

REGIONAL APPROACH TO POST-CONSTRUCTION STORMWATER POLICIES

June 1, 2017 Small Group Discussion Summary

Ideal Elements of Gold-Star Policy

- Gold Standard Elements include:
 - Channel protection volume
 - Water quality volume
 - Unified sizing requirements
 - Topsoil (infiltration)
 - Mechanical separators
- Post development has no worse impact than pre-settlement condition. Pre-development not good enough to achieve goals. Release as predevelopment rate vs pre-settlement ra
- Unified policy across region, all-or-nothing approach. Standard regulations that developers can operate under throughout the region. Piecemeal policies in place, area should have an umbrella policy.
- Extended detention requirements for smaller storms
- Clear requirements for maintenance for the first two years after implementation. Consistent maintenance practices and standards
- Method to transfer knowledge when ownership changes hands
- Enforced top soil rule, challenge is keeping soil in place, which is one of the most important things that can be done. Rescinded 4” top soil law. 4” soil requirement – who’s inspecting? What’s the definition of “soil”? Coralville and Chicago area have 6” requirement. Improve top-soil to decrease fertilizer running into ponds and streams therefore negatively impacting fishing habitat.
- Very important that soil is de-compacted, compaction is one of the top issues and some sites don’t have top soil.
- Need to have Context sensitive approaches to allow flexibility (based on soil type, slopes, area of the region, etc.). Adaptive approach for big vs small, residential vs commercial development regulations. Some downtown developments take up entire parcel, no setbacks for detention.
- May want to consider treating policy like ADA, if not changing anything then no need to retrofit, but improvement triggered if changes are made.
- Construct detention ponds with enough depth and watershed protection to promote quality aquatic habitat therefore creating fishing ponds as a quality recreational amenity.
- Construct ponds with angler access in mind.
- Address post-construction ownership of ponds. See them as “new age” farm ponds. Keep ownership such as the public has access to the pond to use as a recreational amenity.
- Improve pond protection from construction erosion.
- Ova Atlas 14 is arbitrary target, can shift quite a bit
- 1.25 inches requirement on site
- Nix the ‘rational method’ for calculating detention area
- Staffing to ensure implementation and enforcement
- ISWPP put together a model ordinance that is pretty good. Others agreed it’s a good place to start

Easy to accomplish: (all three are likely used in ordinances today, just not uniform across metro)

- Channel protection volume
- Detention Requirements
- Uniform sizing
- Channel protection volume
- Water quality volume

Difficult to accomplish:

- Topsoil – developers quote upwards of extra \$10-15k per lot if topsoil required. Must counter that claim, mostly due to misunderstanding how it works
- Pre-settlement vs. pre-development will be tough in some cities like Ankeny. Developers will argue should be pre-development, which would mean make same as agricultural land vs. prairie
- Staffing – cost issue

How to Communicate Need for Regional Approach to Electeds

- Long-term maintenance costs, green vs gray. Costs of fixing problems vs doing it now. One city mentioned they have spent a lot of money to fix poor practices. Council members are aware and this should resonate. Note that it's easier to fix things before development happens than to tear up peoples yards - preventative maintenance. Note that there may be a cost savings to doing green vs. grey infrastructure. Example of roadway in Coralville that HR Green helped design – cheaper to do green. Show elected officials as-built plans vs. what systems like detention ponds look like now – ponds are filled with silt, algae, etc. In other words, what we've been doing isn't working. Run a cost analysis to counter developers claims that it will cost more. May cost more per lot, but also going to save city and homeowners more over time to go a different direction. Curious how that pencils out. Show that if you don't address it now there is a higher cost to fix later. Easiest and cheapest to deal with the water where it lands (or somewhere close)
- Must focus on cost analysis, dollars are the end of all conversations
- Doing this protects private property and city infrastructure
- Flooding is useful messaging
- Water quality does not work. Focus less on water quality – secondary benefit
- Use water quality as a selling point – it's what we are drinking.
- Amplify with regional voices like capital crossroads
- Council members must be champions
- Take study trips to completed projects
- Regional policy to avoid being the one expensive town
- Regional developers – knowing that everyone is on board. How do we respond to the argument that developers will just build 5 miles outside city limits on cheap farmland? Concerns about developers going to other cities that do not follow policies. Concern for elected officials is slowing development – cant slow development (WDM). Need to get developers together for regionalization. Connecting water quality to the development level can be difficult.
- Get developers, insurance, citizens, etc. on board to support policies – electives will follow
- Us vs them – watershed authority needed – have current developers to engage in stormwater discussions
- Can blame regulators DNR/FEMA/Others
- Education campaign, field trips, showing work – estimate how much the city is going to spend and save over time. Need to get elected officials out to sites that need work or have had work done
- Need case studies of projects with costs
- Examples of what has worked and what hasn't – very visual
- Added amenities from floodplain protection – trails, greenspace. Must show interconnectedness of everything (i.e. people who want green lawns but are upset when water rationing is implemented – better topsoil means less watering)
- WMA are a key resource – information highways that help to show the regional impact of stormwater to elected officials
- Do it ourselves or we are going to get regulated argument.

Who is Missing?

- City councils. Elected officials.

- DNR floodplain . DNR (Joe and Ted Peterson (sp?)) EPA – especially DNR stormwater staff – must show that they do pay attention and cities/developers will be held accountable
- Jennifer Welch and Wayne Peterson
- Groups that may be concerned with affordability/equity issues, such as affordable housing (if this may make home ownership more expensive)
- DOT
- Engineering consultants used by developers – get them on board up front so their plans use these new practices. Easier than trying to shoehorn them in later
- Homebuilders – Dan Knoup
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- Larger developers (Hubbell and Jerry’s Homes mentioned)
- Be careful involving the public and homeowners
- Need to get additional city staff involved (the less innovative – “Hardheaded”). Parks and Rec staff. Economic development staff. City engineers. City planners. Asset managers. Can’t be department focused, leads to fragmentation.
- City management
- League of Cities – and the county equivalent
- Walton League
- Greater Des Moines Partnership/CXR
- ACOE
- ISWIP
- Anglers

Groups Who Will Have Concerns

- Homebuilders Assoc
- Hubbell
- R and R
- Policymakers
- SUDAS folks
- Homeowners
- Local farmers around new development
- ASCE – Vagueness leads to confusion, needs buy in
- Local contractors
- Association of General Contractors
- Grading contractors
- Realtors
- Farmers

Groups Who Can Help

- ISWPP
- Des Moines water works
- Community champions in individual communities
- SUDAS – some discussion on this, but agreed that Paul should be involved
- Environmental groups – volunteer groups who care about these things
- DNR
- Soil & Water Conservation Districts
- Anglers

How Do We Integrate with Local Gov't Collab

- Initial education of electeds to build baseline understanding and awareness
- MPO as platform for education
- Easy to integrate, use capital crossroads
- Getting homeowners to buy in – political bending – systematic process
- Different locations have different impacts, all communities are at different points in the watershed
- Educate engineers
- Land banking/not building in floodplain
- Required staff/engineer training
- Unified sizing, maintenance practices, testing for effectiveness
- Brining in outside experts
- Remember, this is a winter issue as well
- Identifying what's been done in state/before
- Help soften group ahead of time with city management and elected officials
- Ensure more than just public works involved
- Consider county-led ordinance

Challenges for Implementation

- Staff capacity (knowledge and time) Many communities have one person working part-time on these issues. Issues with staffing levels, not enough staff time to inspect sites regularly. How can we realistically do inspections
- Need regulations flexible enough for large and small communities while still being worthwhile
- Process for how technologies will be approved
- Need best management practices for inspections and maintenance
- Elected officials will be the challenge, need to bring in experts
- Geographic limits – where is line where developers will just jump out more to avoid compliance? What is critical mass of cities that need to sign off for others to agree to join?
- Need to overcome the idea of some cities seeing not going along as a development advantage
- Maintenance - -
 - will need to educate workers how to take care of green infrastructure
 - More staff likely required
 - More money likely required
- Will need to work together to present the case across metro

Other Info

- Important to do this before EPA forces us
- Is there a way to standardize maintenance reports from developers?
- Oregon has separate manuals for communities on the east side and west side of the mountains. Do we need different manuals for rural and urban?
- Tool kit of what works in region, especially transportation related projects
- Do an assessment with others like Coralville who have gone through this to see what works/what doesn't
- Need more education that allows policy makers to see how these various options work in the ground
- In Chicago, counties created a policy so all cities were on the same page.