City requirements for stormwater management plans	The City’s requirements for stormwater management plans match or exceed the LMRWD’s standards and requirements.
Section 5.3.2.4 Stormwater Quantity – presents City requirements for rate control	The City’s requirements for rate control match or exceed the LMRWD’s standards requirements.
Section 5.3.2.5 Stormwater Quality – presents City’s water quality requirements	The City’s total phosphorus (TP) and total suspended solid requirements (TSS) match or exceed the LMRWD’s standards and requirements for TP and TSS reduction. It is recommended that the City provide additional amendments to include the LMRWD’s stricter requirements for High Value Resource Areas (HVRA), such as trout

	waters, as listed in LMRWD Rule D.5.4.3.B.
Section 5.3.2.6 Stormwater Abstraction Subsections 2 and 3 - presents City's volume retention requirements	The City's requirements for volume retention generally match the LMRWD standards and requirements for general areas. It is recommended that the City provide additional amendments to include the LMRWD's stricter requirements for the HVRAs.
Section 5.3.2.6 Stormwater Abstraction Subsection 4 – presents City's requirements for infiltration	It is recommended that the City also provide restrictions for areas within the LMRWD Steep Slopes Overlay District as listed in Rule D.5.4.3.C

Recommendations

We greatly appreciate the opportunity to review the amendments to the City's LSWMP Section 5.3.2 Design Standards. The City is to be commended for its efforts to protect our water resources. In general, the LMRWD supports the adoption of the amendments to Section 5.3.2; however, the LMRWD recommends the following amendments to the LSWMP before adoption:

- Provide stricter erosion and sediment control and stormwater management regulatory standards and requirements for HVRAs and the Steep Slopes Overlay District.
- Require floodplain delineation in erosion and sediment control plans.
- Require deeper decompaction of compacted soils.