

August 12, 2024

Cole Landgraf, Environmental Specialist
Minnesota Pollution Control Agency (MPCA)
Municipal Division
520 Lafayette Road
St Paul, MN 55155

RE: Comments on City of Saint Paul – Stormwater permit

Dear Mr. Landgraf:

On behalf of the Saint Paul Port Authority, we appreciate the opportunity to provide feedback on the draft stormwater permit for the City of Saint Paul. We have reviewed the proposed permit and would like to offer the following comments:

Comments on Sections 17.32 - 17.38

- The draft permit appears to expand the scope of regulatory oversight for stormwater management, extending beyond the requirements of the Minnesota Pollution Control Agency (MPCA) Industrial Stormwater NPDES permit. The MPCA permit specifies sector-specific requirements for industrial facilities, including monitoring and reporting obligations. In contrast, the draft permit requires a broader review, including commercial, industrial, and institutional facilities with potential pollutant exposures. This expansion could significantly increase the number of facilities subject to review, potentially numbering in the thousands. Such an expansion may strain the permittee's resources to develop and implement this new regulatory framework within the 36-month timeframe, potentially leading to challenges in staffing and funding.
- The draft permit mandates the development, implementation, and enforcement of a new inspection and regulatory oversight program. While the City of Saint Paul has existing structures for inspecting and enforcing non-stormwater discharges, the new regulatory requirements will likely introduce additional fees, permits, and inspections. This could result in increased costs, which may be passed on to property owners through new permit and fee structures. Although larger businesses and institutions may manage these impacts, many small businesses, including numerous minority-owned enterprises, could struggle with the new requirements.
- While the MPCA has determined that a Statement of Need and Reasonableness (SONAR) is not required for this permit process, the impact of these changes on Saint Paul and other

Phase 1 cities remains uncertain. The new permit requirements could create an uneven regulatory environment, placing additional burdens on businesses within Phase 1 cities while businesses outside these areas would not face similar requirements.

Comments on Change 1 and 2: Salt Storage and Industrial stormwater discharges

The Mississippi River is a commercial superhighway and one of the commodities that we bring in through the Port of Saint Paul is road salt. While we appreciate the need to control the amount of salt getting into the water of the state (especially the Mississippi River), we do not think that the City placing additional regulations and enforcement on businesses will provide improved results. A better option is to work through the current NPDES stormwater permit process so that businesses don't have to apply for and follow two different sets of rules regarding stormwater management.

We urge the MPCA to consider these concerns and the potential impact on local businesses. Thank you for considering our comments on the draft Phase I permit.

Thank you for your consideration.

Sincerely,

Kathryn Sarnecki

Kathryn Sarnecki
Chief Development Officer
Saint Paul Port Authority
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tkb/smi