

**LOWER ST. CROIX ONE WATERSHED, ONE PLAN
POLICY COMMITTEE, MEETING 11**

SEPTEMBER 30, 2019 BOARD MINUTES

PENDING APPROVAL

Call to Order

Meeting called to order at 4:00pm by Chair Fran Miron.

Members Present: Anoka SWCD – Sharon Lemay
Brown’s Creek WD – Craig Leiser
Carnelian Marian St Croix WD – Kristin Tuenge (alt.)
Chisago SWCD – Jim Birkholz
Chisago County - Chris DuBose
Comfort Lake Forest Lake WD – Steve Schmaltz
Isanti SWCD – Greg Swanson
Middle St. Croix WMO – Brian Zeller (alt.)
Pine County – Stephen Hallan
South Washington WD – Kevin Chapdelaine
Sunrise River JP WMO – Paul Enestvedt
Washington County – Fran Miron
Washington SWCD – Diane Blake
Pine SWCD – Doug Odegard
Isanti County – Susan Morris

Staff Present: Angie Hong – EMWREP
Craig Mell – Chisago SWCD
Jaime Schurbon – Anoka SWCD
Matt Downing – MSCWMO
Mike Isensee – Carnelian-Marine-St. Croix WD
Tiffany Determan – Isanti SWCD
Jay Riggs – Washington Conservation District
Mike Kinney – Comfort Lake Forest Lake WD
Maureen Hoffman – Washington County

Others attending: Barb Peichel – BWSR
Dan Fabian - BWSR
Laura Jester – Keystone Waters
Mark Zabel – Vermillion River WMO

AGENDA ITEMS

Approve September 30, 2019 agenda

Craig Leiser moved to approve the Sept. 30, 2019 agenda and Susan Morris seconded this motion. Motion carried.

Approve August 26, 2019 meeting minutes

Susan Morris moved to approve the August 26, 2019 minutes and Diane Blake seconded this motion. Motion carried.

Update on project progression and Advisory Committee work to refine the implementation tables

Laura Jester reviewed the schedule and future agendas. Next Policy Committee meeting will be October 28 and will review final draft of implementation table. Progress on organizational arrangements. Draft plan by early December.

Reviewed prioritization options. Responded to CLFLWD suggestion to focus on Lakes. Laura discussed broader goal of holistic look at multiple resources. SWAs and diagnostic studies will be used and will be incorporated into the 1W1P plan to identify specific projects and locations.

Steve Schmaltz commented that we will have limited funds and would be better off focusing on specific targets to show progress and not spreading the money on all fronts.

Craig Leiser talked about the BCWD plan and how they have been focusing on specific targets and come back to look at plan on frequent basis.

Steve Schmaltz says some of these priorities need to be the responsibility of specific watershed district, but there does not seem to be a lot focused on the St. Croix.

BWSR Board Order for Watershed-based Implementation Funding

Barb Peichel and Dan Fabian spoke on BWSR watershed based funding implementation policy. A handout was distributed to the policy committee. Funding can be used over the entire watershed. Reviewed eligible entities and activities.

Comprehensive water management plans, wd/wmo plan, groundwater plan, SWCD annual workplan (details not finalized). July 1 of 2020 funding will be available. March 30 of 2021 plans in place.

Laura asks: who decides how the metro funds could be used outside the metro? Barb and Dan responded with clarification that the entities in the metro decide where their funds will go. Cities need to be involved in the process.

Craig said Karen Kill has been talking to their LGUs about the 1w1p process and they will be involved in

the process.

Chris DuBose asked why the metro might share funding in the upper watershed. Dan Fabian says there is a plan and built trust – the St Croix benefits from work done upstream. Fran Miron mentioned project costs could be higher in Washington. Jim Birkholtz says that funding is scarce for a lot of these entities and would be surprised if funding moves. Dan Fabian says Jack Lavold from SWWD wants funding to be spent in the upper watershed. Chris DuBose asked if it is a onetime or ongoing decision – Dan Fabian says watershed based funding will be consistent – the breakdown between metro and non-metro will continue – Lower St. Croix is unique. Jim Birkholtz says it is really important to plan on watershed basis, but why is the funding split metro-nonmetro? Why did BWSR make this split? Having two pots of funding makes it harder for us to implement on a watershed basis.

Barb Peichel called out Mark Zabel who is on the local government roundtable. There was a legacy element of watershed based planning already being done in the metro and the focus was outside the metro. This problem is an issue in the North Cannon as well. When it came time to sign the JPA, the issue of who gets the money came up. The concern is that if all the money goes into the greater watershed, then the Dakota WMO would not see any of the money. It really comes down to the framework you set as a board – if it is set up based on cooperation, then that will lead toward greater cooperation.

Steve Schmaltz says watershed districts have local funding and it sounds like some entities are depended on the grants. Chris DuBose talked about significant differences between Chisago County funding vs CLFLWD funding.

Steve Hallan says that we really need to focus on the priority areas in the watershed and would hope we built the trust level so we decide to spend the money on the most important projects. Susan Morris says we are working here together on a mission to protect the Lower St. Croix and we need to figure out how to prioritize and get the biggest bang the buck. Fran Miron agrees that this will lead well into the discussion about organizational structure.

Continued conversation on future organizational arrangements

Jamie Schurbon reminded group about materials they have received about organizational arrangements – he prepared a summary handout that included feedback from partners throughout the state. Jamie reviewed three options. See handout.

BWSR has not had to deal with partners who choose not to sign and how that would affect funding distribution.

Liability question: liability is shared over all entities in joint powers collaboration. Claim limits spread out among all entities. Liability limit for joint powers entity is the one entity.

Jamie Schurbon noted that criteria for selecting projects is very important for joint powers collaboration – some joint powers collaboration are dealing with this now. Barb Peichel says that prioritizing projects is more straight forward than programs.

Chris DuBose asked how fiscal agent would affect liability – the entity and not host has liability under joint powers entity. Jim Birkholtz asked for reassurance – has BWSR talked about administrative structure and the cost-benefit has been done? Legislative mandates do not require cost-benefit analysis. Analysis has not been done.

Steve Hallan – what are we getting rid of? Would we get rid of the SWCDs? Mark Zabel talked about contracts with the Dakota SWCD and collaborations – they use the staff at SWCD and not more expensive options.

Mark Zabel talked about metro conservation districts joint powers board. Initially set up to provide engineering support to member SWCDs. Initially it was a collaborative and then reformed as a more formal joint powers entity. 11 members. Funding is by dues for general operation and also has BWSR grants. Programs based on grants – currently running five programs. Services provided through agreements with partners who serve as the host. The member district provides day to day implementation. Metro Conservation Districts' joint powers board meets every three months.

Is there a difference in decision-making efficiency – new joint powers entity is more efficient to make decisions about policy and budget. Grants are written by staff. SWCD managers meet monthly.

Jay Riggs provided summary of host SWCD arrangements with the Metro Conservation Districts and how that works.

Mark Zabel mentioned that Metro Conservation Districts does not have staff, but participating entities hire staff.

BWSR policy allows Clean Water Fund grants to be used for activities that are direct and necessary to do the work.

Craig Leiser talked about share staff, services, and equipment. Water consortium is a great way for watersheds to develop similar policies and procedures. There will be hiccups but we can solve them and we have opportunity to do something special.

Mark Zabel also talked about Vermillion joint powers board – two counties – three board members. Funding mechanism is a special tax district. 335 sq mile watershed levies \$1 million. Purpose is to implement plan – so entity is empowered to implement plan.

Fran Miron stated that all of these structures can work. Are we going to hire employees? Do we want to own property? How do we access funding? Fran Miron provided examples of JPEs in Washington County. Solid waste, emergency services. Control is relinquished to new entity. Are we willing to give up ability to decide where the funding will go? JPC examples include septic inspections – most of us are covered by same insurance carrier. Nonprofit entity would be like Association of MN Counties. Member-based. There are also legislative created entities such as mosquito control and transportation advisory board.

Greg Swanson stated that because of the liability and efficiency issues, he prefers the joint powers entity.

Susan Morris asked Fran Miron which entity he prefers. Fran responded with importance of collaboration and concerns about creating a new entity. Concerned about cost-benefit. What is our purpose? The liability issue provides an argument for collaboration – no matter how we structure it we will all have to come to an agreement. JPC seems to make the most sense. Allows collaboration and doesn't create a new layer of government.

Greg Swanson says that from what he has seen, the MCD JPE runs very smoothly. It is very efficient – Metro Conservation Districts works very well.

Fran Miron says it would be hard to convince the county board to go joint powers entity.

Craig Leiser motioned and Susan Morris seconded the motion to request staff to develop information for board for creating a joint powers collaboration for the Lower St. Croix 1W1P.

Adjournment

Policy Committee members discussed upcoming meeting dates. The group agreed not to meet in December. The next scheduled meetings are: October 28th and November 25, 4-6pm at the Wyoming Area Library.

The motion to adjourn was made by Craig Leiser and seconded by Susan Morris. Meeting was adjourned at 6:00 p.m.