



Executive Summary

City Council Workshop

AGENDA ITEM: MS4 Storm Water Petition
PREPARED BY: Jacob Kolander, City Administrator
RECOMMENDED ACTION: Discussion

Summary:

The City of Maple Plain is currently regulated under the Municipal Separate Storm Sewer System (MS4) program pursuant to Minn. R. 7090.1010, Subp. 1.A, which incorporates federal criteria outlined in 40 CFR § 122.32. This regulation applies to operators of small MS4s located in urbanized areas with populations of 50,000 or more, or those otherwise designated by the permitting authority.

Based on the 2020 Decennial Census, Maple Plain is no longer located within an urbanized area meeting the 50,000-population threshold. Furthermore, the Minnesota Pollution Control Agency (MPCA) has not designated Maple Plain under any other criteria outlined in 40 CFR § 122.32(a)(2). As such, the City may no longer meet the requirements for MS4 regulation.

In accordance with Minn. R. 7090.1010, Subp. 4.B., the MPCA has provided the City with the opportunity to submit a formal petition to the Commissioner requesting reevaluation of our designation. If granted, the City would be released from MS4 permit obligations.

Acknowledgments:

- MPCA has indicated that, based on current data, the petition will likely be granted.
- Future redesignation is possible via:
 1. A third-party petition under Minn. R. 7090.1010, Subp. 2.
 2. Future Census data indicating population growth or urban expansion.

Recommendation:

Staff recommend that the City Council directs staff to put on the Council Business Meeting Consent agenda the submission of the attached petition to the MPCA requesting reevaluation of Maple Plain's MS4 designation. This action may reduce regulatory burden while maintaining transparency and compliance with applicable rules.