

**7077.0119 POINTS FOR STORM WATER PROJECTS.**

**Subpart 1. Discharges to impaired waters.**

A. Four points shall be assigned if:

- (1) the storm water project service area currently discharges into an impaired water; and
- (2) the project reduces the level of the pollutant for which the receiving water is impaired.

B. For the purposes of this part, discharge into a subwatershed that flows into an impaired water is considered a discharge into that impaired water.

**Subp. 1a. Discharges to ORVW's or trout waters.**

A. Five points shall be assigned if:

- (1) the storm water project service area currently discharges into an ORVW or a trout water; and
- (2) the storm water project provides treatment that improves the quality of storm water discharges.

B. For the purposes of this part, discharge into a subwatershed that flows into ORVW's or trout waters is considered a discharge into that water.

**Subp. 2. Receiving water classification.** Up to seven points shall be assigned based on the classification of the receiving water as provided in this subpart if the storm water project provides treatment that reduces the quantity or improves the quality of storm water discharges. If the receiving water has multiple classifications, only the classification with the highest point value under this subpart shall be used.

Receiving Water Classification	Points
2A	7
1,2Bd	5
2B,2C,2D	3
7	1

**Subp. 3. Project implements corrective measures.** Five points shall be assigned to a storm water project if it implements actions that contribute to correction of a water quality problem identified in one or more of the following studies or an equivalent study:

- A. a clean water partnership project pursuant to chapter 7076;
- B. an impaired water; or

C. a United States Environmental Protection Agency-approved watershed restoration action strategy pursuant to section 319 of the federal Clean Water Act.

Subp. 4. [Repealed, 38 SR 444]

Subp. 5. **New or expanded diversion of storm water; points subtracted.** Five priority points shall be subtracted from the project's priority score if the project involves a new or expanded diversion of storm water to one or more of the following types of water or to a subwatershed that flows into that water:

- A. outstanding resource value water;
- B. impaired water;
- C. water defined as a Class 2A water under part 7050.0222, subpart 2;
- D. wetlands as defined in part 7050.0186, subpart 1a; or
- E. a lake as defined in part 7077.0105, subpart 19a.

Subp. 6. **Project helps meet total maximum daily load for receiving water.** Eighteen points shall be assigned if the municipality proposing the project holds a NPDES permit for a municipal separate storm sewer system and is implementing a storm water pollution prevention program according to Code of Federal Regulations, title 40, section 122.34, that addresses requirements resulting from a total maximum daily load waste load allocation.

Subp. 7. **Impervious surface ratio.** Up to ten points shall be assigned to a storm water project that addresses impervious surfaces through BMP's. The points are determined by the number resulting from multiplying 20 times the ratio of the project service area's impervious surface area to the total project service area to be served by the proposed BMP's and rounding up numbers with fractions to the next whole number.

Subp. 8. **Volume reduction.** Nine points shall be assigned if the proposed project will result in a storm water volume reduction from an existing discharge. The proposed project must incorporate volume reduction as a major component of the treatment system, or volume reduction must comprise a majority of the cost of the overall proposal. Qualifying best management practices include:

- A. rain gardens;
- B. bioretention basins;
- C. enhanced swales designed to infiltrate;
- D. tree boxes, if designed to capture a certain volume;
- E. storm water capture and reuse;
- F. porous pavement, if designed to infiltrate;

G. green roof technology; or

H. other similar practices that will result in a storm water volume reduction from an existing discharge.

Subp. 9. **New treatment systems.** Additional points shall be assigned if the proposed project includes new best management practices that provide treatment to an existing discharge, where the discharge is presently untreated. The number of points shall be awarded based on whether the applicant holds a municipal separate storm sewer system (MS4) NPDES permit that already requires a load reduction based on a total maximum daily load (TMDL):

A. when an applicant holds an MS4 NPDES permit and is assigned a waste load allocation based on a TMDL, the applicant shall be awarded one point; and

B. all other eligible applicants shall be awarded 18 points.

Subp. 10. **Multiple environmental benefits.** Six points shall be assigned if the proposed project will result in one or more of the multiple environmental benefits described in items A to F. Eligible projects must include a storm water treatment system component or best management practice, and another type of environmental benefit that results from the project. Flood control is already a priority goal of storm water management, so it does not constitute another type of environmental benefit. Qualifying multiple environmental benefits include:

A. storm water capture and reuse;

B. creation of wildlife habitat;

C. creation of a wildlife corridor or preservation of open or connected green space;

D. reduced use or need for water, energy, or consumption of other natural resources;

E. green roof technology that results in measurable reductions to storm water volume; or

F. other similar practices that provide multiple environmental benefits.

Subp. 11. **Structural improvements to existing storm water ponds.** Ten points shall be assigned to a project for structural improvements to an existing storm water pond that increase or improve storm water treatment. No points shall be assigned for projects that address only maintenance and do not propose structural improvements.

**Statutory Authority:** *MS s 103F.745; 115.03; 116.182; 446A.07*

**History:** *30 SR 923; 37 SR 1334; 38 SR 444*

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