

Capitol Region Watershed District

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June 6, 2012

FILE
12-061A26

Honorable Kathy Lantry, Council President
City of Saint Paul
320-C City Hall
15 Kellogg Blvd., West
Saint Paul, MN 55102

RE: Cossetta Variance Request

Dear Council President Lantry:

The Capitol Region Watershed District (CRWD) asks the City Council to deny the variance request by David Cossetta for stormwater management requirements at 211 7th Street West, City of St. Paul. CRWD takes this position due to the applicant's failure to meet the practical difficulties test for a variance request. Based on the May 9, 2012 Staff Report, the findings and practical difficulties indicate that the applicant has not met the requirements to grant a variance. The applicant was aware of and agreed to meet the City's stormwater management requirements as part of this project. The Staff Report also addresses the applicants concerns about the system overflowing into the food processing areas.

Land alteration affects the rate, volume, and quality of surface water runoff which ultimately must be accommodated by the existing surface water systems within the City and District. Land alteration and urbanization has and can continue to degrade the quality of runoff entering the waterbodies of the District due to non-point source pollution. Water quality problems already exist in all of the lakes and other water resources throughout the District. The Mississippi River is the principle receiving water for all runoff from the District and is listed by the EPA as "impaired" for nutrients. Projects that do not address the increased rate or volume of stormwater runoff from urban development can aggravate existing flooding and water quality problems and contribute to or create new ones.

The City as well as the District seeks to protect the public health and welfare and the natural resources of the District by providing reasonable regulation of the District's lands and waters to: 1) reduce the severity and frequency of flooding and high water, 2) to preserve floodplain and wetland storage capacity, 3) to improve the chemical, physical and biological quality of surface water, 4) to reduce sedimentation, and 5) to minimize future public expenditures to avoid or correct these problems.

Granting a variance for this project at this stage of construction would set a dangerous precedent for future projects that choose to eliminate stormwater management practices for reasons other than practical difficulties. Simply stated, stormwater runoff control is a basic, longstanding requirement of the City of St. Paul since 1981. In the past several years CRWD, as well as the City of St. Paul, has required similar stormwater management practices on sites with bedrock geology present in the subgrade.

"Our mission is to protect, manage, and improve the water resources of the Capitol Region Watershed District."

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June 6, 2012
Page Two

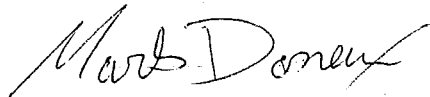
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Those sites include the Alton Memory Care facility, 7th Street Storage, the Point at River Crossing Apartments, and the City of St. Paul's own Fire Station #1 and more recently the Penfield Development. The costs associated with stormwater management due to the site geology while perhaps more than an average site, are known, able to be estimated and well within reason to expect and require of this applicant.

We hope that City of St. Paul, while moving the Great River Passage Plan through the approval process, will uphold one of its guiding principles: *"The Great River Park (Passage) is first and foremost a place of great natural beauty and value. Every action should respect, protect and enhance the ecology of the river corridor and valley."*

Please do not hesitate to contact me if you have any questions.

Sincerely,



Mark Doneux, Administrator

cc: Councilmember Melvin Carter, Ward 1
Councilmember Dave Thune, Ward 2
Councilmember Chris Tolbert, Ward 3
Councilmember Russ Stark, Ward 4
Councilmember Amy Brendmoen, Ward 5
Councilmember Dan Bostrom, Ward 6
Shari Moore, City Clerk
Anne Hunt, Mayor's Office
Wes Saunders-Pearce, DSI
Bruce Elder, Department of Public Works, Sewer Division