

# Meeting Minutes: Ad hoc Storm Drainage Surcharge Committee of the Plumbing Board

Date: August 4, 2023  
Time: 9:30 a.m.  
Minutes by: Lyndy Logan  
Location: Minnesota Room, DLI, 443 Lafayette Rd. No., St. Paul, MN 55155

## Committee Members

1. Karl Abrahamson
2. Richard Becker (Committee Secretary)
3. Bryce Pylkas (Committee Chair)
4. Rick Wahlen
5. Mike Westemeier (DLI CO's Designee)

## Committee Members Absent

None

## DLI Staff & Visitors

Brittany Wysokinski (Board. Counsel, DLI)  
Lyndy Logan (DLI)  
Brad Jensen (DLI)  
Hannah Mardaus (DLI)  
John Anderson (City of Cloquet) – WebEx  
Derek Asche (City of Maple Grove) – WebEx  
David Bade (Westwood)  
Britta Belden (Capitol Region) – WebEx  
John Blenker (Westwood) – WebEx  
Kevin Bohl (BKBM Engineers)  
Jonathan Boesche (MN ABC)  
Nathan Bruno (IHB Corp) – WebEx  
Jake Brunoehler (Ads-pipe) – WebEx  
Nico Cantarero (Stantec) – WebEx  
Kyle Dimler (City of Hutchinson) – WebEx  
Chad Donnelly (City of Richfield) – WebEx  
Duane Duncanson – WebEx  
Dan Edgerton (Stantec) – WebEx  
Nick Egger (APWA MN Chapter)  
Kent Erickson (Plumbing Board) – WebEx  
Nick Erickson (Housing First)  
Justin Femrite (City Engineers Assoc.)  
Kevin Gardner (Piercepini) – WebEx  
Adam Ginkel – WebEx  
Becky Guenther (ISG Inc) – WebEx  
Monica Hei (MN Chapter, American Public Works)

## DLI Staff & Visitors continued

Lori Haak (City of Eden Prairie) – WebEx  
Chris Hartell (City of Woodbury)  
Emily Helwig (Kwik Trip) – WebEx  
Yer Her (Poulhaas) – WebEx  
Tom Herkenhoff (Larson Eng.) – WebEx  
Mike Herman (Plumbing Board) – WebEx  
Andrew Hogg (City of St. Paul) – WebEx  
Mitch Honsa (Larson Eng.) – WebEx  
Elizabeth Hosch (Capitol Region) – WebEx  
Todd Hubmer (Bolton & Menk Inc) – WebEx  
Will Huston (Rice Companies) – WebEx  
Jon Janke (Coon Creek) – WebEx  
Courtney Jasper (Poulhaas) – WebEx  
Tyson Jenkins (City of Plymouth) – WebEx  
Ryan Johnson (City of Roseville) – WebEx  
Christian Jones (Kimley-Horn) – WebEx  
Forrest Kelley (Capitol Region) – WebEx  
David Knaeble (Civil Site Group) – WebEx  
Megan Larson (City of Eden Prairie) – WebEx  
Robbie Latta – WebEx  
Troy Lindenfelser (City of Plymouth) – WebEx  
Mike Lund (Metro Cities) – WebEx  
Joel Maier (BKBM)  
Keith Matte (BKBM) – WebEx  
Chris McKenzie (City of Plymouth) – WebEx  
Anders Melby (Civil Site Group) – WebEx  
Stephanie Menning (MUCA) – WebEx  
Amanda Meyer (City of Cottage Grove)  
Eric Meyer (Larson Eng.) – WebEx  
Jake Miles (Larson Eng.) – WebEx  
Josiah Moore (DLI) – WebEx  
Pete Moreau (Ads-pipe) – WebEx  
Brian Mundstroek (Sunde Civil) – WebEx  
Shane Nelson (HAA Inc.) – WebEx  
Jake Newhall (WSB) – WebEx  
Mattias Oddsson (City of Richfield) – WebEx  
Jim Peterson (MN PHCC)

### **DLI Staff & Visitors continued**

Roz Peterson (NAIOP MN) – WebEx  
David Polson – WebEx  
David Radziet (MN PHCC)  
Doug Reeves (Greystone Construction) – WebEx  
T.J. Rose (Larson Eng.) – WebEx  
Linnea Savereide – WebEx  
Jennifer Schaff (County Materials) – WebEx  
Mark Scholle (Prinsco) – WebEx  
Kristin Seaman (City of Woodbury) – WebEx  
Patrick Sejkora (City of Eden Prairie) – WebEx  
Mike Sheehan (Civil Site Group) – WebEx  
Brandon Smith – WebEx  
Brian Soderholm (Soderholm) – WebEx

### **DLI Staff & Visitors continued**

Elizabeth Stout (City of Minneapolis) – WebEx  
Katy Thompson (Stantec) – WebEx  
Spencer Tolliver (Alliant Inc.) – WebEx  
Jason VerSteeg (Duininck) – WebEx  
Andrew Vistad (HAA Inc.) – WebEx  
Michaelea Whelan (Sunde Civil) – WebEx  
Dan Wilke (Carlson McCain) – WebEx  
Brad Wilkening (Westwood) – WebEx  
Brandon Wisner (City of Elk River)  
Brian Wurdeman (Kimley-Horn) – WebEx  
Nate Zwonitzer (Capitol Region) – WebEx

## **1. Call to Order, Secretary**

- A.** The meeting was called to order by Committee Secretary Becker at 9:35 AM. Roll call was taken by the Secretary and a quorum was declared with 5 of 5 Committee members present in person.
- B.** Announcements – Introductions (members and attendees) – Secretary Becker
  - Everyone present in person and remotely are able to hear all discussions.
  - All votes will be taken by roll call if any member is attending remotely.
  - All handouts discussed and WebEx instructions are posted on the Board’s website.
  - WebEx instructions/procedures can be found on the board’s website at: <https://www.dli.mn.gov/about-department/boards-and-councils/plumbing-board-ad-hoc-committee-storm-drainage-surcharge>

## **2. Approval of meeting agenda**

A motion was made by Wahlen, seconded by Westemeier, to approve the agenda as presented. The roll call vote was unanimous with 5 votes in favor; the motion carried.

## **3. Regular Business**

No expense reports.

## **4. Special Business**

### **A. Appointment of Committee Chair**

- Becker nominated Bruce Pylkas as Chair; the vote was unanimous with 5 votes in favor; the motion carried. Pylkas was elected as the Committee Chair.

### **B. Storm drainage surcharge discussion and open forum**

- Karl Abrahamson shared notes from previous City of St. Paul meetings related to the issue – **see Attachment A.**
- Westemeier stated that in plan reviews he is seeing more challenges related to surcharge and that sites appear to be more challenging than in the past.

- Wahlen addressed the comment from the previous board meeting that the board was overstepping its authority, he noted that the board wants to work with the involved parties to find a solution.
- **Amanda Meyer, City of Cottage Grove**, addressed the committee with a summary of her open forum presentation at the July 18,2023 board meeting.
- **Nicolas Cantarero, representing Minnesota Cities Stormwater Coalition**, said it was his opinion that plumbing code was not intended to cover site utilities and related structures. He stated that that the MCSC would be sending a letter to the board. He said MCSC wants to revise parts of MN Rules chapter 1300 and 4714 to revise the plumbing code role.
  - Becker reminded everyone that if this interpretation were to be rescinded it would fall back to the Plumbing Plan Review unit for the Department of Labor and Industry, Westemeier confirmed that the DLI interpretation is the same as the boards final interpretation for PB0159.
- **Monica Heil, PE., representing American Public Works Association, Minnesota Chapter President (APWA-MN)**, Noted concerns of erosion if storm water discharges above the water level along with additional concerns. Heil also stated that some systems that are initially installed as private systems end up becoming maintained by public works entities. Heil asked if the board was aware of any incidents where surcharging had caused any issues in the past.
  - Becker said in the interest of protecting the health, safety, and welfare of the public it seems negligent to wait until something happens.
  - Westemeier said the code has been around longer than anyone on the board, so he doesn't know why it is worded the way it is.
  - Abrahamson noted that the basic plumbing principles remain very much unchanged since the plumbing code was first adopted. He noted the only thing the board can do is interpret the code.
  - Heil said if there had not been an event that is trying to be addressed or remedy, can the Committee reevaluate and consider designs by a licensed engineer and recognized design principles as opposed to going through the variance process.
  - Becker said any changes like this would have to go through a rulemaking process in order to allow the Board to make this type of change.
  - Pylkas said he felt that plumbing is being seen as arbitrary, but in fact based upon a lot of engineering principles.
- **Justin Femrite, P.E., representing the City Engineers Association of Minnesota**, said that as city engineer they review site designs submitted for projects in their city to ensure they meet the stormwater management plan ultimately to protect the health safety and welfare of the public. He stated that he felt the issue is not that the code language is incorrect, but that the interpretation is the issue.
  - Becker said the Board, and everyone present today is on the same page and ideally the board and interested parties can find a way to go forward that works for everyone.
- **Roz Peterson, representing NAIOP Minnesota – Commercial Real Estate Developer Association**, said it takes years to develop a project, that interest rates, material costs and labor costs all make it difficult to build projects. She noted that it was taking 8-10 weeks for the board to approve plumbing plans which along with the

other challenges makes more difficult for project to be viable. She stated these are leading the development community to search for cities that are more development friendly, and this limits the sites that are available for development, leading to long term impact on overall economic and development goals.

- Becker clarified that the Board does not review or approve plans, that is the Department of Labor and Industry's plumbing plan review unit.
  - Wysokinski read a WebEx chat sent from Shane Nelson as follows: *Would the Plumbing Board consider completing a comprehensive review of how the code has been interpreted in the long-term past (+1 year to 30 years) vs. how it has been interpreted in the more recent timeframe (6 months to 1 year)? We feel that the interpretation has changed significantly in the past year.*
  - Westemeier said he believed it has been inconsistently enforced over the last 10 years or so.
  - Westemeier said it didn't seem like the high water mark was shown on plans twenty years ago, and wondered if it was now a requirement for plans and that having it on the plans means it is being noticed more frequently in the last 5 years.
  - **Todd Hubmer**, with Bolten & Menk, also serving as the professional engineer for several communities and private developers. Stated that in response to the federal clean water act MN rules chapter 8410 was adopted, requiring the creation of watershed districts for metropolitan areas. Requiring the development of storm water management rules and those rules have been guidance for their industry since 1985.
  - Westemeier asked if something has changed in the last 10 years with the 100 year water mark.
  - Hubmer stated that since he started in 1992 it has been on his plan sets.
  - Becker asked Hubmer if they have always used the 100 year 24 hour duration event for sizing their ponds.
  - Hubmer said they have seen a number of changes over the years, noting that they use the Atlas 14 data for their designs, which has changed as more data has been collected.
- **David Bade, commercial engineer representing Westwood**, noted that he has had highwater levels on plans for the last 25+ years. He noted that projects are typically designed for a 10 year rainfall event not a 100 year event due to the fact that it can lead to substantially larger and costlier systems. He also stated that the interpretation change has had a significant, immediate impact on projects in the pipeline along with projects that haven't even been started. Bade stated they have seen projects where the interpretation has been applied and not applied for similar projects.
    - Pylkas noted that even if the code is applied differently between two cities, isn't it the responsibility of the professional engineer to design to code?
    - Bade stated that it has only been recently and sporadically brought up on DLI review until the last year.
    - Wahlen asked Bade if this had not been an issue in the past 27 years on projects.
    - Bade said this is the first time this year, it is not happening in other communities. He also noted that they are concerned with water quality along with water volume. He also gave examples of a couple projects where the

interpretation was applied and results in increased cost and another project where it wasn't applied.

- Abrahamson noted he has seen the same issues in St. Paul with plumbing review not being part of the review process until the end of the design process. He stated that plumbing review should be included earlier in the process and noted that the city of St. Paul now has a plumbing reviewer as part of the site plan review for projects in their city.
- Bade stated that they typically do push developers to get plumbing engineers involved early in projects to try and avoid the disconnect that happens between plumbing code and site plan review.
- **David Polson**, stated that the engineers do know the plumbing code but have been blindsided by the interpretation, and hadn't thought to interpret water at the end of the piping to be a restriction.
- **Tom Herkenhoff** said he felt that the interpretation makes corn fields undevelopable because it is too costly to bring in enough fill. He also said he feels the interpretation is the issue not consistency.
- **Eric Meyer** noted he doesn't see an issue with plumbing code applying to a site, but that code does not address design rates for parking lots/paved areas like there is for a roof and combining the two is difficult without direction on design rates for the paved areas.
- **Katy Thompson**, Stantec, asked board since there isn't a definition of surcharge how is a reasonable person to know what that means. Her opinion that the misalignment on what surcharge is, likely is the root of the problem and if that can be understood the problems might go away.
- Wahlen stated that chapter 3 of the Minnesota Plumbing Code notes it governs the general plumbing requirements not specific to other chapters for the installation of plumbing.
  - Thompson asked if the board had recently adopted the 2020 UPC, and noted she felt there was an intentional deletion of "storm water" and replacement with "rainwater" language.
  - Abrahamson confirmed the plumbing code has changed and used to be changed every 3 years and is now typically every 6 years. He also noted that even though the code has changed the basic plumbing principles have not.
  - Thompson stated that she thought the changes would lead one to believe the intent was to remove stormwater from the code from a site civil perspective and that it was focused primarily on roof drainage systems.
  - Becker clarified that the 2020 Minnesota plumbing code adopted and amended the 2018 UPC. He also noted that he agreed that some of the issue at hand is a language disconnect, for example surcharge, a normal resistance to flow. Becker also stated that even though it may seem simple to define something like surcharge, it isn't so simple once you dig into it.
  - Pylkas stated that he has had projects that have been in design for years and the first time DLI is aware of it is when it is sent in for review. He suggested that DLI is only a phone call away to answer questions.
  - **Unknown person** stated DLI won't take a call.
  - Westemeier refuted that statement and said he could be called anytime, and he would take a call.

- **John Blenker, representing Westwood**, gave an example of a project he has in the St. Cloud area that is impacted by the interpretation. The site was originally designed in 2000 and to make improvements and an expansion, that would mean that a large portion of the site would need to get raised 1-1/2 feet and another couple acres 4 ft to meet the surcharge requirements. He encouraged the committee consider the domino effect of the interpretation.
- **Todd Hubmer, with Bolten & Menk, representing multiple clients in Oakdale**, said he felt that storm water is probably one of the most regulated entities in the state of Minnesota. It is regulated by local watershed districts, watershed management organizations, local communities, counties as well as the United States Army Corps of Engineers and the United States Department of Agriculture and others that have a say in stormwater. He stated he felt that the majority of engineers in the state of Minnesota are represented by one of the organizations that have presented in the meeting and that they are in solidarity that the current interpretation needs to be considered for rescinding. He stated he felt that one section of the code has been taken out of context and that the purpose of the plumbing code falls into the building inspections and building board of the state of Minnesota. He also said he believes the current interpretation conflicts with the basic principles of 4714 and is also in conflict with section 309 of the plumbing code. Hubmer stated he feels the interpretation is in conflict with ASHTO, MNDOT hydraulics design manual, hydraulic engineering circular 22, watershed district rules establish in the state of Minnesota as well as the local municipalities. Hubmer asked the committee to consider changes in the letter from the Minnesota Storm Water Coalition.
  - Becker asked how long the letter that keeps being referenced has been in process.
  - Hubmer said since February. They have been trying to figure out how best to approach the Plumbing Board. Hubmer stated there were several variance requests that were submitted to the board for consideration that were declined and that the variance process as one way they could proceed.
  - Becker said he appreciates the concern for public safety. Noting that time is of the essence in this situation that it would have been nice to have had the letter for the meeting to keep the process moving in a timely manner.
  - Thompson noted that the letter has only been worked on in the past month after determining with the interested parties what the best path forward would be.
  - Cantarero confirmed Thompson's statement that the letter has not been in process since February.
  - Wysokinski reminded everyone that the plumbing board only has the ability to change the plumbing code but not the items indicated in chapter 1300, which falls under the purview of the Department of Labor and Industry.
- **Pylkas** asked for clarification on what was within the board authority and what wasn't and what could be expected going forward.
  - Becker noted his intent for the committee meeting was to create a dialog and the committee would come up with recommendations for the board to discuss, address make any motions and consider moving forward with rulemaking.
  - Pylkas asked to confirm that any changes would have to go through the rulemaking process. Wysokinski confirmed that it has to be handled with the

rulemaking process and briefly summarized the rule making process and options.

- **Hubmer** stated that one of the possibilities that might be considered would be to stay the current interpretation and that the board would have the ability to interpret that the tail water impacts of ponds do not represent a surcharge.
  - Wysokinski noted if the board receives a request for interpretation, it can make another interpretation, it could decide to edit the existing one if the board decides to, but that it is a decision by the entire board.
  - Becker noted that at the next board meeting the board can't decide to define surcharge, because that would be rule making, but that if the board received a request for interpretation they could discuss the RFI and issue an interpretation staying within it's permitted duties without getting into rule making.
  - Kyle Dimler urged the board to stay or rescind its previous interpretation.
- **Pylkas** inquired for a project that has been through review, if the committee's suggestion is to go through the RFI process and is the committee suggesting changing a project.
  - Becker stated he doesn't believe this Committee is suggesting changing a project. The Committee and Board can't and shouldn't recommend how a particular project should address the issue to bring it into compliance. He also noted the Board has 30 days from receiving an RFI from responding; therefore, this means it cannot wait until the next meeting scheduled in October. A special meeting could be scheduled as soon as possible.
- **Amanda Meyer**, City of Cottage Grove, stated that the thought had been brought up to pursue a variance. She noted that engineer's working in Cottage Grove have tried to apply for an alternative engineered design, but the response was an alternative engineered design would not be accepted.
  - Westemeier said DLI can approve an alternative engineered design, that it does not need to go through the board. But he did note that the alternative engineered design still must meet the intent of the code.
- **Hubmer** stated that the comment of clogging is in conflict with engineering practice, that storm sewers are designed to be self-cleaning.
- **Wahlen** enquired if the committee includes the additional members who are in attendance of the meeting.
  - Wysokinski clarified that the additional board members listening in are not part of the committee and cannot be involved in the discussion at the meeting because doing so could create a quorum of the board and violate open meeting laws.
  - Becker said the intent of creating this Committee was to hear additional concerns and have discussion with all the interested parties and discussion amongst the committee members would lead to a recommendation to the board on a path forward.
  - Wysokinski said the Committee can decide whether or not they can bring a recommendation to the board.
- **Meyer** asked what the Board would need to see in order to consider and grant a variance related to the interpretation.

- Westemeier said the challenge is the Board consists of 13 members and the Committee cannot speak for the Board. The Committee cannot give you a specific answer. A variance is only job specific so we would be doing this over and over for each project.
  - Meyer said her only concern is there were two variances at the last meeting and after 45 minutes it was deemed there wasn't enough information for one of the variances. Meyer noted her concern that if a variance is submitted for a project and the board requests additional information prior to ruling on the variance it drags the process out for projects that are in the plan review que.
  - Wysokinski said there was a resolution at the last meeting that allows the chair to ask for additional information prior to a meeting.
- **Hubmer** said it isn't uncommon for state agencies to put together a small working group to put together language that represents the boards concerns and the industry concerns and work through those prior to bringing to the board for consideration. He indicated they would be open to having that sort of dialogue and level of conversation.
- **Dimler** said one approach would be to determine the previous interpretation could be deemed invalid on the aspect that the interpretation is addressing a term that isn't defined in the plumbing code and revise the interpretation to reference obstructions.
- **Jim Peterson, Minnesota PHCC**, He provided some background based upon his 28 years with DLI when they looked at the obstruction in the past. He suggested that when the pond freezes if that outlet is under the ice level, that is the obstruction.
- Pylkas asked if the intent of the surcharge committee was as Hubmer suggested.
  - Becker noted that was the intent of the committee. He also stated that how an RFI is written and how the question is asked has an impact on what is interpreted. Becker also shared that Chapter 1300 states that for words that aren't specifically defined in the code have the meaning that is published in the Merriam-Websters dictionary.
- **Kevin Bohl** BKBM Engineers – Asked the committee to consider what is the intent of the code, what are the impacts if the system is surcharged. He also noted that as an engineer they legally held to the standard of care, so they are required to follow the standard of care that other jurisdictions/engineers would do.
  - Becker said Mr. Bohl brings up an excellent point, standard of care.
- **Dimler** said in the consideration of the definition of “surcharge” being an excessive load or burden would not be applicable because of the 10 foot of head code requirement.
- Pylkas asked if there was any other feedback or input and Becker said he would move on from public input and have discussion with only Committee members.
- Westemeier said he appreciates all the comments and would like to find a happy medium where he could feel comfortable that code is being met but dealing with the restriction challenge. He suggested it would be best if a solution could come out of the discussion instead of rulemaking. Westemeier wondered since the site systems are typically designed for a 10 year event, should that be the benchmark?
- Pylkas said the intent of the Committee is to bring back a suggestion/recommendation to the full board.



- Wahlen said there are two competing priorities – the first is regarding Mr. Peterson’s comment, how do we make sure the building and occupants are protected if the pond is frozen? How do we arrive to a point where we meet the intent of the law, intent of the rule and intent of the code and still meet design criteria. Wahlen asked if the letter included any ideas/suggestions on how to satisfy all the requirements.
- **Katy Thompson** said the MCSC is writing a letter to petition for rulemaking in chapters 1300 and 4714 of Minnesota rules.
- Becker said if he were sitting on the other side he would draft an RFI that be specific enough to clarify the issue, but not go into rulemaking.
- Pylkas asked if a modification to the code defining something would be rule making. Westemeier replied yes and Wysokinski confirmed that adding a definition would likely be considered rule making.
- **Pylkas** said there are two paths, one of which is quicker for immediate needs and another to address the issue and bring it to the forefront for discussion and change.
- Wahlen asked about what the process would be for revising an final interpretation.
  - Wysokinski noted there isn’t a formal process to rescind the interpretation. And recalled that at the previous meeting the board discussed that even if the interpretation was rescinded it would fall to DLI’s interpretation which is the same as the boards.
- Wahlen asked that DLI’s interpretation would only apply where they are the AHJ.
  - Becker clarified when DLI is the AHJ and stated DLI does not necessarily do all reviews or inspections.
  - Westemeier clarified about plan review authority and inspection authority.
- Wysokinski read Kyle Dimler’s WebEx chat message as follows: *MN Plumbing Code Section 1101.12 addresses Secondary Roof Drainage that alleviates structural roof concerns if a pond is frozen. If the Board makes a new final interpretation that would become part of the code by statute.*
- Whalen asked if rescinding the interpretation would only affect the 35 communities with plan review delegation.
  - Becker stated that he believed that is the case.
- Pylkas asked if the Committee is ready to make a motion with a recommendation.
  - Wysokinski explained a couple options the board could follow regarding PB0159.
- Westemeier said we almost need a new RFI, but he also doesn’t want to go to specific then the RFI only applies to a specific point.
  - Wahlen asked if a new RFI could be acted upon quickly and Becker said statutorily an RFI must be responded to within 30 days; however, he as the Chair would call a special meeting as soon as possible.
  - Pylkas noted that the board needs outside action related to an RFI for the board to provide an interpretation.
  - Wysokinski said the committee could decide to recommend to the board to reconsider PB0159.
- Pylkas stated he agreed with Abrahamson and Westemeier that PB0159 that the RFI was pretty black and white.
- Westemeier asked if the Board’s answer to the RFI could be modified and Wysokinski said yes, that can be modified; however, the question cannot be.

- Wysokinski read a comment by Kyle Dimler sent through WebEx chat: *The final interpretation becomes code and code is applicable whether there is a delegation or not, 326B.127.*
- Becker suggested a motion for the board to review the interpretation if the original submitter were to revise their original RFI.
- Westemeier asked if the Board could re-evaluate the same RFI. Wysokinski said to her knowledge there has never been an RFI that has been re-vised later.
- Becker said if he were to receive an RFI he would move to call a special meeting as expeditiously as possible.
- Pylkas asked what precipitated the RFI and Westemeier replied it was from a specific project, but on that project an alternative solution was used.

Becker rescinded the below motion, which was not seconded.

A motion was made by Becker to recommend that the Committee bring a recommendation to the full Board to re-review/address the final interpretation issued for PB0159 and explore going into good cause exempt rulemaking to address through the rulemaking process.

**A motion was made by Becker, seconded by Westemeier, to explore going into good cause exempt rulemaking to address through the rulemaking process. The vote was unanimous with 5 votes in favor of the motion; the motion passed.**

- Hubmer asked if there was anything outside parties could do to help with the good cause determination for rulemaking.
- Wysokinski said she would welcome any help or evidence that anyone would like to supply the board would be helpful.

## 5. Announcements

None

## 6. Adjournment

A motion was made by Becker, seconded by Abrahamson, to adjourn the meeting at 12:27 p.m. The vote was unanimous with 5 votes in favor of the motion; the motion passed.

Respectfully submitted,

*Richard Becker*

Richard Becker  
Committee Secretary

### Green meeting practices

The State of Minnesota is committed to minimizing in-person environmental impacts by following green meeting practices. DLI is minimizing the environmental impact of its events by following green meeting practices. DLI encourages you to use electronic copies of handouts or to print them on 100% post-consumer processed chlorine-free paper, double-sided.

# Attachment A - Storm Retention Installation Requirements

DEPARTMENT OF SAFETY AND INSPECTIONS  
Angie Wiese, Director





CITY OF SAINT PAUL  
Melvin Carter, Mayor

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Saint Paul, Minnesota 55101-1806

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The notes below originated from a meeting on October 26, 2006, 9:30am at City of St. Paul LEIP Office. These notes have been updated in 2022 by the Senior Plumbing Inspector and the City of Saint Paul's Building Official.

Attendees: Tom Riddering, LIEP  
Tom LeClair, LIEP  
Mike Kassan, Sewer Utility  
Dave Conely, Sewer Utility  
Tia Cares, RWMWD.   
Cliff Aichinger, RWMWD.  
Bob Fossum, CRWD.   
Mark Doneux, CRWD.

Topic: Plumbing Code and Underground Stormwater Systems.

Purpose: A meeting was convened to discuss the use of underground infiltration stormwater facilities to achieve the watershed districts new Rules and how the plumbing Code may apply to such facilities. 6 issues were identified, discussed, and agreed upon.

1. Venting of the underground facilities should be required because many of these will be under parking lots and the accumulation of explosive vapors in the facilities may occur.
  - a. The Watersheds and the City will require appropriate venting of these facilities.
2. Connection of roof drains to the underground facilities. The concern is water backing up into the building via the roof drains.
  - a. The Watershed's and the City will require connection of roof drains above crown/top of the underground facility.
3. Pressure testing of underground facilities within ten feet from the building to ensure proper construction.
  - a. MPC 4714.1107.2.1: Water Test: each opening shall be tightly plugged except for the highest opening of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 10-foot (3048 mm) head of water, or,
  - b. MPC 4714.1107.2.2: The air test shall be made by attaching an air compressor testing apparatus to a suitable opening after closing other inlets and outlets to the system, forcing air into the system until there is a Uniform gauge pressure of 5 pounds-force per square inch (psi), or,
  - c. MPC 4714.1107.2.3: *Hydrostatic Test Method from the City Engineers Association of Minnesota. The Hydrostatic Test Method, provisions E2 and E3, or,*
  - d. MPC 4714 712.4: Concrete manholes and sewer lines shall be tested by negative pressure in accordance with ASTM Standards C1214-19 and C1244-17 or the Hydrostatic Test Method in section 1107.2.3(B).

4. Use of corrugated metal pipe (CMP).
  - a. The city will not allow CMP to be used on non-perforated facilities, because CMP cannot pass a pressure test.
5. Soil Test for underground infiltration facilities to ensure that infiltration is possible and desirable.
  - a. The City and the Watershed's will require soil testing to determine suitability for infiltration. The test shall show contamination levels, if present and the infiltration rates of the soil.
6. Items related to long term performance. The City has concerns about silting and plugging of the system and freezing of the system and would prefer to see the primary outlets to these systems at the bottom of the structure so that they will drain dry through the outlet. The Watersheds prefer that the developer have the option to raise the primary outlet above the bottom of the facility to provide the infiltration volume that is required in their Rules. Per the Watershed's Rules the facility will dry (through infiltration) in no more than 72 hours.
  - a. The Watersheds will be reviewing, approving, inspecting, and monitoring the permitted underground infiltration facilities.
  - b. The City will complete a plumbing code review and approval on all piping leading to and leaving from the underground infiltration facility.

Meeting Summary, October 26, 2006, 9:30am at City of St. Paul LEIP Office

Attendees:	Tom Riddering, LIEP	Tina Cartens, RWMWD
	Tom LeClair, LIEP	Cliff Aichinger, RWMWD
	Mike Kassan, Sewer Utility	Bob Fossum, CRWD
	Dave Conely, Sewer Utility	Mark Doneux, CRWD

Topic: Plumbing Code and Underground Stormwater Systems

Purpose: A meeting was convened to discuss the use of underground infiltration stormwater facilities to achieve the watershed districts new Rules and how the plumbing Code may apply to such facilities. 6 issues were identified, discussed and agreed upon.

1. Venting of the underground facilities should be required because many of these facilities will be under parking lots and the accumulation of explosive vapors in the facilities may occur.
  - a. The Watersheds and the City will require appropriate venting of these facilities.
2. Connection of roof drains to the underground facilities. The concern is water backing up into the building via the roof drains.
  - a. The Watershed's and the City will require connection of roof drains above the crown/top of the underground facility.
3. Pressure testing of underground facilities to ensure proper construction.
  - a. The City will require 1" manometer test for all non-perforated underground facilities. The Watersheds will not require this test.
4. Use of corrugated metal pipe (CMP).
  - a. The city will not allow CMP to be used on non-perforated facilities, because CMP can not pass the 1" manometer test.
5. Soil Test for underground infiltration facilities to ensure that infiltration is possible and desirable.
  - a. The City and the Watershed's will require soil testing to determine suitability for infiltration. The test shall show contamination levels, if present and the infiltration rates of the soil.
6. Items related to long term performance. The City has concerns about silting and plugging of the system and freezing of the system and would prefer to see the primary outlets to these systems at the bottom of the structure so that they will drain dry through the outlet. The Watersheds prefer that the developer have the option to raise the primary outlet above the bottom of the facility to provide the infiltration volume that is required in their Rules. Per the Watershed's Rules the facility will drain dry (through infiltration) in no more than 72 hours.
  - a. The Watersheds will be reviewing, approving, inspecting, and monitoring the permitted underground infiltration facilities.
  - b. The City will complete a plumbing code review and approval on all piping leading to and leaving from the underground infiltration facility.